PARLIAMENTARY DEBATES

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HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1993–94

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OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES — VOLUME 241

NINTH VOLUME OF SESSION 1993-94

House of Commons

Tuesday 12 April 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

Defence Equipment Testing

1. **Mr. Alnger:** To ask the Secretary of State for Defence what testing of British defence equipment is routinely carried out in other countries; and if he will make a statement.

The Minister of State for Defence Procurement (Mr. Jonathan Aitken): The vast majority of routine testing of British defence equipment is carried out within the United Kingdom.

Mr. Alnger: The Minister will be aware of the concern expressed by many organisations, individuals, local authorities and trade unions about the outcome of the director general's review of test and evaluation. Does he agree that it would be wholly unacceptable if a significant part—or any part—of test and evaluation currently undertaken at establishments in Essex, Dyfed and west Scotland were transferred to another country in Europe or North America? Can he assure the House that, whatever the outcome of the review, it will not mean any of that work being undertaken anywhere other than in the United Kingdom?

Mr. Aitken: I recognise the hon. Gentleman's concern as the Member of Parliament whose constituency contains Pendine. In our quest for value for money, we are currently considering a number of options on the future of test and evaluation sites, although Ministers have reached no decision. On the information available to my Department, the transfer to an overseas location of facilities at Pendine or any other establishment does not appear to be cost-effective.

Mr. John Marshall: Has my hon. Friend made any estimate of the amount of defence equipment testing that would be undertaken in Wales and elsewhere if the defence budget were cut by 25 per cent., as some hon. Members advocate?

Mr. Aitken: My hon. Friend makes an entirely valid political point. If Labour or Liberal Democrat conference resolutions were implemented, test and evaluation establishments throughout the country would have not nearly enough work to survive.

Mr. Home Robertson: Will the Minister acknowledge that he has an unparalleled facility for testing and evaluating a wide range of weapons at the Royal Artillery range in the Hebrides? Will he ensure that the fullest possible use is made of those facilities by British companies and the British armed forces and encourage allied companies and armed forces also to take advantage of them?

Mr. Aitken: I am glad to pay tribute to the equipment, facilities and personnel at the Royal Artillery range in the Hebrides. I visited Benbecula and St. Kilda last summer and am well aware of the point that the hon. Gentleman seeks to make. I am all in favour of the artillery range seeking business from overseas Governments and companies—which takes place to some extent already.

Defence Equipment Exports

2. **Mr. Jenkin:** To ask the Secretary of State for Defence what was the value of exports of defence equipment in 1993; and what was the percentage change on the previous year.

Mr. Aitken: Our latest estimates show that in 1993 we signed defence equipment export contracts worth more than £6 billion. That represents an increase of more than 15 per cent. on the 1992 figure and makes 1993 another record-breaking year for Britain's defence exports.

Mr. Jenkin: Will my hon. Friend join me in congratulating Britain's defence equipment manufacturers on their success in achieving dramatically increased exports—particularly Paxman Diesels in Colchester, which is currently seeking diesel engine contracts from Kuwait and Abu Dhabi? Will my hon. Friend ensure that his excellent Department and the Defence Export Services Organisation in particular continue to provide the necessary support to British manufacturers, so that they may continue to achieve record exports?

Mr. Aitken: I am grateful to my hon. Friend for his tribute to Britain's defence manufacturers, who deserve to be congratulated on an outstandingly good success story in British exports. I am also glad to pay tribute to Paxman Diesels in his constituency, which is part of GEC Alsthom. We are aware that that company is currently hoping to win major export contracts in Kuwait and Abu Dhabi. My Department—and, indeed, my right hon. and learned Friend and I—have given it every possible help in its battle for those orders.

Mr. Donald Anderson: However remarkable and buoyant defence sales currently are, is not it clear that, over the next few years, there will be a contraction both in the domestic market and in many of our overseas markets, with major regional and employment effects? That will clearly be a major national problem. Do the Government intend to sit back, fold their arms and leave it to the market —or do they intend, like the United States Government, to set up a special agency designed to help in that period of transition and seek to diversify into civilian use wherever practicable?

Mr. Aitken: The hon. Gentleman has succeeded in sounding a note of lugubrious pessimism even though I am announcing some very good news. That is typical socialism. The Government do not have the slightest intention of sitting back or ceasing in the battle to win export orders for British companies. We hope to continue with some measure of success. The hon. Gentleman is right to say that the likelihood is that, both at home and abroad, there will be some contraction of orders, but the recipe for solving the problem is not, as he suggests, to create a new Government quango like the Defence Conversion Agency; indeed, he may care to note that the current United States Secretary of Defence was recorded as saying that so far the whole process of the Defence Conversion Agency was "unblemished by success."

Defence Land Service

3. **Mr. Clifton-Brown:** To ask the Secretary of State for Defence how much money has been realised by the Defence Land Service from the sale of property in the last year for which figures are available.

The Minister of State for the Armed Forces (Mr. Jeremy Hanley): During the financial year 1992-93, which is the last full year for which figures are available, my Department realised some £68 million from the sale of land and buildings.

Mr. Clifton-Brown: My hon. Friend will be aware that the defence budget is to be held in actual terms over the next three years. Would it not be right to redeploy into the defence budget some of the capital receipts from sales of property so that we can have an increased defence budget to deal with inflationary increases? That would help to pay for front-line facilities for troops to deal with such threats as that displayed by the grizzly bear Zhirinovsky during his recent visit to Paris.

Mr. Hanley: My hon. Friend is right that sales of surplus land and buildings can be very valuable within the defence budget—indeed, that is our policy. We are looking at the sale of land and buildings, again under the defence cost studies, and in due course will announce the results to the House. We greatly value those receipts. We look to sell surplus property whenever possible, and co-operate with local authorities in that, too.

Mr. Tony Banks: So does the Minister have some sympathy with local authorities, which are sitting on some £5 billion-worth of accumulated capital receipts that the Government will not let them spend on services? While he is thinking of a miserable, pathetic, cringing answer to that question, may I also ask him how many vacant properties the Ministry of Defence currently holds that should be let to the homeless?

Mr. Hanley: The Ministry of Defence currently owns about 70,000 domestic residences, of which approximately 10,000 are vacant—[HON. MEMBERS: "Disgraceful".] The Opposition might prefer it if there were no homes to which our soldiers, sailors and airmen coming back from abroad could go. The Opposition might feel that the homes of service men do not deserve to be repaired or put into proper condition for letting and occupation. Perhaps they have been so long away from having to look after such property that they have lost all sense of reality.

Frigate Building and Design

5. **Mr. Gill:** To ask the Secretary of State for Defence what is the average length of time taken to design and build a modern frigate.

Mr. Aitken: Once an affordable operational requirement has been agreed, it takes between eight and 12 years to design and build a modern frigate, depending on the complexity and development programmes of the weapon equipments to be fitted. Follow-on vessels to an existing design take some four years to build.

Mr. Gill: Does not my hon. Friend's answer underline the fact that, to all intents and purposes, the only naval vessels that we shall have in any future conflict or war are those that are in the fleet at present?

Mr. Aitken: No, that is not correct. There is, for example, a continuous rolling programme of vessel replacement and vessel building. There are currently 37 destroyers and frigates in the fleet, but three new type 23 frigates will be accepted into the Navy this year. Three are under construction and we hope to issue an invitation to tender for the next batch later this year. From that simple summary, my hon. Friend will realise that, in the event of hostilities breaking out, we should quickly be able to strengthen the number of ships available to the fleet.

Mr. George: Is not it so long since the Royal Navy operated a large fleet that it has lost all touch with reality?

Mr. Aitken: I am sorry to hear the hon. Gentleman, who is usually a staunch supporter of defence, suddenly indulge in knocking copy. Although the Royal Navy has, of course, reduced the size of its fleet since the days of the cold war, it remains one of the most powerful and effective maritime forces in the world. The fleet consists of some 122 ships, including, as I said, 37 destroyers and frigates, 20 submarines, 18 minehunters and three aircraft carriers, and other ships are under construction, including the landing platform helicopter ship. From that simple record, it is quite clear that the Royal Navy has not lost touch with reality.

Mr. Garnier: Can my hon. Friend tell me the equivalent time required by the Russian navy to build a modern frigate? Am I right in thinking that the Russians continue to build frigates and other front-line warships at an accelerating rate?

Mr. Aitken: The Russian shipyards are, indeed, continuing to build warships and submarines such as the Kilo submarine, some of which are being exported to countries such as Iran. I am afraid that I am not an expert on the time taken by Russian shipyards, but if Russian labour practices are anything to go by, they are considerably slower and less efficient than our own commendable yards.

Dogs

6. **Mr. Jamieson:** To ask the Secretary of State for Defence if he will make a statement on keeping dogs at Ministry of Defence establishments.

Mr. Hanley: More than 2,000 service dogs are kept at Ministry of Defence establishments worldwide. They provide valuable and cost-effective security. In addition, there are some dogs privately owned and kept at personal expense; if they are kennelled at Ministry of Defence establishments, their owners are charged for the use of any Ministry of Defence property.

Mr. Jamieson: Following his recent written answer to me, will the Minister confirm that the taxpayer is getting good value for money by subsidising dog kennels so that senior officers can go hunting during duty hours? In particular, will he confirm, following a written answer to me on 14 March, at column *520*, that hunting with dogs promotes "good tactical . . . appreciation"? How can officers serving in the Navy use such tactical appreciation aboard Her Majesty's ships?

Mr. Hanley: I am afraid that the hon. Gentleman is barking up the wrong tree; he clearly does not appreciate that the qualities expected in one force are usually expected in all three and that military capability for a leading officer in the Royal Navy is just as great as that for such an officer in any of the forces. The forces share their expertise. I can assure the hon. Gentleman, who has pursued this issue quite vigorously recently, that hunting never interferes with any military commitments. It is a legal sport and, while it remains legal, the Ministry of Defence will co-operate with those who wish to undertake it.

Mr. Whittingdale: My hon. Friend will be aware that, immediately before Easter, a number of boxes of anti-personnel mines were lost from the testing station at Shoeburyness and washed up on the beaches of my constituency—

Madam Speaker: Order. I know that the hon. Gentleman is a very good trier, and the Minister may have a reply, but that question does not relate to that on the Order Paper. Let us hear about dogs being washed up.

Mr. Whittingdale: Does my hon. Friend have any plans to employ sniffer dogs to ensure that that will not happen again? If not, what action does he propose to take?

Mr. Hanley: There is no doubt that you, Madam Speaker, nearly smelt a rat on that one. My hon. Friend makes a good point because although the majority of dogs used by the Ministry of Defence are used for guarding, 355 are trained for specialist detection duties, which include arms and explosives searches, drugs detection and tracking. As to the event to which my hon. Friend referred, an urgent investigation is being carried out.

Nuclear Proliferation

7. **Mrs. Mahon:** To ask the Secretary of State for Defence if he will make a statement about the military implications of nuclear proliferation.

The Secretary of State for Defence (Mr. Malcolm Rifkind): The Government attach a high priority to preventing the proliferation of nuclear weapons, and the United Kingdom will continue to contribute positively towards international efforts to prevent nuclear proliferation.

Mrs. Mahon: Which specific nuclear weapons have been dismantled and which are intended to be dismantled in the run-up to the renewal of the non-proliferation treaty?

Mr. Rifkind: The United Kingdom has indicated a very substantial reduction in its nuclear weapon capability. For example, we have got rid of all nuclear tactical weapons. We have said that we shall not go forward with the original proposals for a sub-strategic nuclear capability, which will in future be based on our Trident facilities. We have also indicated that our Trident nuclear weapons will have an explosive yield comparable to that of Polaris. The United Kingdom can hold its head high on the basis of making a positive contribution to the reduction of nuclear weapons in the world.

Mr. Ian Taylor: Has my right hon. and learned Friend recently made an assessment of the reports of the proliferation of nuclear weapons going from the ex-Soviet Union to Iran? The disturbing events in the Crimea also seem to be related to rumours that nuclear weapons may be being traded through to the middle east or even used

internally in the Ukraine. Those reports are disturbing at this sensitive moment and I should therefore be grateful if the Secretary of State could clarify the issue.

Mr. Rifkind: There is no indication that either the Russian or the Ukraine Governments have been involved in any trading of that kind. With the very large number of weapons that exist in Russia and other countries of the former Soviet Union, it is possible that certain materials may have been offered or transferred. We have no hard evidence to support that proposition, but the situation certainly needs to be carefully monitored.

Mr. Llew Smith: While discussing the military implications of nuclear proliferation, will the Minister explain how the Government can support both the non-proliferation treaty and Trident?

Mr. Rifkind: The existing non-proliferation treaty recognises the position of those countries that are currently nuclear weapon states. We are a signatory of the non-proliferation treaty, as are the United States and a number of other countries. We are all working together to ensure that the proliferation of nuclear weapons does not take place. In the real world, which may not be one with which the hon. Gentleman is familiar, one has to take into account the historical fact that nuclear weapons currently exist.

United States Air Force

8. **Mr. Spring:** To ask the Secretary of State for Defence if he will give an assessment of the United States air force's air base operations and related services in the United Kingdom.

Mr. Hanley: The United States air force in the United Kingdom currently operates airfields at the three main operating bases of RAF Mildenhall, RAF Lakenheath and RAF Alconbury, and the standby deployment base of RAF Fairford. However, flying will cease at RAF Alconbury by the end of March 1995.

Mr. Spring: Is my hon. Friend aware that some 1,500 additional United States service personnel will be coming to RAF Mildenhall and RAF Lakenheath in my constituency during the course of the year? Is my hon. Friend aware of the extent to which my constituents welcome that, and of the fact that community relations in my constituency are considered to be the best in the world? Will my hon. Friend join me in celebrating the strong British-American link which for 50 years has served so well the cause of freedom and democracy?

Mr. Hanley: I warmly welcome my hon. Friend's comments. It is true that the number of active duty service members in the Mildenhall and Lakenheath area is expected to increase from just over 6,000 to almost 8,500 by April 1995. Although that presence is welcome, it naturally brings with it pressures, especially on housing, and I congratulate my hon. Friend on the direct efforts that he has been making with the United States embassy and with the Ministry of Defence to ensure that adequate housing is provided in due time.

Bosnia

9. **Mrs. Gillan:** To ask the Secretary of State for Defence what proposals he has for the ultimate withdrawal of British troops from Bosnia; and if he will make a statement.

Mr. Rifkind: There are at present no plans to withdraw the British contingent. The timing of its ultimate withdrawal will depend on progress towards an overall peace agreement and developments on the ground.

Mrs. Gillan: I thank my right hon. and learned Friend for that reply and I am sure that we all look forward to the ultimate withdrawal of troops from the former Yugoslavia. In the meantime, and in the light of the events of the past 48 hours, will my right hon. and learned Friend assure the House that British troops will not be drawn further into the conflict but will continue to remain dedicated to their impartial peacekeeping role in the former Yugoslavia?

Mr. Rifkind: As my hon. Friend says, it is, indeed, crucial that all United Nations forces recognise their non-partisan role. The recent decision of the UNPROFOR commander, General Rose, to ask for close air support was taken because of the threat faced by UN forces in Gorazde. It is also crucial that the existing mandate of UNPROFOR forces, including those from the United Kingdom, be sustained over the weeks and months to come.

Mr. Menzies Campbell: The Secretary of State will recall that when he recently announced the decision to send additional British troops to Bosnia, he also told the House of the successful diplomatic initiative at the United Nations which had resulted in promises of some 8,000 additional troops from other countries. Does he share the disappointment of many people that, because of the unwillingness of a number of United Nations members to meet their obligations to that organisation, the figure of 8,000 has had to be revised down to 3,500?

Mr. Rifkind: The United Kingdom has fully complied with its commitments, and additional British forces are of course now serving in Bosnia, as are forces from several other countries. As the hon. and learned Gentleman said, however, several of the countries that expressed a willingness to send troops have not yet done so. We very much hope that they will meet their commitments in the earliest possible time frame, because the success of General Rose's efforts, like that of the United Nations effort in general, depends on his having the forces available to carry out the important task with which the UN has entrusted him.

Dr. David Clark: Is the Secretary of State aware that when I led a small delegation of hon. Members from both sides of the House into Gorazde last September, we found only 11 UN soldiers guarding that 750 sq km enclave? The Opposition support the aerial intervention to protect the safe area, but does the Secretary of State share our belief that more ground troops are needed? Will he put pressure on our American allies to contribute some of those troops, and at the same time use his diplomatic skills to ensure that the Russians are not left out in the cold again?

Mr. Rifkind: The purpose of UN personnel in Gorazde is not to protect the city; there is a very small number of UN personnel there. I agree with the hon. Gentleman that it is important for the UN to have the forces that it requires.

The United States has said that it would be prepared to provide ground forces in the event of a peaceful settlement in Bosnia. I shall be in the United States over the next few days and I am sure that I shall discuss these matters with my American colleagues.

Housing

10. **Mr. Gunnell:** To ask the Secretary of State for Defence what discussions he has had with local authorities about the transfer of Ministry of Defence housing.

Mr. Hanley: My Department has had discussions with local authorities on the leasing of properties that are not immediately needed for service families or that are awaiting sale.

Mr. Gunnell: Does the Minister share the view of his ministerial predecessor, the right hon. Member for Epsom and Ewell (Sir A. Hamilton), that it was rather a waste of time talking to local authorities, because they did not have the money to pay for the married quarters that they might wish to possess? Given that one in seven Ministry of Defence houses is vacant, and that the total is therefore far greater than the number needed for any returning service personnel, does the hon. Gentleman agree that it would be sensible for the two Departments to get together? Would not it be sensible for the Department of the Environment to ensure that capital receipts are available for local authorities to spend on married quarters so that they can purchase houses that the MOD wishes to sell and which the local authorities would like to possess?

Mr. Hanley: The hon. Gentleman made several points, and I have sympathy with many of them. The Ministry of Defence is managing its housing estate. I said earlier that there are about 70,000 married quarters, of which about 10,000 are vacant. However, it should be remembered that most vacant properties are undergoing major works, many are being held for deployments, and many are already allocated to service families but have yet to be occupied. We have also been co-operating with the housing task force and trying to sell as many vacant properties as possible. We sold 2,000 vacant properties last year alone, and we intend to sell a further 5,000 over the next five years. We enter into discussion with local councils not only because we like to take their advice on what housing associations might be useful but because many of them are leasing properties from us on a short-term basis.

Mr. Viggers: Is my hon. Friend aware that the local authority in Gosport, which I represent, has found the Ministry of Defence to be helpful and imaginative in its housing policy, as best exemplified perhaps by the recent Rowner Heights development? Does he agree that the transfer of MOD housing stock to the private sector should result in more efficient management and a reduction in the level of vacancy, which has so annoyed my constituents over the years?

Mr. Hanley: I am most grateful to my hon. Friend. He is absolutely right that in Gosport there has been a model of co-operation between the local authority and the Ministry of Defence. Indeed, returning service men are being housed properly. As for the housing trust to which my hon. Friend alludes, that has been welcomed by the housing task force and the report recently published by my right hon. Friend the Minister for Housing, Inner Cities and Construction. Indeed, we look forward to the establishment of the housing trust so that the estate of MOD housing can be even better managed.

Dr. David Clark: Bearing in mind that the cost of an average house in the United Kingdom is £62,500, does the Minister consider that the price of £7,000 per house which he intends to offer the Ministry's housing to the housing trust is a fair deal to the taxpayer?

Mr. Hanley: I do not honestly believe that, when one is looking at the number of houses that we are talking about, and the people for whom the houses will be held, the hon. Gentleman is making a straight comparison. What he is doing is trying to deal with the 70,000 houses as though there was a bulk sale and exaggerating the price. It is a bulk sale, but it is for the benefit of people in the armed forces.

Royal Auxiliary Air Force

11. **Mr. Wilkinson:** To ask the Secretary of State for Defence what progress he has made in augmenting the strength of the Royal Auxiliary Air Force to compensate for cuts in the front line of the Royal Air Force imposed under "Options for Change".

Mr. Hanley: The strength of the Royal Auxiliary Air Force has increased from 262 in April 1979 to some 1,700 now. We keep the numbers under regular review. For instance, the reduction in the threat to United Kingdom home bases means that we will no longer require the four Royal Auxiliary Air Force defence flights formed to protect key points, but Royal Auxiliary Air Force personnel are now being given the opportunity to operate as an integral element of two regular RAF Regiment Rapier squadrons. We also intend to undertake trials of reservist aircrew for the first time on Hercules and Wessex aircraft.

Mr. Wilkinson: Is my hon. Friend aware that since the decision was taken under the "Options for Change" review, the air defence element of the Royal Air Force has reduced by some 30 per cent. and the strike attack element by some 40 per cent., and therefore the Royal Air Force is smaller but, effectively, weaker? As a consequence, could he increase significantly the reserve element by the creation of flying squadrons, as is so effectively done in the United States, Israeli and Swiss air forces?

Mr. Hanley: The answer to my hon. Friend's last point is that we will certainly look at that because there is a future for the Royal Auxiliary Air Force. I mentioned that the number had increased from 262 to some 1,700. Even before the removal of the four flights, that will still be an increase of up to 1,300 with possibly more increases to come. As for the RAF Regular Reserve, the number was 3,250 in 1979 and it is some 17,500 now.

Mr. Martlew: Is it not correct that in "Options for Change", the plan was to increase the number to 2,000? The Minister has announced that it is only 1,700 at present, so in fact there has been a reduction of 300. That is another idea of the Government's lack of clarity towards their armed forces. In 1983, it was announced that the Royal Auxiliary Air Force and part of the Royal Air Force Voluntary Reserve would be amalgamated. There is a problem with [illegible] to carry that out, we need primary legislation. Can the Minister guarantee that we will deal

with the Reserve Forces Bill next year in the House? Will that Bill include clauses that will allow the amalgamation to take place?

Mr. Hanley: As I have said—and the hon. Gentleman clearly heard me—we keep the numbers of the Royal Auxiliary Air Force under review. That means that occasionally there will be reductions if threats change, and there will be increases when new roles can be found. As for the Reserve Forces Act 1980, what the hon. Gentleman said is exactly the intention of the Ministry of Defence —to enact a change in the legislation next year.

Mr. Mans: In relation to the Royal Air Force Reserve, will my hon. Friend have discussions with his opposite number at the Home Office before any decisions are taken over the air cadet movement because of the great social good that that movement does in terms of providing useful occupations for youths and preventing them from going down the wrong road towards crime?

Mr. Hanley: Naturally, I agree that many benefits flow from joining up with the Territorial Army, or the reserves. Those to which my hon. Friend has pointed are just some of them. The defence of the realm must primarily take account of the needs of the kingdom to be defended. This is not a purely social service, but there are certainly social service benefits. Indeed, many benefits flow from military discipline.

Bosnia

12. **Rev. Martin Smyth:** To ask the Secretary of State for Defence what is the latest estimate of United Kingdom forces required in Bosnia and the subsequent impact on other theatres of operation.

Mr. Rifkind: The United Kingdom currently has some 3,300 service men on the ground in the former Yugoslavia, with a further 3,000 deployed offshore and in Italy. Our contribution naturally takes into account our operational commitments elsewhere.

Rev. Martin Smyth: While I welcome the right hon. and learned Gentleman's statement, can he assure the House that, with the overstretch in the emergency plot and the planned reductions, the United Kingdom will have sufficient forces in the years ahead to undertake its rightful peacekeeping role, maintain its presence in Northern Ireland and, at the same time, make provision for engagement in collective brigade and Army training?

Mr. Rifkind: It is our intention to meet all those commitments. Our plans envisage that the emergency tour interval will meet the target of some 24 months by the end of the draw-down period. I can assure the hon. Gentleman that our commitment to Northern Ireland will be of the highest priority. We believe that the first obligation of our armed forces is the protection of the territory of the United Kingdom wherever a legitimate contribution can be made to that end.

Lady Olga Maitland: Is my right hon. and learned Friend aware that while we must indeed undertake our own role in overseas operations, this must not be done at the expense of operations in Northern Ireland? In particular, does my right hon. and learned Friend realise that there is a serious shortage of helicopter flying hours for surveillance purposes? Surely it is essential that we demonstrate that we are absolutely resolute in countering terrorism in the Proviace.

Mr. Rifkind: My hon. Friend is correct, but she should take into account the fact that there has been a massive increase in helicopter activity in Northern Ireland. Helicopters have been found to be a most valuable means of meeting our security commitments, and there has quite properly been a major deployment of helicopter assets in the Province. We shall continue to try to ensure that the availability of those assets is consistent with operational requirements.

Dr. Reid: At this critical juncture for our troops in the former Yugoslavia, will the Secretary of State take the opportunity to lay to rest some of the fears that have been expressed both at home and abroad by assuring the House that the use of military force in Bosnia, under United Nations mandate, will continue to be related to specific achievable and impartial humanitarian objectives and that forces will not be allowed to stumble into an ill-considered partisan or futile intervention of a more general nature in that theatre?

Mr. Rifkind: Yes, of course, it has been Her Majesty's Government's view, since the very beginning of this conflict, that crucial to the authority of the United Nations and its forces is the need for them to remain bipartisan in making a contribution at the humanitarian level and at the peacekeeping level so that the country may see the United Nations as the protector of all its peoples, as an organisation that is not partisan in the way it carries out its responsibilities.

Mr. Brazier: With regard to the impact on other theatres of operation, will my right hon. and learned Friend tell us when it is next intended to hold a brigade or divisional exercise? The removal of infantry for various tasks—vital tasks such as those that have to be undertaken in Northern Ireland and others such as are being discharged in Bosnia—has created an overstretch that many of us feel has prevented the remaining formations from carrying out such exercises. When is the next brigade exercise planned?

Mr. Rifkind: That will be for the Army to decide. However, the work being done by our forces in Bosnia and elsewhere is regarded as very valuable training and experience. Thus, it is seen as being in no way irrelevant to their true purpose or role.

Military Expenditure

13. **Mr. Mandelson:** To ask the Secretary of State for Defence if he will make proposals for greater burden sharing of military expenditure among European members of NATO and the Western European Union.

Mr. Rifkind: The recent NATO summit agreed that European allies should take a greater responsibility for common security and defence. This will be achieved through the development of a European security and defence identity, expressed through the WEU, which will in turn strengthen the European pillar of the alliance.

Mr. Mandelson: In view of the further development of pooled European defence arrangements which, as the Secretary of State has said, were agreed at the NATO

summit and were foreshadowed by the Maastricht treaty, does he agree that common European defence policies require common thresholds of military spending by member states? Will the Government therefore give much greater impetus to devising new approaches to European defence spending in the run up to the intergovernmental conference in 1996?

Mr. Rifkind: The hon. Gentleman should not get too obsessed with percentages when he compares the defence expenditures of various European countries. It is perhaps significant that the United Kingdom, France and Germany spend much the same sums of money on defence because in each case they have substantial commitments to the NATO alliance and to their other responsibilities. The three countries—which are, of course, the three senior European members of NATO—have comparable levels of defence expenditure, and that is no coincidence.

Mr. Bill Walker: Will my right hon. and learned Friend tell the House when, as a result of those splendid arrangements, we can expect to see the Wehrmacht committed to operations such as those in Bosnia and elsewhere which have a direct reflection on NATO and on western security?

Mr. Rifkind: I think that my hon. Friend is perhaps referring to the Bundeswehr, and not to the Wehrmacht. I do not think that even my hon. Friend would be anxious to see the Wehrmacht carrying out the responsibilities which he suggested. The Federal Government of Germany have indicated their desire to see the Bundeswehr carry out such responsibilities as soon as the German constitution permits such a task.

Mr. Jim Marshall: Does the Secretary of State agree that if some of our European allies continue to reduce their defence expenditure at the current rate there will be a real possibility that the concept of the WEU as a European pillar of NATO will fast become a joke? *[Interruption.]*

Mr. Rifkind: I agree that, at a time of general instability in Europe when NATO is being called upon to carry out new tasks, it is important that all member states of the alliance—including the smaller states—should continue to make a credible contribution to the defence needs of the alliance. *[Interruption.]*

Madam Speaker: Order. I would be much obliged if the House would settle down. It is very noisy this afternoon, and even the Secretary of State has difficulty in hearing the supplementary questions—let alone me.

Infantry Strength

14. **Mr. Pawsey:** To ask the Secretary of State for Defence what is current front-line infantry strength; and what it was in 1990.

Mr. Hanley: On 1 February this year, the total trained strength of the infantry was about 29,400. On 1 April 1990, it was about 35,900. These figures exclude 3,460 Gurkhas, 6,800 Royal Marines and soldiers from other arms deployed in the infantry role which are regularly about 1,280.

Mr. Pawsey: Given that fall in numbers, is my hon. Friend satisfied that there are sufficient numbers of infantry able to discharge the United Kingdom's obligations in Hong Kong, Northern Ireland and Belize, and for the defence of United Kingdom itself?

Mr. Hanley: The answer is yes. My right hon. and learned Friend the Secretary of State announced last November that certain amalgamations would be withdrawn and that there would be 3,000 extra back-up troops because we keep under regular review the need to meet our commitments. At current levels, we believe that the forces which we have meet those commitments, and meet them well.

Defence Export Services Organisation

15. **Dr. Lynne Jones:** To ask the Secretary of State for Defence if he will make a statement on the jobs created as a result of the activities of the Defence Export Services Organisation since 1979.

Mr. Aitken: We estimate that at least 145,000 jobs in the defence sector are related to exports.

Dr. Jones: Is not it a disgrace that the Defence Export Services Organisation spent £16.3 million last year in promoting world instability? Would not more jobs be secured if that money, and other subsidies for arms manufacturers and support for the arms industry, were spent in helping them to diversify into civil manufacture?

Mr. Aitken: The hon. Lady seeks to condemn the Defence Export Services Organisation for spending £16 million and says that that creates instability. I assure her that she is completely and utterly wrong. As I said in an answer to an earlier question, last year our defence exporters aided by DESO managed to clock up the remarkable total of £6 billion of defence exports—a record-breaking figure. That creates jobs, prosperity and economic strength for this country and an overwhelming number of hon. Members on both sides of the House warmly welcome that success.

Vacant Dwellings

16. **Mr. Austin-Walker:** To ask the Secretary of State for Defence what is the current number of vacant dwellings owned by his Department.

Mr. Hanley: As at 31 December 1993, my Department owned 10,108 vacant married quarters and 151 vacant Ministry of Defence houses. In addition 1,468 vacant married quarters and 44 vacant MOD civilian houses were in the process of being sold. The majority of the vacant married quarters were either undergoing or awaiting major works or modernisation, held for unit deployments, or already allocated to service families who were due to move in shortly.

Mr. Austin-Walker: Does the Minister recall the statement by his fellow Minister, Viscount Cranborne, that many sales to housing associations were either delayed or terminated because of lack of funding? Does he accept that the Government's restrictions on capital expenditure are resulting in thousands of Ministry of Defence homes remaining empty while thousands of people are homeless?

Mr. Hanley: The Ministry of Defence sold 2,000 married quarters last year and we intend to sell another 5,000 during the next five years, which is a pretty impressive record.

PRIME MINISTER

Engagements

Q1. **Mr. Austin-Walker:** To ask the Prime Minister if he will list his official engagements for Tuesday 12 April.

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Austin-Walker: Does the Prime Minister recall that not a single vote was cast in the House on Second Reading against the Civil Rights (Disabled Persons) Bill and that 231 hon. and right hon. Members voted for it? Will he assure the House that nothing will be done by the Government side to obstruct the passage of that Bill and that an early opportunity will be found for the Report stage and Third Reading?

The Prime Minister: As I have indicated to the House before, we share the aim of eliminating discrimination against disabled people. We have done a great deal for disabled people in recent years and will do yet more, both in this Parliament and the next. What we need to do in Committee and thereafter is to look at the practical implications of the Bill, and that will be done.

Sir Peter Tapsell: Following his recent success in encouraging and welcoming the introduction of Russian ground troops into the former Yugoslavia, as part of the United Nations Protection Force, will my right hon. Friend try to use his influence to improve communications between the Secretary-General of the United Nations and President Yeltsin, so that the Russian President will not feel excluded from the implementation of resolution 836, for which Russia voted in the Security Council on 4 June 1993?

The Prime Minister: As my hon. Friend clearly indicates, Russia has a very important part to play in the peace process and I very much welcome the actions by the Russian deputy Foreign Minister during the past 24 hours to support the ceasefire negotiations.

As far as the recent close air support is concerned, UNPROFOR and NATO acted in accordance with the Security Council resolution that my hon. Friend mentioned. Both resolutions 836 and 844 were at the time accepted by Russia. In that instance, the close air support operation did not require further consultation with any Government and in those circumstances it was correctly authorised by the Secretary-General's special representative, but clearly, where it is militarily practicable, it is wise to seek the support of those countries that supported the resolution.

Mrs. Beckett: Is the appearance of the Chief Secretary to the Treasury at yesterday's manifesto launch of Westminster city council—a council that the district auditor said wasted £21 million of taxpayers' money—an admission that the Government are happy to condone waste and incompetence?

The Prime Minister: Yesterday, I had the pleasure of spending some time in Birmingham, which I much enjoyed. If the right hon. Lady wishes to talk about waste and incompetence she might look at some of the activities of Birmingham city council in recent years.

Mrs. Beckett: What is the country to make—*[Interruption.]*

Madam Speaker: Order.

Mrs. Beckett: What is the country to make of the fact that the Minister in charge of the nation's purse-strings openly endorses a council that sold three cemeteries for 5p each, which had to be bought back at a cost of millions of pounds, and that the district auditor says has wasted £21 million of public money? What kind of standards are these?

The Prime Minister: I should be more impressed with what the right hon. Lady has to say if she applied precisely the same criteria to many Labour authorities, not just Birmingham—*[Interruption.]*—that I have mentioned. Some of my hon. Friends have just mentioned others and there are many to draw from.

Mrs. Beckett: Does not the Prime Minister understand that he and his Government deceived the public about the poll tax, deceived the public about income tax and deceived the public about value added tax, and are now trying to deceive the public about council tax and about their record on local authorities, that no one believes the Government any longer and that that is why the local elections and the Euro elections will be a referendum on the record of the Prime Minister and his whole Government?

The Prime Minister: I am bound to say that that was just a touch laboured. If she wants to talk about deceit on taxation, the right hon. Lady might look at her hon. Friend the Member for Blackburn (Mr. Straw) who, on the council tax, was forced to admit after weeks of prevarication that Conservative councils were noticeably less expensive to the council tax payer than Labour authorities. Whatever band of council tax one takes, the answer is the same: Labour councils tax more than Conservative councils.

Mr. Fabricant: Is my right hon. Friend as alarmed as I am at the unusual comments made by Vladimir Zhirinovsky in France this morning when he spoke about the possibility of a nuclear attack on France? Does he agree with me that now is not the time to talk about nuclear disarmament as some Opposition Members have done?

The Prime Minister: I agree with my hon. Friend about that. There should be no doubt that we will maintain our nuclear deterrent in its strength, quite unlike Opposition Members who for many years have been prepared to abandon it unilaterally.

Mr. Ashdown: Will the Prime Minister reaffirm that apart from the action taken by the United Nations being consistent with UN Security Council resolutions, as he has suggested, it was also necessary to support the authority of the UN and it was required for the protection of UN peacekeepers? Does he also agree with me that now is the time to keep our nerve, maintain our military determination and increase diplomatic pressure on the Serbs in order to

persuade them that they have more to gain from returning to the peace process than from aggression or from further challenges to United Nations authority?

The Prime Minister: On this occasion, I am able broadly to agree with the right hon. Gentleman. Close air support will remain available to the UN commanders, and they will be able to call on it again if they consider it necessary under either resolution 836 or resolution 844. I hope that those who may be prepared to attack UNPROFOR will draw the appropriate lesson from what has happened so that further use of close air support is unnecessary. As regards keeping our nerve, we are determined to do whatever we can to try to bring about a full settlement. A huge amount has been achieved in the past eight weeks or so. We need to build on it in the weeks ahead, and there will be no loss of nerve here or, I hope, anywhere else.

Mr. Bates: Has my right hon. Friend seen the latest edition of *Plant Location International* which has carried out a poll of the world's best regions for foreign direct investment in which Shenzhen, China is third, Cape province, South Africa is second and the northern region is first? Does not this excellent news demonstrate how the economic fortunes of the north-east have been transformed since 1979 under the present Government?

The Prime Minister: I am afraid that that particular publication was not part of my Easter reading, but I am delighted to hear what my hon. Friend has to say and I certainly share his view about the renewal of prospects, not just in the north-east, but in the whole of the northern part of England.

Q2. **Mr. Donohoe:** To ask the Prime Minister if he will list his official engagements for Tuesday 12 April.

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Donohoe: Making reference to the statement made earlier by the Prime Minister in connection with Birmingham, will the right hon. Gentleman condemn the lies and deceptions contained in last week's Tory party broadcast?

The Prime Minister: I never condemn reality and truth. The reality is that we could have given a whole series of illustrations, not just of Birmingham city council, but of a series of other councils—Coventry, Waltham Forest, Derbyshire. I am sure that the right hon. Member for Derby, South (Mrs. Beckett) knows all about Derbyshire and the chairman of the finance committee.

Mrs. Beckett *indicated assent.*

The Prime Minister: The right hon. Lady may contemplate that before she asks me again about Westminster or any other Conservative authority. So I think that the hon. Member for Cunninghame, South (Mr. Donohoe) ought to consider the depth of corruption and despair that there is as a result of Labour local authorities.

Deregulation

Q3. **Mr. Steen:** To ask the Prime Minister what discussions he has had with other European political leaders about deregulation in respect of European directives.

The Prime Minister: The Commission has said that it will bring forward proposals that will involve the simplification or repeal of about 25 per cent. of Community legislation.

Mr. Steen: In view of the Prime Minister's success in persuading the Commission of the need for greater deregulation, will he try and persuade the other European leaders of the need to embark upon a compliance cost assessment before any directive is implemented, so that every country in Europe knows the cost to its taxpayers before a directive is enforced and implemented?

The Prime Minister: My hon. Friend is right to stress the importance of compliance cost assessment, and we are actively encouraging other member states in the Community to introduce systems similar to our own. We are seeking to strengthen the Commission's systems, so ensuring that all proposals for Community legislation are justified in terms of their costs and of their benefits, because the only rational way for Europe to behave in terms of its future legislation is to ensure that Europe becomes more competitive and avoids unnecessary on-costs and over-regulation.

Engagements

Q4. **Mr. O'Hara:** To ask the Prime Minister if he will list his official engagements for Tuesday 12 April.

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. O'Hara: Talking of Westminster, Library statistics tell us that Tory Westminster spends £78 more per capita than Liverpool and yet it manages to do that on a band D council tax which is less than one third of Liverpool's. What possible justification can the Prime Minister give for such flagrant politically motivated gerrymandering of central Government support to Westminster?

The Prime Minister: One of the great differences between Westminster and many of the local authorities that the hon. Gentleman is so fond of is that Westminster collects its rents, for example. If one were to consider— *[Interruption.]* If the hon. Gentleman—

Madam Speaker: Order.

The Prime Minister: If the hon. Gentleman were to examine the list of local authorities that have a bad rent collection record, he would find Labour local authorities heading that list and running right down it. He would find the same if he considered local authorities in debt, and the same with local authorities who have empty dwellings. The reality is, on any realistic measure of local authority performance, the worst local authorities are socialist local authorities.

Ministerial Visits

Q5. **Mr. Brandreth:** To ask the Prime Minister what plans he has to visit the city of Chester.

The Prime Minister: I have no immediate plans to do so.

Mr. Brandreth: Is my right hon. Friend aware that the city of Chester is one of the great cultural capitals of Europe, the home of two fine theatres and the place where

the first movie was shown in this country, in 1890? Will my right hon. Friend join me in saluting the extraordinary contribution of film and theatre to this country's economy and standing; a contribution best exemplified by the unique career of Sir John Gielgud, who is visiting Westminster today and who celebrates his 90th birthday this week?

The Prime Minister: I am certainly happy to join my hon. Friend in his tribute to the film and variety industry, to the city of Chester and to Sir John Gielgud. I did not myself hear it, but I gather that those who did hear his remarkable King Lear over the weekend regarded it as one of the finest Lears that they had ever heard. He will be very welcome in Westminster, and I should like to add my congratulations to Sir John on his 90th birthday.

London (Policies)

Q6. **Mr. Simon Hughes:** To ask the Prime Minister if he will make a statement on the policies of Her Majesty's Government which have been assessed as the most popular in London.

The Prime Minister: The hon. Member will see the best of London local government if he looks at the outstanding services offered by Conservative boroughs throughout London.

Mr. Hughes: If the Prime Minister is unwilling to change his most popular policies, which have reduced his support from more than 45 per cent. to 26 per cent. in the capital, would he like to consider changing his least popular policies and not close hospitals such as Guy's which have now been shown to be part of a health service in which there is no surplus of beds, no surplus of resources and a huge amount of still unmet London-wide need?

The Prime Minister: What the hon. Gentleman either fails to understand or fails to mention is the fact that the changes in the hospital structure in London are mirrored by changes to primary health care that will deliver very dramatic improvements in primary health care for all Londoners. There is no doubt that that is necessary and that, as a result of these changes, Londoners will both deserve and receive the standards of health care that I believe they should have and that are enjoyed elsewhere.

Gorazde

3.31 pm

Dr. John Cunningham (Copeland) *(by private notice)*: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Gorazde.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): Close air support was requested by General Rose on the afternoon of 10 April in response to the threat to United Nations personnel trapped in part of Gorazde by Serb attackers closing in on the town. There are at present 12 UN military observers in Gorazde—eight of them British—and four United Nations High Commissioner for Refugees personnel.

The request, which was backed by General de la Presle, the commander of UNPROFOR in the former Yugoslavia, was speedily authorised by the UN special representative, Mr. Akashi. Two US F16s under North Atlantic Treaty Organisation command carried out air attacks against a Serb artillery position. Serb shelling continued for a short period thereafter, but, according to UN reports, the city was mostly quiet during the night.

Yesterday morning, the shelling resumed, despite warnings from UNPROFOR commanders and demonstration flights by NATO planes. General Rose requested further close air support after Serb shelling of the city close to UN positions. At 12.21, two F18 aircraft under NATO command bombed three Serb armoured vehicles. We understand that the shelling has since diminished.

The decision to call for close air support was taken in accordance with agreed UN and NATO procedures and has our full support. The UN Secretary-General, Mr. Boutros Ghali, has also approved the action taken. The safety of UNPROFOR personnel, including the 3,300 British troops on the ground in Bosnia, is always paramount. On this occasion, the risk to UNPROFOR personnel was thought by UNPROFOR commanders grave enough to warrant a request to NATO for air support. Such air support is clearly authorised by UN Security Council resolutions 836 and 844.

Despite some threats, there has so far been no significant military retaliation and only minor harassment of UNPROFOR and UNHCR personnel. All humanitarian convoys crossing Bosnian Serb areas and aid flights into Sarajevo were suspended. They have not yet resumed, although we hope that they will be able to do so soon. The Overseas Development Administration remains in close co-ordination with UNPROFOR and UNHCR on contingency planning.

Although the situation in Gorazde is, I am told, now relatively calm, more than 100 people are reported to have been killed there in the past few days. The parties should sit down and agree to an overall ceasefire. That is what UNPROFOR has been trying to negotiate, as a first step towards a general political settlement involving, as it would have to, substantial Serb withdrawal from territory now occupied.

I am in touch with Mr. Kozyrev about the important Russian role in this effort. The parties should draw the right lessons from the use of air power. Sir Michael Rose has made it clear that UNPROFOR is not taking sides in the conflict. That is not its task. It does not intend to be drawn into open-ended intervention for or against any of the parties. But the international community has made it clear that it will not tolerate attacks on UNPROFOR, and attacks on the safe areas must cease. I am sure that the House will welcome the prompt and necessary action taken by NATO in support of UNPROFOR personnel, with the full support of both those organisations.

Dr. Cunningham: Is the right hon. Gentleman aware that we accept that the action taken was fully authorised by existing resolutions of the United Nations Security Council and, as such, has our complete support? Does he also accept that we believe that it was not necessary to seek anyone's prior agreement before that action was taken and authorised by commanders on the ground, with the support of the United Nations representative in Bosnia?

What political strategy is the United Nations now to follow in view of this latest setback involving the Serbian advance on Gorazde and the reimposition of the blockade on Sarajevo? Will the right hon. Gentleman confirm that it is not the intention to use air power in defence of designated safe areas unless such use is authorised by a further resolution of the United Nations Security Council? What change in circumstances led to action yesterday rather than two weeks ago when the first Serbian advances on Gorazde began? Why did the United Nations and NATO wait for two weeks before taking action in support of UNPROFOR forces on the ground?

Does the right hon. Gentleman accept the importance —I believe that he does—of keeping Russia fully engaged in the situation, especially as its support was so vital in securing a ceasefire at Sarajevo and Mr. Churkin has expressed the intention to get the Serbs back to the negotiating table as quickly as possible? Should not Russia have been informed earlier of the action taken by NATO warplanes?

Is it not clear that the Bosnian Prime Minister, Dr. Silajdzic, has a point when he says that the Serbs have again gained territory without the United Nations acting quickly enough to prevent the Serb advance? Is he not also right when he says that it was entirely predictable that the decision to allow the Serbs to take away their heavy artillery from Sarajevo would inevitably mean that those guns would be used for the bombardment of Gorazde and other safe areas?

Exactly when does the right hon. Gentleman think that further action will be taken and what will be the nature of such action if, as he says is the intention, the Serbs do not withdraw to their positions as of 30 March this year?

Mr. Hurd: I am grateful to the right hon. Gentleman for his support of the NATO action. He asked about the back-up diplomatic strategy of the UN. With the full encouragement and active work of the Americans, there has recently been a Croat-Muslim agreement and the task now is to hook the Serbs into it. As I said in my original answer, it involves substantial Serb withdrawal from land that they now occupy. They agreed that in principle on HMS Invincible.

The powers for the air action were exercised under United Nations Security Council resolutions 836 and 844. The right hon. Gentleman knows the content of those resolutions and how wide they are. Those powers have not been exceeded on this occasion. Obviously, if it were proposed to take further action outside the terms of those resolutions, a new resolution would be needed.

[Mr. Hurd]

The right hon. Gentleman asked about timing—those are matters for military judgment. Close air support is not called for until and unless the commanders involved and Mr. Akashi feel that all other ways of protecting UN personnel in the safe areas have been exhausted. Their judgment was that the right time—that moment—came over the weekend.

The right hon. Gentleman is perfectly right: of course, it would be better if everything—all ills, suffering and fighting in Bosnia—had been brought to an end in one go, but that has not happened. We have had progress step by step. It is right to say that there is much more to be done. The present tensions and fighting in Gorazde illustrate that, but they are not a condemnation of what has been achieved so far.

The right hon. Gentleman asked about Russia—his concern links with, but slightly contradicts, one of his first questions. If one is to take air action of that sort, it must be done quickly—

Dr. John Cunningham: I said "informed".

Mr. Hurd: I am coming to "informed". Forty-four minutes elapsed between the request and the action. It is precisely because of the need for speed that both the UN and NATO agreed procedures that allowed for speed, but did not mean that member states could be consulted in advance. They were informed soon afterwards—in New York on Sunday afternoon.

Mr. Patrick Cormack (Staffordshire, South): Will my right hon. Friend accept that what is at stake here is not just a beleaguered town in Bosnia, but the authority and credibility of the United Nations itself? Does he accept that it is vital that ethnic cleansing, territorial aggression, and the seizing of territory and the altering of boundaries by force are not rewarded and are not seen to be ultimately rewarded?

Mr. Hurd: I agree with my hon. Friend's point. Some of those objectives can be secured by the use of force as defined by the decisions of NATO and the UN Security Council; some of them require economic pressure; all of them require political pressure. It is that mix which must be constantly brought into action.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): Self-evidently, no military action in Bosnia is without risk. Does the Foreign Secretary agree that by far the greatest risk would have been the flouting and humiliation of the UN's authority by allowing the bombardment of the safe area of Gorazde to continue unchecked, and that that risk has now been overcome? Can he confirm to the House the reports that, this morning, General Rose has warned the Bosnian army against continuing attacks on the Serbs? If that is so, does it not disprove the absurd charge that the UN has abandoned neutrality?

Mr. Hurd: General Rose and UNPROFOR have been concerned about actions in Sarajevo and Gorazde by all sides involved, and, in central Bosnia, by the Croats as well. It is perfectly true that the weight of attack and the weight of blame rests on the Bosnian Serbs. The right hon. Gentleman is right.

Mr. Cyril D. Townsend (Bexleyheath): Will my right hon. Friend confirm that the procedures for calling for close air support have been drastically improved in recent months, and it is essential that decisions are taken at the lowest possible level in Bosnia? Has consideration been given to rotating the nations supplying the aircraft for that specific role? Can my right hon. confirm that the principle of the minimum use of force will be adhered to as closely as possible?

Mr. Hurd: Yes. Decisions are taken by Mr. Akashi on behalf of the UN and by Admiral Boorda on behalf of NATO. That has been carefully worked out in principle and is now working effectively in practice, but, of course, it is a matter of last resort. It is for the NATO authorities to decide which planes on which occasions should be responsible for carrying out the action.

Mr. Chris Mullin (Sunderland, South): Is the Foreign Secretary aware that some of us have been advocating such action from the outset? If it has been proved as successful as he said it has been, would not a great many lives have been saved had the policy been employed 18 months ago?

Mr. Hurd: I made a mistake in naming Admiral Boorda—he was replaced by Admiral Smith.

Those are matters of judgment, in which military advice need not always be paramount but is bound to weigh heavily. That action was taken at the time and in the way recommended by General Rose and approved by his superior, General de la Presle, and the UN. I am not at all clear that earlier action would have received that kind of approval.

Sir Nicholas Bonsor (Upminster): Does my right hon. Friend agree that it is inconceivable that the United Nations, having declared a safe area, could allow it to be overrun? Will he clarify the status by which those save havens can be protected, and say whether anything more is necessary from the UN, to enable air strikes for that purpose—as opposed to the purpose of looking after the lives of UNPROFOR personnel?

Mr. Hurd: If my hon. Friend reads Security Council resolution 836, he will find there the definition of the mandate. We are content with that, at present. I believe that all the allies, and the UNPROFOR commanders, are content with it. One cannot peer wholly into the future, but I believe that the present mandate is sufficient.

My hon. Friend's first point was entirely right. The UN needs not so much an extension of the mandate as more troops, and Britain took the initiative a short while ago to bring that about. It produced a certain result, which was very necessary. In addition to our own 900 extra men to which my right hon. and learned Friend the Secretary of State for Defence referred a few minutes ago, we have commitments and some extra men.

Mr. Menzies Campbell (Fife, North-East): But not enough.

Mr. Hurd: But not enough. Turkey, the Czech Republic and other countries have made commitments. The sooner those troops can be effective on the ground, the better.

Ms Kate Hoey (Vauxhall): In welcoming the action taken to help save lives in Gorazde, may I ask the Foreign Secretary whether he has communicated with President Clinton in the past couple of days, concerning the possibility of American troops helping to protect safe areas

—particularly Sarajevo, where there is peace at the moment? That would be in line with American policy of participating as part of a peace process.

Mr. Hurd: President Clinton has made his position clear often enough. The United States would be willing to consider providing ground troops in Bosnia under NATO command, up to a certain proportion, once there is a general settlement. He has not moved from that position. What is happening—particularly in Sarajevo—is that the Americans are active in the task of reconstruction. When my right hon. Friend the Prime Minister was last in Washington, he agreed with President Clinton a joint Anglo-American civilian task force designed to help Sarajevo to get back to normal. The Americans are active in that way and in the air.

Mr. Peter Viggers (Gosport): Does my right hon. Friend agree that there has been a sea change in attitudes in the former Yugoslavia? Whereas, previously, many were reluctant to see a further commitment given, it was right to build on the improvement there. Does my right hon. Friend agree that, from a diplomatic point of view, there is every argument for consulting everyone before using close air support—but from a military point of view, it is crucial that there should be minimal delay between calling for close air support and using it? Is he satisfied that delay is minimal now?

Mr. Hurd: Yes, I am. My hon. Friend put his second point extremely well—he is exactly right. As to his first point, there has been a substantial change, and we must not see it thrown away. That is why we took the decisions that we did—giving a lead in that respect and reinforcing success. The ceasefire in Sarajevo was followed by one in central Bosnia and the agreement between the Croats and Muslims that I mentioned. That is not nearly enough, but it is the start of good news. It would be a tragedy if, through any lack of effort by the UN or any failure of nerve, that good news were to turn to bad news.

Mr. D. N. Campbell-Savours (Workington): If the Russians had been informed of impending action, would there have been a danger of their trying to block it? If so, would they have been successful?

Mr. Hurd: No, because the action did not require a new Security Council resolution.

Mr. Bill Walker (Tayside, North): Does my right hon. Friend recognise that NATO has available massive air assets, and that the minimum amount used in this instance demonstrates how carefully thought out was that particular operation? It is one thing to attack tanks and other heavy armour, but another to make assets available for attacks against mortars and more difficult equipment—and there would be huge political and military risks in any escalation.

Mr. Hurd: My hon. Friend knows from past exchanges that all the thoughts that he has just uttered are very much in our minds and have been for a long time. The choice of the planes used and the choice of the targets selected show that what my hon. Friend said about care has been fully observed.

Mr. Calum Macdonald (Western Isles): Will the Foreign Secretary confirm that UN Security Council resolutions already authorise the use of force to protect the safe areas and not just the UN forces in those areas? Given that air action has now been used and, apparently, has been effective, will not it be difficult in future to sustain that distinction and say that we will not use air power to defend civilians but that we will use it to protect our forces?

Mr. Hurd: UNSC resolution 836

"Authorizes UNPROFOR . . . in carrying out the mandate defined in paragraph 5 above, acting in self-defence, to take the necessary measures, including the use of force, in reply to bombardments against the safe areas by any of the parties or to armed incursion into them".

There are several elements there, but the hon. Gentleman obviously knows the text and knows that it offers considerable scope.

Mr. John Wilkinson (Ruislip-Northwood): Will Her Majesty's Government make it quite plain to the belligerents that, in the event of either technical malfunction or hostile fire leading to the ejection of Royal Air Force or Royal Navy air crew over Bosnia, entirely humane treatment is expected on the part of the belligerents towards those air crew, and that there should be no retaliation whatever to the action of UNPROFOR personnel acting as monitors who, for their own self-defence, have to act temporarily as forward air controllers to bring in close air support?

Mr. Hurd: My hon. Friend, with his knowledge, will not expect me to speak about forward air control, but both his general points must be right.

Mr. Tam Dalyell (Linlithgow): Did not the Foreign Secretary rather sharply confirm to my hon. Friend the Member for Workington (Mr. Campbell-Savours) that, whatever the Russians had done, in no circumstances would it have altered the situation and the decision to attack? Is it really wise to undertake any attack without Russian endorsement, given that they are absolutely crucial to any lasting solution and in persuading the Serbs not to go on the offensive?

Mr. Hurd: I mentioned in my original answer the importance—I would say the crucial importance—of the Russian role. The hon. Gentleman has just underlined that. The Russians, in influencing the Serbs, and I hope also the Bosnian Serbs, are indispensable. But the Russians are also realists. They know perfectly well the procedures; they have been endlessly discussed, and with the Russians. They know the procedures for close air support. They know, as my hon. Friend the Member for Gosport (Mr. Viggers) pointed out vividly, that if one is to have such procedures, they preclude consultation in advance of member states. Member states are fully entitled to be promptly informed, and can then discuss the consequences. That is happening now.

Mr. Christopher Gill (Ludlow): Is my right hon. Friend perfectly satisfied that it is both prudent and appropriate to use NATO forces in an offensive role, bearing in mind that, when NATO was founded in 1949, it was founded as a purely defensive organisation?

Mr. Hurd: When one has UN troops—including in this case British personnel—at risk in a particular situation, who are approved by the Security Council with the full support of all NATO countries, action to protect those people is not offensive but essentially defensive.

Mr. Robert N. Wareing (Liverpool, West Derby): Has the Secretary of State heard the reports this lunch hour, presumably from UNPROFOR sources, that Muslim forces in Gorazde have been launching mortar shell attacks against Serb positions? Will he confirm that the military hostilities that began two weeks ago in and around Gorazde were the result of a Muslim infantry offensive? Should such further offensives take place from safe havens such as Srebrenica or Maglaj, what action will he recommend under UNSC resolution 836?

Mr. Hurd: The hon. Gentleman knows that it is extraordinarily difficult to get at the truth about the origins of each of those incidents. That is certainly true.

Mr. Wareing: It is important, though.

Mr. Hurd: It is very important, and that is why the British have placed such emphasis on getting the right equipment in place to make the best job of it that we can. But it is not an exact science. There is always a temptation for one side to start something relatively minor in the hope that the other side will respond in a way that the world then notices and condemns. That has been one of the problems all the way through.

Having said that, I think that the House will, on the whole, accept that the main responsibility for recent bloodshed—indeed, for the origins of the war—rests with the Bosnian Serbs, and that General Rose was therefore justified in specifying the action that he recommended and which was taken.

Mr. John D. Taylor (Strangford): Will the Secretary of State assure the House that one of the top priorities of British foreign policy is the continuing improvement of relations between Russia and the United Kingdom? As we have become increasingly sucked into the civil war in Bosnia in the past 12 months, with increased land forces and now air attacks, will he assure the House that further increases in our involvement in Bosnia will take into account the relationship with Russia?

Mr. Hurd: We do take into account the relationship with Russia, but it is a relationship of countries that are friendly but which have different foreign policies in several respects. The Russians do not expect us to dance to their tune in Bosnia. They have an important role, and when my right hon. Friend the Prime Minister and I were in Moscow not long ago, we spent most of the time discussing that role. I understand what the Russians are trying to do. In the Baltic states it has not been positive; but in Bosnia it has been positive, and we want to keep it that way, which means keeping in close touch with them.

Mr. Andrew Faulds (Warley, East): Is the right hon. Gentleman aware that I am delighted, at long last, after the appalling dilatoriness and pusillanimity of the right hon. Gentleman and his European Foreign Secretary colleagues, to be able to congratulate him whole-heartedly on his statement and the stand that it at long last embodies?

Mr. Hurd: It has been easy for the hon. Gentleman to stand and shout at me from the Back Benches for many months, but his type of interventions, although they are sincerely felt and strongly expressed, have not always been well judged, either in timing or in substance. The sending even of a couple of F16s and the use of force in this way, as the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel), who speaks for the Liberal party, recognises, are bound to be very risky decisions which can carry very serious consequences. They are not to be enterprised or taken in hand simply as a relief for emotion.

Mr. Tony Benn (Chesterfield): Will the Foreign Secretary clarify precisely the chain of command? He told us who asked for the air strikes and he told us who approved the air strikes, but who authorised them? Was President Clinton informed before American aircraft were used in those air strikes?

The reason that I ask the question, which the Foreign Secretary will fully understand, is that when he announced Government's change of policy he said that the unity of NATO was the prime consideration. What many people are wondering about, apart from the risk that the action might lead to escalation into a deeper conflict, is whether the unity of NATO is being put above the unity of the United Nations where the Soviet Union—Russia, as it is today —is a permanent member of the Security Council and, therefore, has a special statutory position, quite apart from its historic geographical interest in the area.

Mr. Hurd: Close air support of this kind is decided by NATO Commander-in-Chief South, Admiral Smith, once he is clear that the representative of the United Nations Secretary-General, Mr. Akashi, has approved. That is what took place this time. The President of the United States —the United States Administration—was informed at the same time as we were. They were the procedures that had been worked out and approved, and the Russians knew of them. They take place under United Nations Security Council resolution 836 which the Russians approved.

Mr. Ernie Ross (Dundee, West): The concern expressed by my right hon. Friend the Member for Copeland (Dr. Cunningham) in his original question related to the delay in informing the Russians that the attack had taken place. The Foreign Secretary knows, because he said it himself, that the Russians are crucial if we are to get the Serbs around the negotiating table. That is what concerns my colleagues. We are not asking for the Russians to be consulted; we understand that the attack took place under Security Council resolutions, but we are concerned about the delay in informing the Russians, and that is the concern which the Russians themselves have expressed.

Mr. Hurd: The hon. Member for Linlithgow (Mr. Dalyell) talked about consultation and I think that we have dealt with that point.

As regards information, I have no reason to suppose that there was undue delay by the UN in informing Ambassador Vorontsov in New York of what had occurred.

Mr. Bruce Grocott (The Wrekin): Is it not tragically true and salutary to point out, even at this stage, that the suffering in Bosnia over the past few days bears no comparison to the suffering in Rwanda? Also, does not the suffering in the former Yugoslavia in the past 12 months bear little comparison to the suffering in Angola? Therefore, what reassurance can the Foreign Secretary give the House and the country that the international community's consideration of those matters bears some relation, at least in time, energy and money spent, to the suffering in the countries concerned?

Mr. Hurd: The hon. Member makes an extremely good point, which I have made over the years in answering

questions about Bosnia. The international community is simply not equipped—it should not pretend that it is equipped—to bring peace with justice to all those tragedies across the world. We in this country are certainly not equipped to act as a policeman or a judge or a universal soldier in that way. We must reckon with that and we have to do what we can, where we can.

The civil war in Bosnia and the suffering in the former Yugoslavia are in our continent. They are quite close to us. It is right that we should be devoting such effort to them. I do not accept the argument that because we cannot do everything, we should do nothing. We should not pretend that those other tragedies are not taking place, because they are.

Dr. Norman A. Godman (Greenock and Port Glasgow): A moment or two ago, the Foreign Secretary referred to the participation of Turkish soldiers in the United Nations peacekeeping role. He knows well that numerous concerns have been expressed about that. Will he tell the House what role they will play? Is it entirely a supportive role and will they be under the tight control of General Rose and his fellow officers?

Mr. Hurd: Certainly, all UN troops are under tight UN command, including our own and the Russians, who are there in Sarajevo. The hon. Member should be assured of that. Where the Turks should be deployed is a matter for the UN. Obviously, there has been some concern about that, as there has been concern from the opposite point of view about the Russians. I believe that it was right of the Secretary-General, against the background of his need, to take up the long-standing offer of the Turks.

Newly Qualified Drivers

4.2 pm

Mr. David Amess (Basildon): I beg to move,

That leave be given to bring in a Bill to require newly qualified drivers to display on the vehicles they are driving an indication that they are newly qualified; and for connected purposes.

The purpose of the Bill is to improve road safety by measures specifically relating to newly qualified drivers. It is a two-part Bill which attempts to combat public fears and problems of road safety. Part I requires the display of a plate for one year, following the passing of the official test, and part II reduces the maximum penalty points for the same period from 12 to nine.

Let me say from the outset that my wife maintains that she is a better driver than I. She passed her test on the first occasion and I passed mine on the second. More than two decades later, we are still driving, although, when we are together, I invariably drive. When I asked my wife why that should be the case, she said that it is to enable her to give me continual instructions on how I should be driving. It would be less than gallant of me to describe such behaviour in a lady as that of a classic back-seat driver.

Whatever can be said of my driving or that of my wife, both of us remember graphically what it was like to be a newly qualified driver and how nerve-racking it could be in the early days when one drove alone, especially if one had no motorway experience. A recent study shows that almost three quarters of newly qualified drivers on the road are under 25 years of age. My Bill would mean that the probationary period would apply to all newly qualified drivers, regardless of age.

The whole purpose of the Bill is to reduce the number of road accidents. That may seem a difficult objective to achieve, because accidents are often down to the unpredictable behaviour of human beings. Nevertheless, over recent years the Department of Transport has embarked upon a host of measures, after taking careful advice, and I believe that they have made a substantial contribution to the reduction of road accidents in general.

I pay a warm tribute to all those who have been involved with effective road safety measures, such as my hon. Friend the Member for Eltham (Mr. Bottomley), my hon. Friend the Minister for Roads and Traffic and, especially, my hon. Friend the Member for Chelmsford (Mr. Burns), who has twice tried to introduce a similar measure. I hope that with my Bill it will be a case of third time lucky.

It is difficult to find adequate words to describe the horror that confronts our policemen every day of the week when they call to tell relatives that their loved ones have been injured, maimed or, worse still, killed. Such events and the traumas associated with them leave a scar on everyone involved. On what I believe to be an all-party issue, it must make sense for Parliament to do all in its power to reduce the likelihood of such tragedies.

Seventy-six per cent. of the accidental deaths of 16 to 19-year-olds result from road accidents. Even more shocking is the fact that drivers aged 17 to 21 are responsible for more than 1,000 deaths a year as a result of vehicle accidents. That age group represents only 10 per cent. of licence holders, yet its members are involved in 20 per cent. of all accidents. An 18-year-old is three times more likely to be involved in a car accident than a

[Mr. David Amess]

48-year-old; every mile driven by a 17-year-old is seven times more likely to result in an accident than a mile driven by a middle-aged man.

What are the reasons for those shocking statistics? I do not believe that passing an official driving test is very hard for many people, although I fully accept that some people who would make excellent drivers suffer from nerves when faced with the test. However, most people taking the test are younger and more dextrous. The test can be taken and passed so quickly today.

Does passing really mean that a person is fit and equipped with the necessary skills to drive safely on all our roads? I fear not. For example, it has always seemed extraordinary to me that some people pass their tests yet appear to have no knowledge whatever of the basic workings of a motor vehicle. That is not helpful when we are trying to ensure that motorists drive safely.

I freely admit that no driving test in any country can be more than a poor reflection of the real driving world. The Metropolitan police believe that one of the biggest problems is the misconception of what a driver's licence means. All that it really means is that newly qualified drivers can now learn to drive on their own. The misconception causes newly qualified people to think that they are good drivers, who can drive like experienced drivers, so they are injured and killed at a disproportionate rate.

All the factors that I have outlined support the need for a probation plate for one year. We can argue about the letter that should be displayed on the plate, but the Bill's aim is to reduce the total of deaths and injuries by using a distinctive mark on vehicles and introducing tighter penalties.

Newly qualified drivers' reactions are much slower in potential accident situations. The new plate seeks to minimise the resulting dangers by alerting other drivers. Following consultation, the Secretary of State would decide what letter would be designated for the plate for the one-year mandatory display.

Even with all that, it would be necessary to introduce the second part of the Bill, which is an attempt to lower the penalty point allowance for newly qualified drivers from 12 to nine points. That would provide an incentive for new drivers to take much more care and cultivate good road manners. Last week, the Automobile Association said that a lower points allowance was a good idea. Only one in six drivers are newly qualified, but they are involved in one in four reported accidents. The AA believes that something certainly needs to be done about the problem, and that the Bill is a step in the right direction.

The AA is not alone in its support; the Metropolitan Police also endorses its views. They are totally supportive of a reduction from 12 to nine penalty points on the ground that that would lead to more responsible driving. They quote the old saying that the safest driver is the commercial vehicle driver with nine points on his licence. If we transferred that axiom to the newly qualified driver with a lower point maximum, it would still hold true.

The Magistrates Association also supports the principle of one year's probation for new drivers and a reduction in the maximum penalty points during that period. The association told me that measures involving new drivers, as proposed in my Bill, would reduce over-confidence and bring about improvements in road safety.

Finally, other countries have evidence to prove the value in terms of road safety of the measures that I am proposing. I cannot believe that, with British organisational skills, we would find it difficult to administer a life-saving scheme. It is not my intention to spoil the joy of a family when one of its members passes the driving test; rather, it is to prevent the chilling knock on the door when a policeman arrives with tragic news. I commend the Bill to the House.

4.11 pm

Mr. Peter Bottomley (Eltham): I oppose the proposed Bill, in the same way that I opposed the similar one introduced by my hon. Friend the Member for Chelmsford (Mr. Burns).

The whole House will share the respect of my hon. Friend the Member for Basildon (Mr. Amess) for the police when they must knock on a stranger's door and bring bad news about a traffic crash. We should stop talking about traffic accidents and talk about crashes because we know a great deal about the causes.

I do not want to focus on my hon. Friend's proposed reduction in the number of penalty points that would be allowed. I want to stick to the advertising of new qualification by what is normally referred to as a P for probationary or R for restricted plate. My hon. Friend rightly did not share with the House whether he thought that the plate that should be displayed would have restrictions associated with it.

Some people argue that one should not be able to drive on motorways; some argue that one should not be able to drive at more than 50 mph; and some argue that one should not be able to have more than one passenger. There is a whole series of options. I object to the principle on which my hon. Friend based his argument. As far as I am aware, there is no substantial body of evidence that having a probationary or restricted plate on the back or front of a car makes any difference.

For some time, part of the United Kingdom—Northern Ireland—has had a similar plate with various restrictions. When I served as the Parliamentary Under-Secretary of State in the Northern Ireland Office, having worked as a junior Minister in the Department of Transport, I asked for a study that would show what appeared to be the impact of introducing that requirement—I think that it has been there for about 20 years. The answer is that no one knows.

For some time, the Department of Transport has been examining whether a substantiated claim can be made for having a special plate. We have not yet seen that evidence and I doubt whether it will be conclusive when it comes.

I shall share with the House two articles from "Road Accidents Great Britain 1992: The Casualty Report". That report contains the good news that since 1986—the European Year of Road Safety—the number of road deaths has fallen by more than 1,000. Of course, in the past year, the number has fallen by another 400. That means that many of the actions that have been taken in terms of road-user behaviour, the vehicle and the road environment have clearly been immensely successful.

The article by Kathryn Markey shows that drivers aged between 17 and 20 of either sex are involved in relatively

more accidents—I use the word "crashes"—on minor roads, in the dark, away from junctions, on bends and when no other vehicle is involved.

In any of those circumstances—in the dark when one would not be able to see the plate; on minor roads when one would not see much traffic; and away from junctions and bends, or when no other vehicle is involved—I do not see any scientific basis on which one could set up a disprovable hypothesis that would tell us what the effect of the plate would be.

On the question of high-risk offenders, the subsequent article, by Dr. Jeremy Broughton, considers people who have to requalify because they have been caught once driving at two and a half times the legal alcohol limit or twice, during a 10-year period, driving above the legal limit. The peak age for these people is 27. Unless, for some reason, it is a habit desperately concentrated among those who passed the driving test at the age of 26, the logic behind my hon. Friend's proposition could be that anyone aged 26 should display a plate—26 or 27 being the peak age in severe cases involving drinking and driving.

One could argue about displaying plates at different times of the day. Females tend to have accidents in the morning or evening rush hour, whereas the time in the case of males tends to be around 10 o'clock at night. People driving vehicles that are owned by companies tend to have twice or three times as many crashes as individuals, of almost any age, driving their own vehicles.

The proposition ought to be that we should go on doing what has been shown to work. I refer to some of the ideas of the Parliamentary Advisory Council on Transport Safety, to one of whose presidents—the hon. Member for Huddersfield (Mr. Sheerman), who is in the House—as to my hon. Friend the Member for Cheadle (Mr. Day), I pay tribute. The things that have been shown to work are those that influence people's behaviour. The behavioural research led by the university of Reading, and funded originally by General Accident in one of its really great commercial investments in the protection of young people's lives, indicates that young drivers do not understand what a hazard is. Putting a plate on either end of a car would not change that.

However, it might change if the media could be persuaded to use interesting means—perhaps a five-minute spot each week—of showing what people get wrong. Colour magazines, which contain articles with such titles as "A Day in the Life of . . . " or "A Meal in the Life of . . . ", might carry something entitled "A Crash in the Life of . . . ". That might explain what had led to a body-breaking, or at least a metal-bending, crash.

The Transport Research Laboratory has contributed immensely to cutting the number of casualties from 5,400 to 3,800. Here, I question whether it is sensible to go through with the idea of privatising the laboratory. I believe that, if it is privatised, fewer Transport Ministers will rely on the scientific evidence.

The combined work of vehicle engineers and road engineers, as well as of the police in filling in the "Statistics 19" form which provides the basic information in the "Casualty Report" to which I have referred, can lead to a continued reduction in the numbers of people killed and seriously injured.

We can achieve something similar to what was achieved in the case of drunken driving. Young people used to be twice as bad as their fathers but became half as bad. Indeed, we might be able to get below 3,000 deaths a year. That would be almost a third of the peak level, even though the volume of traffic has increased dramatically.

I realise that the intentions behind my hon. Friend's proposed Bill are good. However, I advise the House, and I certainly advise the Department of Transport, to pay no attention to the measure. It is not the way forward. There are many other effective means of cutting the number of casualties.

Question put, pursuant to Standing Order No.19 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Mr. David Amess, Mr. David Alton, Sir Rhodes Boyson, Mrs. Angela Browning, Mr. Simon Burns, Mr. Iain Duncan Smith, Mr. Robert Dunn, Mr. Harry Greenway, Mr. Toby Jessel, Mrs. Angela Knight, Dame Jill Knight and Lady Olga Maitland.

Newly Qualified Drivers

Mr. David Amess accordingly presented a Bill to require newly qualified drivers to display on the vehicles they are driving an indication that they are newly qualified; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 22 April, and to be printed. [Bill 87.]

Orders of the Day

Criminal Justice and Public Order Bill

Order read for resuming adjourned debate on Question [28 March] proposed on consideration of the Bill, as amended (in Committee and in the Standing Committee), That the clause (*Racial harassment*) be read a Second time—

'1.(1) In relation to any prosecution for any offence of violence it shall be the duty of the prosecuting authority to place before the court any evidence tending to show that such offence has been committed on the ground of colour, race, nationality or ethnic or national origin ("racial grounds").

(2) On conviction of any offence of violence the court shall have regard to such evidence in determining the penalty, and, if satisfied that the offence was committed on racial grounds ("racial violence"), shall impose an additional penalty which may exceed the maximum penalty otherwise prescribed for such offence.

2.(1) A person is guilty of the offence of racial harassment if on racial grounds he:

(a) uses threatening, abusive or insulting words or behaviour, or disorderly behaviour, or displays any writing, sign or other visible representation which is threatening, abusive or insulting, within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby; or

(b) commits any trespass or nuisance whereby any occupant of any dwelling is likely to be caused harassment, alarm or distress.

(2) A constable may arrest a person without warrant whom he reasonably suspects of conduct constituting an offence under this section.

(3) A person guilty of an offence under this section is liable:

(a) on conviction on indictment to imprisonment for a term not exceeding two years or a fine or both;

(b) on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.'.—*[Mr. Michael.]*

Question again proposed.

Madam Speaker: I remind the House that with this we are also debating the following: Government new clause 125—*Offence of racially inflammatory publication etc. to be arrestable.*

New clause 50—*Aggravation of racial hatred*—

'(1) If any person commits any offence provided for by—

(i) sections 18, 20 or 47 of the Offences Against the Person Act 1861, or

(ii) sections 1, 2, 3, 4 or 5 of the Public Order Act 1986

and does so with a motive of racial hatred, then he shall be guilty of the said offence with aggravation of racial hatred.

(2) In this section, "racial hatred" means racial hatred against a group of persons in Great Britain by reference to colour, race, nationality (including citizenship) or ethnic or national origins.'.

New clause 88—*Racial hatred*—

'.-Part III of the Public Order Act 1986 shall be amended as follows—

In section 27(1) there shall be substituted for the words "of the Attorney General" the words "of the Director of Public Prosecutions".'.

New clause 89—*Offences committed on racial grounds*—

'.—(1) In relation to any prosecution for any offence of violence it shall be the duty of the prosecuting authority to place before the court any evidence tending to show that such offence has been committed on racial grounds.

(2) On conviction of any offence of violence the court shall have regard to such evidence in determining the penalty and if satisfied that the offence was committed on racial grounds shall impose a penalty, which shall not be more than twice the maximum prescribed penalty. The court shall be required to give reasons for the penalty imposed, indicating in what way it has taken account of its finding that the offence was committed on racial grounds.'.

New clause 90—*Racial harassment (No. 2)*—

'.—(1) A person is guilty of the offence of racial harassment if on racial grounds he—

(a) commits any trespass or nuisance whereby any occupant of any dwelling is likely to be caused harassment, alarm or distress; or

(b) uses words or behaviour or displays any writing, sign or other visual representation which is offensive on racial grounds within the hearing or sight of any person likely to be caused harassment, alarm or distress thereby.

(2) a constable may arrest a person without warrant whom he reasonably suspects of conduct constituting an offence under this section.

(3) A person guilty of an offence under this section is liable—

(a) on conviction on indictment to imprisonment for a term not exceeding 12 months or a fine or both;

(b) on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.'.

New clause 97—*Incitement to racial hatred (arrestable offence)*—

'.—(1) After subsection 19(1) of the Public Order Act 1986 there shall be inserted the following subsection—

"(1A) A constable may arrest without warrant anyone he reasonably suspects in committing an offence under this section.".

(2) In Schedule 5 Part II of the Police and Criminal Evidence Act 1984 (Serious Arrestable Offences) there shall be added at the end—

"Public Order Act 1986 (c. 64)

9. Section 19 (publishing or distributing written material likely to stir up racial hatred).".'.

New clause 98—*Racial hatred (conditions on public processions)*—

'.—(1) In subsection 12(1)(a) of the Public Order Act 1986 there shall be added after the word "community," the words "on racial, religious, ethnic or other grounds,".

(2) In subsection 12(1)(b) of the Public Order Act 1986 there shall be added at the end after the word "do," the words "or to stir up racial hatred,".'.

New clause 100—*Harassment*—

' .—(1) The Public Order Act 1986 shall be amended as follows.

(2) For section 5(1) there shall be substituted the following subsection—

"(1) A person is guilty of an offence if he—

(a) commits any trespass or nuisance whereby any occupant of any dwelling is likely to be caused harassment, alarm or distress; or

(b) uses words or behaviour or displays any writing, sign or other visual representation which is threatening, abusive or insulting within the hearing or sight of any person likely to be caused harassment, alarm or distress thereby.".

(3) For section 5(4) there shall be substituted the following subsection—

"(4) A constable may arrest a person without warrant whom he reasonably suspects of conduct constituting an offence under this section.".

(4) Section 5(5) is hereby repealed.

(5) For section 5(6) there shall be substituted the following subsection—

"(6) A person guilty of an offence under this section is liable—

(a) on conviction on indictment to imprisonment for a term not exceeding 12 months or a fine or both;

(b) on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding the statutory minimum or both.".

(6) For section 6(4) there shall be substituted the following subsection—

"(4) A person is guilty of an offence under section 5 if a reasonable person would have expected any such trespass or nuisance to cause harassment, alarm or distress, or any such words or behaviour, or any such writing, sign or other visual representation to be threatening, abusive or insulting within the hearing or sight of any person likely to be caused harassment, alarm or distress.".'.

New clause 127—*Racially-motivated violence (No. 2)*—

'.—(1) A person shall be guilty of an offence of—

(a) racially motivated manslaughter,

(b) racially motivated grievous bodily harm,

(c) racially motivated wounding with intent,

(d) racially motivated assault occasioning actual bodily harm or

(e) racially motivated common assault.

if, with racial motivation he commits manslaughter, grievous bodily harm, wounding with intent, assault occasioning actual bodily harm, or common assault respectively.

(2) In this section "racial motivation" shall mean motivation on the grounds of colour, race, nationality (including citizenship) or ethnic or national origins.

(3) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for a term not exceeding five years in addition to, and consecutive to, the sentence applicable for conviction of the offences of common assault, assault occasioning actual bodily harm, or assault occasioning grievous bodily harm respectively.'.

4.19 pm

Mr. David Sumberg (Bury, South): I suppose that I have a unique qualification to speak to the clauses—not simply because I am Jewish, but because I represent in my constituency many members of the Jewish community. Like my constituents, I have, sadly, been on the receiving end of racism from time to time. To attend, as I did recently, a showing of "Schindler's List"—a memorable and awe-inspiring film—and then to open one's parliamentary post the next morning to find a document which purports to deny the holocaust is perhaps the ultimate obscenity.

The clauses seem to be divided between those which want to import a racial motive into certain crimes and those which want to increase the enforcement powers which are available to us. I admit that I approach them with mixed emotions and mixed feelings. Those who have proposed new clause 13 and some of the new clauses which have been tabled for the first time today are motivated by honourable feelings, and by the belief that something must be done to combat and reduce the rising tide of racism in our society, which principally affects the black and Asian communities, but which affects the Jewish community as well. They want to make it clear that that rising tide must be curbed.

It is simply unacceptable that the levels of enforcement, prosecution and action under our existing laws are so deplorably low. Such a situation motivates the belief—particularly in the minds of those who are on the receiving end of racist conduct—that the authorities are reluctant to act.

Some of those new clauses—particularly those which relate to motivation—have, in my view, a fundamental weakness, and for the supporters of the clauses to overlook that weakness does not assist their case.

New clause 13, with some of the other new clauses, establishes the need for a higher burden of proof for offences which are already against the law. Murder, violence, conduct against public order and harassment are already punishable severely under the present system, and that is right.

However, the clauses require an additional burden on the prosecution—to prove a racial motive. Every lawyer and anybody with any connection with the courts will know that the hardest thing to prove is motive. One can easily prove that somebody did something, but to prove why they did it is far harder.

Ms Joan Ruddock (Lewisham, Deptford): The hon. Gentleman's view is incorrect. New clause 13 is drafted in such a way that, where there is a violent offence, prosecution would be on two counts—the violent offence itself and the racial motivation. It is possible in an aggravated offence that, where racial motivation is not proven, the charge of murder, manslaughter or whatever will still stand and will be prosecuted. We do not believe that the hon. Gentleman's interpretation is in any way correct, and it is not supported by our legal advice.

As for racial motivation, the hon. Gentleman must acknowledge that, if verbal abuse accompanies what are otherwise totally unpredictable attacks, the racial motivation may not be so difficult to prove, after all.

Mr. Sumberg: I have my doubts about that. It will be difficult to prove. I fear that, if prosecutions are brought under new clause 13 and the allied clauses, they will in all probability fail, which will send everyone the message, no matter what side they take in the argument, that the legislation is weak and not enforceable. Prosecuting, enforcing existing law and bringing offenders to book are the basic problems we face when dealing with racist crimes.

Before the recess, the only good reason that might have led me to support new clause 13 and similar clauses was that it would have been unacceptable if a major criminal justice Bill made no mention of the increase in racism that we see. This Bill is the centrepiece of the Government's law and order programme and covers every aspect of criminality—I do not need to go into them all—and it would have been wrong if it gave people no comfort and entirely ignored the fact that racism is increasing in Britain. Such a Bill would have sent a message to the people who suffer from such activity that society does not care, and is not prepared to act.

I am glad that there has been a change of mind during the recess. First, the Government have tabled new clause 125, which I warmly welcome. It will make the publication of racist literature an arrestable offence. Secondly, other hon. Members have tabled clauses that will enforce existing laws and deal with the loopholes.

Unless my right hon. Friend the Minister can convince me otherwise, I shall certainly support the loophole-plugging clauses, because they are essential. We must tackle the evil in society. For one reason or another, the right action is not being taken. We must consider the matter in that way. It is unacceptable for there to be a rise in membership of the hard right in Britain, which has always been a tolerant, just and humane society—a society that has welcomed immigrants to its shores for many years.

Equally, we must be careful about the legislation we pass. The present weaknesses in the law are that people are not willing to come forward and give evidence to the prosecution; that it is not being enforced properly; and that there are enforcement loopholes. Those are the evils and the mistakes that we must now tackle.

I welcome the fact that the Government have moved in some way. I hope that the Minister can move a little further, especially on enforcement. He and the House will

[Mr. Sumberg]

know that old axiom that, for evil to succeed, it is enough that good men and women do nothing. I hope that the House will not make that mistake.

Mr. Gerald Kaufman (Manchester, Gorton): With you in the Chair, Madam Speaker, I moved a new clause to the Public Order Bill in Standing Committee G on April 10 1986, which would have created an offence of racial harassment. We debated the new clause on that day and received a sympathetic response from the then Minister, the hon. Member for Pudsey (Sir G Shaw). He offered us talks on the subject to find out whether we could agree an approach.

However, the talks did not result in our finding a satisfactory way to deal with the matter, which has remained a festering sore during the eight years since, as it was before that date, which was why I moved the new clause, as the official representative of Her Majesty's Opposition in the Standing Committee.

The hon. Member for Bury, South (Mr. Sumberg) spoke about sending a message. Although this is a specific new clause with specific provisions, nevertheless, apart from the specific provisions, which I support entirely, another reason why I wish the new clause to be added to the Bill is that the House of Commons should send a message to the members of ethnic minority communities, of whom I regard myself as one, that Parliament considers crimes with a racial element as even more intolerable than other crimes.

All crimes, by definition, are to be objected to. Those who commit them are to be pursued and, where appropriate, punished, severely if necessary. But crimes related to the race, ethnic origin or religion of a victim are very different from crimes which relate to the vulnerability of a person or to the property of a person that a criminal wishes to take away from the victim.

4.30 pm

The victims of crimes of racial harassment are not attacked because they are rich—or poor but nevertheless have property that can be taken. They are attacked, they become the victims of crime, simply because they are black, come from an Asian community or are Jewish, or for some other reason relating to the uncontrollable factor of their birth, rather than, if I may put it this way, because of their eligibility as victims in possessing property that somebody else wishes to take away from them.

It is a peculiarly odious kind of crime. It is the reason why, if one may extrapolate, the apartheid regime in South Africa was so odious: it was based on racial discrimination. It is the reason why ethnic cleansing in Bosnia is so odious: the victims there are victims simply because of their religion. It is an issue to which it is time the House addressed itself in the most specific form. The House scarcely needs telling that there are far too many examples of racial harassment and victimisation, and far too many crimes committed against individuals and families simply because of their ethnic origin.

A little while ago, I took a group of Pakistani constituents from the Gorton division to see the chief constable of Manchester because they were so concerned that their wives could not go out shopping safely and their children could not go out to play safely. Problems of that kind occur regularly for my constituents—people who, because they come from the Indian sub-continent and for no other reason, are penalised, harassed and attacked. I know of cases where petrol bombs have been put through letter boxes solely because of the victims' ethnic origin.

Mr. Sumberg: We would all deplore that sort of behaviour as quite dreadful, but the point at issue is that such things are already illegal—already criminal offences. I must ask the right hon. Gentleman whether prosecutions were brought, people were taken to court and sentences were imposed in relation to those matters. If not, that is a matter of legitimate complaint, but it is a matter of enforcement, and not something relating to the present state of the law.

Mr. Kaufman: I am surprised that the hon. Member for Bury, South, sharing with me, as he does, the Jewish religion, should intervene in that way.

When I was a child, when anti-semitism was a great deal more overt than it often is now, in Leeds there were people who discriminated against me and other Jews with slogans, calling out, "Dirty Jew!" and insults of that type. In my constituency, my Pakistani constituents have to put up not only with being victims of the type of offence that I have described, but with being verbally insulted because of their ethnic origin, with having graffiti written on walls, and with the accompaniment of the criminal offence by a racial element which aggravates the nature of the offence.

In response to the intervention by the hon. Member for Bury, South, some of the offences were pursued; some have resulted in prosecutions, some have not. That is not because the police are in any way remiss. The police do their best, and when they can pursue such offences, they do.

However, the question is not whether the offenders have been pursued with the full rigour of the law—when they can be, they are. The question is whether the law should have greater rigour. That is what the new clause is about. It is about whether the law should say, "If you attack someone, that is odious, but if you attack someone because they are black or an Asian or Chinese or a Jew, that is even more odious than your attack on them per se." That is my argument, and that is what the new clause says.

Mrs. Barbara Roche (Hornsey and Wood Green): I have been following my right hon. Friend's remarks extremely closely, and agree with them whole-heartedly. Does he agree that one of the problems is that the aspect in which the law is deficient, and which this new clause would cover, is in relation to those crimes that are petty in nature by themselves—petty criminal damage or petty vandalism—but over a period build up into a picture of intolerable harassment, and that many senior police officers say that one needs to tackle that picture with new legislation so that society can express its repugnance for offences of that type?

Mr. Kaufman: I agree entirely with my hon. Friend. When we debated inner cities, the Under-Secretary of State for the Environment, the hon. Member for Banbury (Mr. Baldry), said, as the hon. Member for Bury, South is saying, that to do what we are seeking to do in this new clause would make it more difficult rather than easier to convict; but he completely misunderstands the nature of the new clause. The Under-Secretary of State seemed to imagine that the racial element had to be proved in order to convict. That is not so.

Our new clause says—this is why it is such a good new clause—that the racial element carries with it an additional punishment, to say to people, "You have committed a crime, and the law of the land as it existed before this Act said that that crime was punishable by such-and-such a sentence, but because you committed that crime, which had a racial concomitant, you shall be punished even more, to teach you and to send a message to the ethnic minority communities that, as they are specially vulnerable, they shall have special protection."

I am not saying for a moment that there are a huge number of crimes of racial harassment.

Mr. James Clappison (Hertsmere) *rose—*

Mr. Kaufman: If the hon. Gentleman will allow me to pursue my argument, I will gladly give way to him.

However many it is, it is too many. Over the years, there have been a considerable number of cases of the kind that I have described involving my Asian constituents. A number of Chinese people in my constituency face a particular problem—perhaps it is a problem in other parts of the country also—because young people congregate around fish and chip shops owned by the Chinese. One Chinese shop owner was murdered in his fish and chip shop, and another constituent has now been driven out of business. Patently racially motivated attacks upon his business are making his life an utter misery. It is utterly intolerable that somebody should be exposed to attacks such as that.

It is interesting that others are using racial harassment as a basis for policy. Manchester city council makes special provision for rehousing people who are victims of racial harassment. If somebody submits a rehousing application on the basis of racial harassment, that application receives special consideration, and rightly so.

Through my experience as a constituency Member of Parliament, I know of too many instances of crimes committed against people because of their racial and ethnic origin. If we were to incorporate the amendment in the Act, it would be a signal from the House of Commons to all members of ethnic minority communities that Parliament is particularly and separately concerned about crime based on race or religion.

The Minister who replied to me in the debate eight years ago was sympathetic, but I am afraid that nothing whatever was done about the problem. I very much hope that today hon. Members—regardless of party; it is not a party issue—will agree that it is proper for the House of Commons to send the message, to use the words of the hon. Member for Bury, South, that racial harassment is intolerable. We must do whatever we can to expunge it from our society, and incorporating the new clause in the Bill is a very good way of going down that road.

Sir Ivan Lawrence (Burton): I begin by thanking my right hon. Friend the Minister and the right hon. Member for Manchester, Gorton (Mr. Kaufman), who is speaking for the Opposition in this debate, for adjourning the debate on racial matters the other evening when it might have been concluded. It has enabled a majority of members of the Home Affairs Select Committee to agree to some recommendations which we have tabled as amendments to the legislation.

The Home Affairs Select Committee believes that racism, in all its forms, is an evil and destructive force in our multiracial society. There is no doubt that it is spreading and that it has to be stopped. As the pressures build in the liberated eastern European countries following the break-up of the Soviet empire, so ethnic divisions are building up all over Europe, often resulting in ethnic cleansing and wars. Inevitably, we have seen a substantial increase in the number of refugees travelling from one country to another and immigration to countries which have not seen immigration on such a large scale before.

So, too, will the pressures of racism inevitably grow and spread to the United Kingdom. The Committee believes that before that happens we in Britain must realise the likely extent of that evil and start to put up our defences as strongly as we can so that the worst excesses at least can be avoided and this nation can maintain its reputation for being tolerant and decent.

The need for good race relations has always been a primary interest of the Home Affairs Committee and we reported on the matter in 1982, 1986 and 1989. Since then, there have been shocking attacks, murder and violence and the Committee has taken a large amount of evidence from all quarters. We have not yet finalised our report or agreed on all our recommendations, but I am grateful to my colleagues for dealing with this matter with some urgency so that a majority of Committee members, at any rate, have agreed to certain recommendations and therefore amendments to the legislation.

I shall deal with those recommendations under three headings: racially motivated violence, racial harassment which is less than a violent attack, and incitement to racial hatred by such means as hate mail. With regard to racially motivated violence, it is a question of whether violence that is racially motivated should or should not attract a heavier penalty. Most of us believe that we may be able to deter racist attacks by the threat of greater punishment. Of course, some people say that all attacks are criminal and should be punished whatever the motivation and that separating racial motivation is unnecessary and wrong. This has broadly been the Government's line in the past.

4.45 pm

The majority of members of the Home Affairs Committee do not agree with that line. We believe that not only does the identification of racism send the positive signal referred to by the right hon. Member for Gorton to the ethnic minority communities in this country that the law is treating racism seriously, but that an assault motivated by racism is more socially divisive and corrosive of the very fabric of our tolerant society and, for that reason, is itself more serious.

The courts agree with that thinking, as does the existing law. A judge is allowed to take account of aggravating factors, as well as mitigating factors, in passing sentence and racial motivation is understood to be an aggravating factor. Because of this, some of the amendments would create an obligation to put before the court all evidence of racial motivation.

The majority of members of the Home Affairs Committee believe that the matter is so serious, and will become increasingly more so, that the present state of the law is simply not enough. We therefore suggest that new clause 127 should create five new offences of racially motivated assault. This would signal even more strongly to the ethnic communities that we intend to treat the matter more seriously through the power to impose a more

substantial sentence, which is why the Commission for Racial Equality and other organisations are in favour of the measure.

But there is another very important justification. In my view, the police will be likely to search for and find racial motivation only if they are required to do so to fulfil the requirements of a separate offence. Furthermore, if such an offence is to receive a stiffer penalty, a jury should decide whether an attack has been racially motivated. It should not be left to the judge to decide, any more than we leave it to the judge to decide whether the seriousness of an attack satisfies section 18 of the Offences Against the Person Act 1861, or whether it should be a lesser offence under section 20, or an even lesser offence under section 47. A jury should decide the extent of the seriousness of offences of violence.

Mr. Clappison: I am grateful to my hon. and learned Friend for giving way. I am listening with great interest to his argument. Does not the point that he has just made go to the weakness of new clause 13, in that there is a muddle as to whether it creates a new offence?

Sir Ivan Lawrence: I agree that clarity is all-important, particularly if we want to send the right signals to those who would commit racially motivated offences or those who are the unfortunate victims of such offences.

Once a jury has decided that a racially motivated offence has been committed, the judge must give effect to the jury's verdict. It is less than fair if the decision about whether the evidence is good is left to a judge rather than the jury set up to take precisely that decision. If I were accused of a crime of violence and it was alleged that the crime was racially motivated, I would want the jury to decide that point. I would not want the decision to be taken away from the jury and the judge to be invited to decide whether the evidence that he had heard warranted an increased sentence. If there were no question of an increased sentence, I agree that it would not matter. But an increased sentence because of racial motivation must, in fairness, be decided by a jury.

That seems to be so self-evident that I find difficulty in dealing with the objections to it. At first, Ministers and others told the Select Committee that a racially motivated offence of violence might prevent conviction because, although the principal matter of violence may be proved, if the racial motivation was not proved, a man who was undoubtedly violent would be acquitted. That problem is simply avoided by charging two counts in the alternative: first, single manslaughter, grievous bodily harm, wounding, assault occasioning actual bodily harm, or common assault; and, secondly, racially motivated manslaughter, grievous bodily harm, wounding, assault occasioning actual bodily harm, or common assault. The added sentence for a racial attack would be passed only if the jury decided that the racially motivated alternatives applied.

We were also told that producing such evidence would require more work by the police. Well, should it not? If racism is an evil that is spreading and needs to be stopped, should not the police be encouraged to dig out the evidence that would support their allegation? It will not be difficult for the police to decide whether to charge, as was suggested in evidence to the Home Affairs Committee. It will be for the Crown Prosecution Service to decide whether the offence is racially motivated. That is what it is there for and what it does every day of the week. It should not be excused away on the basis that it would be a burden on the police.

In any event, if there is a dispute about whether a sentence should be increased because an attack has been racially motivated and the judge is in doubt about the strength of the evidence, he can call for a Newton hearing that will require evidence to be produced so that he can make that judgment. That means that the police must have gone to the effort of finding out whether there was sufficient evidence of racial motivation.

Mr. Kaufman: What worries me about the hon. and learned Gentleman's argument is that he seems to fall into the very trap which the hon. Member for Bury, South (Mr. Sumberg) alleges against new clause 13—that it would be more difficult to convict in the first place under the hon. and learned Gentleman's new clause. He argues that the police would have to delve further in order to obtain evidence that would justify a jury's offering a guilty verdict. New clause 13 says that evidence of the crime should be sufficient to justify a guilty verdict, whereas evidence of racial motivation should be an aggravating element in the sentence.

Sir Ivan Lawrence: I cannot immediately find new clause 13, so I cannot answer the right hon. Gentleman's point. I do not care whose clause supports it, but it must be clear that it is for juries to decide whether there is sufficient evidence of racial motivation. In the first place, it will be for the Crown Prosecution Service to decide whether the police have sufficient evidence of racial motivation—if they have not, an increased sentence should not be imposed because of it.

If they have, the Crown must prove racial motivation not just on one count in an incident, because I agree that a prosecution may fail if there is only one count with two elements. There must be two offences in the alternative so that the jury can decide, on the basis of evidence, whether an offence is racially motivated. Whether an alternative is put in the indictment will depend on whether the Crown Prosecution Service considers that any evidence of racial motivation sustains account. That is how the logic and practice of the courts would work out.

Mr. Kaufman: The hon. and learned Gentleman is arguing himself into a technical corner. It is clearly emerging from the way in which he expounds his new clause that it would be more difficult to convict for a crime of assault unless the crime of assault contains a racial element. It is therefore inherent in his argument that somebody who may have committed a crime of assault may go free because there is insufficient evidence of a racial element.

That is not so under new clause 13, where evidence that an assault has been committed per se will be sufficient to justify conviction. The merit of our new clause is that if, that evidence having been submitted, there is additional evidence of a racial element, the judge could expand the sentence. That is why our new clause is better than the hon. and learned Gentleman's. However, if our new clause falls, I shall vote for his simply because I want something in the Bill, however inadequate it may be.

Sir Ivan Lawrence: I am grateful to the right hon. Gentleman. I have now refreshed my memory about new clause 13. It may confuse the issue. We want a jury to

convict if it is sure that there was an offence of manslaughter, grievous bodily harm, wounding, assault occasioning actual bodily harm, or common assault, and to convict of the alternative offence if it is sure that there was a racially motivated element. Once those two elements are put into one count, the jury will talk the whole count round.

If it concludes that it is unhappy about the evidence of a racial element, it may rub off on its conclusion about the assault itself. That is why there is merit in what my right hon. and learned Friend the Home Secretary told the Committee about the possibility that a jury would acquit, despite the fact that there was sufficient evidence of an assault.

I do not expect my right hon. Friend the Minister to accept this, but those of us who have practised in the courts with jurors for 30 years know that, from time to time, they say, "We are not too sure about the whole of this count," and they drop the lot. So, although new clause 13 is not wrong, it runs a risk that would be avoided by separating the two counts as I have suggested. Moreover, the person convicted of the crime would know that the jury was sure of the racial motivation and had not simply been swept along by the offence itself and thought, "We do not care whether the offence was racially motivated; that person must not go free." In addition, the ethnic community will know, from the separate offence, that the law takes the matter seriously. In those circumstances, the Select Committee on Home Affairs—not all of us, but the majority—decided that an offence of racially motivated attack was justified.

Mr. Clappison: Will my hon. and learned Friend give way?

5 pm

Sir Ivan Lawrence: I hesitate to give way as I have received a sign that I should speed up and there are two other offences that I want to mention.

Is there a need for a new offence of racial harassment to deal with the drip, drip, drip effect of constant harassment? The Board of Deputies of British Jews, the Commission for Racial Equality, the anti-racist alliance and a number of others all say yes. At present, section 5 of the Public Order Act 1986 deals with all sorts of harassment, not just racially motivated harassment. However, we were told that there were a number of drawbacks.

When we visited the racial unit in Plumstead, the police officers told us that it was not always possible, when bringing a charge, for the prosecution to satisfy a court that a person intended his words, behaviour or action to be threatening, abusive, or insulting under the meaning of the Public Order Act. Even if the person was aware that that might be the result, if he did not intend for it to be so, he was not guilty. The police officers suggested that an objective test would be sensible. If a reasonable man would consider that such acts, deeds and words were likely to cause such a result, that should constitute the necessary intent required under the Bill.

The Minister of State, Home Office (Mr. Peter Lloyd): I do not want to delay my hon. and learned Friend too long as I know that the House wishes to make progress. However, I think that both my hon. and learned Friend and the police officer to whom he spoke at Plumstead have not looked carefully at section 5 of the Public Order Act. It is not a matter of intent, but whether something is likely to cause harassment, alarm or distress.

Sir Ivan Lawrence: That was how it was put to us. We considered it and recognised that as one of the criticisms.

A second criticism was made that the offence under section 5 took no account of the seriousness of many of the acts that were taking place, such as the daubing of swastikas, or putting excreta through a door because a person was a Jew, Muslim, Pakistani or Bangladeshi. I shall not list all the particularly repulsive behaviour that is manifestly racially motivated, but does not necessarily call down under the existing law a sentence which responds to its serious nature.

The third criticism made was that it was an arrestable offence only if the offender repeated his behaviour in the sight of a policeman after a policeman had warned him to stop. The fourth criticism was that the offence attracted a maximum fine of only £1,000. We therefore considered that section 5 was inadequate to deal with the important subject of racial harassment.

The proof of that lies in the fact that, despite the increase in racial incidents—however many there are, the number has been increasing—there has been no increase in the number of charges brought or convictions recorded. As a result, we decided that it would be sensible to toughen the law, which is the basis of our new clause 100. It takes into account all those matters, particularly the one to which my right hon. Friend the Minister has just alluded.

Part III of the Public Order Act deals with incitement to racial hatred. The most commonly used sections are 18, which deals with words or displays or behaviour, and covers race hate mail, and section 19, which is intended to deal with publishing or distributing written material. We were told that the amount of racist literature was increasing. In the appendix to its report the Select Committee will publish some examples of the repulsive racist material. I shall not delay matters by referring to them now.

It is inevitable that, as boundaries come down under the single market, more such filth will cross from countries in Europe to Britain. There were strong criticisms of the working of the present legislation, particularly from the Board of Deputies of British Jews, which said that the existing legislation had not proved effective in countering the tide of anti-semitic and other racist literature. It sent us an enormous amount of the sort of literature being circulated.

Three criticisms were levelled at us about that specific aspect of the Public Order Act. The first was that a prosecution could not be instigated without the consent of the Attorney-General. There was a feeling that the Attorney-General sometimes decided that a prosecution should not go ahead for vaguely political reasons—perhaps because it would cause more conflict or distress to do so. Although we had absolutely no reason to think that Attorneys-General had ever made decisions other than perfectly correctly and properly, it seemed to us that there was nothing much to be gained from placing the Attorney-General in the invidious position of having to make such choices.

The Attorney-General already has many problems on his plate without having to go through the countless number of allegations and make decisions. We saw no reason why the Director of Public Prosecutions, together

[Sir Ivan Lawrence]

with the Crown Prosecution Service, should not make the decisions in those, as in nearly all other, matters. That was our recommendation and it forms one of our amendments.

The second criticism was that the incitement to racial hatred provision did not provide a power of arrest. A person who distributes such material by post cannot easily be found. If there is no power of arrest, by the time that the police arrive at the premises from which they think the material is being distributed the birds have fled and all the forensic signs of their culpability have dried up and disappeared.

We listened to the evidence given to us by a very senior officer at Scotland Yard, Commander Allinson, who was worried about the lack of power of arrest. It seemed to us that if we could provide the power of arrest and the police could act quickly, they could obtain all sorts of forensic evidence that might specifically identify the person responsible. At present the police lack those powers.

The third criticism involved the subject of intention. There has to be an intention to stir up racial hatred and only an objective test would be likely to result in a sufficient number of prosecutions. That was part of the recommendation contained in the Bill of my hon. Friend the Member for Finchley (Mr. Booth).

There were other issues; I shall highlight one that formed the basis of an amendment that we tabled. Under part II of the Public Order Act, senior police officers have the right to impose conditions on, and the Home Secretary has the power to ban, marches, processions and demonstrations if they feel that they might result in serious public disorder, disruption to the life of the community and so on. But the Act does not cover marches and processions involving race hatred. Therefore, the police felt that they were not always able to respond to the community's concerns about marches by right-wing groups which did not, perhaps, result in violence, but which contributed to the climate of fear and hatred among the ethnic minority. Therefore, we have recommended that the Government amend the Public Order Act so that it covers a march or procession invoking the spread of race hatred.

The Select Committee on Home Affairs has attempted to be constructive. If we are right and racism is spreading, is serious and can only get worse, we must do something more about it than the existing law, which has been inadequate. We have come forward with our constructive proposals, to which I hope that my right hon. Friend the Minister will respond positively.

Mr. Peter Lloyd: The House wants to make progress, and as I must say much in response to speeches made today and before the Easter recess, I hope that it may help if I intervene now.

Since we adjourned this debate before Easter, there have been additional amendments from my hon. and learned Friend the Member for Burton (Sir I. Lawrence) and some of his colleagues on the Select Committee. I was interested to read them and I listened with care to my hon. and learned Friend's remarks.

I am sorry that we could not have the Select Committee's report before debating this batch of amendments. It is the Committee's evidence, thoughts and findings rather than its drafting skills from which the Government would have liked to benefit before the debate. I hoped—as I know the Select Committee had intended, before it was sidetracked on to another issue—that the report would be published before Christmas.

The Government always take what the Select Committee has to say with great seriousness—doubly so when it involves a difficult subject such as this, which the Select Committee studied for more than a year. Obviously it would be much better for us to reach our own final conclusions after studying its report rather than before.

I am glad that one amendment in this batch—new clause 97—gives the police power of immediate arrest in cases of incitement to racial hatred, which chimes with our own thinking.

The Government tabled their own version in new clause 125. It is drafted differently and I believe more suitably, but achieves the same effect. It will enable the police to pursue more effectively not just those who distribute, but, through them, those who produce the appalling material on which my hon. Friend the Member for Hendon (Mr. Marshall) focused our attention in his Adjournment debate before Easter, and against which, inter alia, my hon. Friend the Member for Finchley (Mr. Booth) directed his private Member's Bill. I am pleased to meet one of their particular objectives now.

Before I turn to new clause 13 and the other amendments selected, I will say something about the overall statistics for racial violence and racial harassment —about which the hon Members for Walsall (Mr. Winnick) and for Leyton (Mr. Cohen) and in particular the hon. Member for Caithness and Sutherland (Mr. Maclennan), who provided a revealing breakdown of such incidents recorded by the Metropolitan police, spoke.

When I gave evidence to the Select Committee last July, I made an estimate of 130,000 to 140,000 racial incidents a year, based on data obtained from the 1992 British crime survey. Grossing up the responses from that survey sample for the total ethnic minority population gave that estimate of the number of crimes and threats in 1991 thought by the victim to have been racially motivated.

Both the survey and police data such as those quoted by the hon. Member for Caithness and Sutherland suggest that only a minority of incidents involved physical attacks—and, of those, a much smaller proportion were serious. The rest were made up of abusive language, criminal damage and other unpleasant behaviour.

I well understand why hon. Members contrast that estimate of 130,000 incidents with the 8,000 incidents recorded by the police, but the work done suggests that perhaps 50,000 incidents were reported to the police but not recorded as racial, either because the victims did not mention it as such or the police failed to note that they did.

Clearly, it is not possible to know how many of those crimes resulted in prosecutions, but they will have been dealt with on the same basis as similar crimes not felt to be racially motivated. All offences of violence are obviously priorities for the police and are pursued with vigour, but for offences at the other end of the scale, there may be no accessible evidence to identify and successfully prosecute the perpetrator of non-violent harassment—even if it is reported, which it generally is not.

The racial attacks group is currently specifically examining the way in which the police compile their statistics. We need them to be as full and accurate as possible and to be compiled on the same basis between

forces. We also want to encourage other agencies to use the same categorisation, so we shall know that we are comparing like with like.

Mr. Keith Vaz (Leicester, East): Will the Minister give way?

Mr. Lloyd: Not at this moment, because I have not gone deep into my remarks. I shall do so later, if the hon. Gentleman still wishes to make a point.

The British crime survey did not show an increase in perceived racial incidents as a proportion of all crime between 1988 and 1992, when the questions were first asked. Whether there has been an increase between 1992 and 1994 should be revealed in the next edition of the survey, which is due to be published later this year.

The apparent sharp increase in racial crime recorded by the police between 1988 and 1992 can be explained, at least in part, by increased efforts by the police to improve their monitoring and recording procedures. I refer in particular to the guidance issued to all forces in 1991. As a result, all police forces have adopted the Association of Chief Police Officers' definition of a racial incident. Racial motivation is flagged up in the report of any incident in which the police officer, victim or any third party believes there to have been a racial element. That certainly broadens the definition and brings more offences within its scope.

It is also obvious that the more successful the police in encouraging reporting, the more the number of incidents recorded will increase, without there necessarily being any underlying increase in the number of offences committed. Does the hon. Member for Leicester, East (Mr. Vaz) wish to intervene now?

5.15 pm

Mr. Vaz: Unfortunately, the Minister is using arguments that he used before, in speaking of classifications, categorisations and definitions. Does he accept that racial attacks are occurring on the streets of Britain and are increasing? Does he accept that they are affecting the lives of many black and Asian people? The Government should not hide behind delaying tactics. It is vital that something is done urgently to protect those people.

Mr. Lloyd: The Government are hiding behind nothing. The Government want to be effective, which is why I am trying to lay out the best information that we have. I do not deny that there are a great number of attacks. I shall refer to that point shortly. Perhaps it was unnecessary to give way to the hon. Gentleman

I do not rule out in particular that publicity and counter-demonstrations in the wake of the British National party victory in Tower Hamlets provoked more mindless thugs to indulge in more racial thuggery. I am sure that, for a long time, ethnic minority communities and some sections of the white community have suffered racial attacks and harassment. What has changed is the declining readiness of those sections of the community to tolerate such treatment, and the growing interest and concern of the rest of the community.

I am certain that the new clauses cover serious matters and I return exactly to the point that the hon. Member for Leicester, East was trying to press. I do not believe that there is any real difference of view between both sides of the House as to our abhorrence of racial violence and our recognition of the hurt and fear that racial harassment can bring to individuals, families and communities. Nor do I believe, after reading the new clauses with care, and having listened with interest to what was said in support of them today and previously, that there is any difference between us on the range of violent or cruel behaviour that the law should punish.

All violence is criminal, whether the assailant and victim are the same colour or of different colours, and whether the motive is racial hatred, anger at women or contempt for the weakness of the elderly and disabled. I am glad that the Opposition, in their new clause 13, no longer propose to distinguish between violent crimes—at least as far as the offence is concerned. There is nothing in new clause 13 about a separate offence of racial violence, and that is progress.

I am sorry that good sense is not carried over into the subsections on harassment. Again, there appears to be no real difference between us on what antisocial behaviour should be covered by the law. In fact, the very words of subsection 2(1)(a) are lifted directly from the Public Order Act 1986.

However, subsection 2(1)(b) seeks to go further and specifically adds the words

"trespass or nuisance whereby any occupant . . . is likely to be caused harassment, alarm or distress."

I do not believe that it would do much for race relations to create a new offence that has the potential of new clauses 13 and 90 to render certain trespass and nuisance behaviour criminal only when carried out on racial grounds. I do not believe that that would do anything for anyone.

In practical terms, it would be difficult to imagine examples in which such actions could be proven to be racially motivated, unless there was an explicit racial overtone to the behaviour. Simply walking across a garden would not be sufficient without, say, accompanying abuse or implied threat. Of course, if a person were to be verbally abusive, insulting or act in a threatening or harassing way, regardless of whether they were trespassing or not, section 5 of the Public Order Act is already there under which such behaviour may be prosecuted.

Perhaps the hon. Member for Lewisham, Deptford (Ms Ruddock) has something in mind that is not covered by existing law. If not, I have to say to her that, although her new clause gives the first impression of a tough new extension of the law, it will do nothing better to protect the victims of racial offences. If she does have something in mind that is not covered by existing law, I would genuinely like to consider it. But where I especially disagree with these new clauses is that they seek to do for harassment what, as I observed approvingly, Opposition Members wisely no longer seem to seek to do for violence: create a specific and separate offence of racial harassment.

It is always hard to prove motive—harder, I suspect, than many hon. Members allow. My hon. Friend the Member for Bury, South (Mr. Sumberg) was right about that. If that is so and the court finds the racial motive unproven beyond reasonable doubt, should there be a conviction for a standard offence, the judge, in sentencing, will not be able to take racial motivation into account and will have limited scope for taking into account any other racial element.

I fear that writing into the law an additional penalty for racial motive, as in new clauses 13, 50, 89 and 127, may have the opposite effect in an uncomfortably large number of cases to that intended by those who tabled the new clauses. It makes even less sense to do that, as there is

[Mr. Lloyd]

already a duty on judges and magistrates to take into account the aggravating circumstances surrounding an offence. Indeed, that was written into the Criminal Justice Act 1991. It obviously includes racial hostility and the vulnerability of the victims.

It is plain, both from judges' summing up and the penalties handed down in a growing number of cases, that the courts are taking the racial element firmly into account. The recommendation for minima of 22 and 25 years for the racial murders of Fiaz Mirza, Saddik Dada and Mohammed Sarwar show that the courts are prepared to act when the evidence is there.

Ms Ruddock: I am listening carefully to what the Minister is saying. Is he able to tell the House how many of the offences that have been prosecuted under section 5 of the Public Order Act have been found to be on racial grounds? Does he have the figures? Will he tell us how effective the current law is?

Mr. Lloyd: I cannot, but I would like to be able to. We are currently looking to see how that might be managed so that, as I said earlier, all cases would be flagged up so that we know what happens to them. We could then create those figures at the end of the year. Because there is no separate offence of racial harassment, those figures do not exist at the moment, so I cannot say how many of the cases were overtly racial and in how many of them that factor was taken into account by the court in sentencing.

The racial attacks group, which includes the Commission for Racial Equality and the Crown Prosecution Service as well as the police, is looking at that so that we can provide such information. I do not believe, however, whatever information it produces, that these matters are best handled by legislation, not merely or primarily for the reasons that I have already given, but because of the messages that it will send to the world outside—the very point that was made by the right hon. Member for Gorton.

Mr. Kaufman: I suspect that, somewhere in a pigeon hole in the Home Office, there is a brief for Ministers to use on this occasion. It was also used by the former Minister of State on 10 April 1986 to reject the proposals of the Opposition at that time. No doubt if the Opposition have to vote with Conservative Members and are not successful today, it will be fished out on a future occasion, too.

The Minister has not responded to the prime point of the argument. He says that judges are, of course, at liberty to take into account a racial element when considering a sentence. Being at liberty is very different from being required to take into account a racial element in a crime. Parliament needs to send a signal to members of the ethnic minorities in this country that Parliament has a special concern for them. I hope that, before the Minister sits down, he will respond to that argument, which so far he has failed to do.

Mr. Lloyd: The right hon. Gentleman made two points. The first was the familiarity of some of the arguments that I use. I suggest to him that a good argument retains its freshness, even over the years. On his second point, if he reflects back to the Criminal Justice Act 1991, he will see that the courts are not simply at liberty to take into account what they want, but that they are required to take in fully all the circumstances that relate to the case which indicate aggravating features. Perhaps the right hon. Gentleman would like to refresh himself on that.

Mr. Robert Maclennan (Caithness and Sutherland): Will the Minister give way?

Mr. Lloyd: No, I must make some progress. If there is a little more time later, I will come back. I want to say a little more about this point.

Mr. Hugh Dykes (Harrow, East): Will my hon. Friend give way?

Mr. Lloyd: No, I will not, if my hon. Friend will forgive me.

I realise that many hon. Members support a separate offence of racial violence or harassment because of the message that they believe that it would send. They believe that it would reassure ethnic minorities that such crimes against them are taken very seriously. But I suspect that there would be a reaction if, having led them to believe that the law was being strengthened, it was discovered to be neither broader nor more effective and unable to catch a wider range of racially motivated offences.

To be fair, from my strictures I should except new clause 100, which has been tabled by my hon. and learned Friend the Member for Burton, which would replace section 5 of the Public Order Act. It has the great merit of being colour blind. But my approval ends there, for it would make a criminal offence of any trespass or nuisance whereby any occupant of any dwelling is likely to be caused harassment, alarm or distress—so a person who lights a bonfire whose smoke distresses their neighbour, or lets their dog bark incessantly or stray into their neighbour's property and damages it, could be committing a criminal offence. It could, I suppose, apply to intrusive building work.

What is more, the requirement in the current section 5 of the Public Order Act for the conduct to be intentional, or at least for the person engaging in it to have known that harassment, alarm or distress were likely to result, has been deleted. That was not in fact the test that my hon. and learned Friend and the officer whom he met in Plumstead believed was the test in section 5 of the Public Order Act. Such unneighbourly stresses can, I know, be extremely aggravating, but I wonder whether my hon. and learned Friend had them in mind and, if he had, whether he intended to be so sweeping in his extension of the criminal law where the civil law has traditionally provided the remedy.

Perhaps it was that kind of behaviour that the hon. Member for Deptford will tell me that she had in mind for new clause 13(2)(1), but not when it was caused by accident—because it is confined to race—or straight malice, but only when it was racially motivated.

But my fundamental criticism of new clause 13 and others is not that they are generally ineffectual, as my hon. Friend the Member for Bury, South said they were, in providing extra protection—they are. My criticism is that I do not believe that Parliament should construct two categories of harassment any more than two categories of violence. It must be wrong to create the impression that there are extra protections for ethnic minorities that are not available for, say, the elderly and the disabled.

Sir Ivan Lawrence *rose—*

Mr. Maclennan *rose—*

Mr. Lloyd: I shall give way in a moment, but to the hon. Member for Caithness and Sutherland.

The danger is particularly well illustrated by the ill-judged subsection (2) of new clauses 13 and 127, which would require an additional penalty for racial violence which may exceed the maximum penalty otherwise prescribed for that offence. Indeed, under new clause 127, the assailant in a racially motivated common assault could get a sentence 10 times the maximum for any other common assault.

Apart from giving the court power in new clause 13 to impose an additional penalty beyond the maximum set by Parliament for the offence—a departure from every other area of our law where maxima are always enshrined in statute and set to allow for the worst possible example of a particular offence—these new clauses would send a clear message that an assault on the disabled, the elderly or a small child, however cowardly or brutal, could never be punished as severely as it was possible to punish a racial attack.

Mr. Maclennan: I ask the Minister to reflect on the fact that the rights of ethnic minorities are considered under our international commitments—through the European convention on human rights—as matters especially to be protected against discriminatory behaviour. Motivation is also something which the English common law recognises as significant in determining the appropriateness of a penalty; it is what distinguishes certain types of homicide from murder. It is bizarre that he should say as a matter of principle that the Government are setting their face against treating racially motivated attacks as different in kind from other forms of attack. Surely that is mistaken.

5.30 pm

Mr. Lloyd: I am not saying that they are not sometimes worse than other attacks, and I am certainly not saying that the courts should not take that into account. Indeed, I spent some time saying that the courts did take that fact into account and that it was their job to do so. If race was an aggravating factor, it should be implicit in the way in which the court determines the sentence.

However, I am saying that to give a specific additional sentence for a racial attack when there could be worse attacks on, for example, the elderly, the disabled or children, and on others who are not disabled, elderly or young, sends the wrong message. I am sorry that the hon. Gentleman and some other Opposition Members cannot understand that. The sense of fairness of the community as a whole is quite different from how the hon. Gentleman perceives it. I do not want, and I was sure that no hon. Member would want, to send such a crudely divisive message to the country.

We do not want to bring about circumstances in which a mugged pensioner could say, however unfairly, that if he had been black, his assailant would have had to receive a much heavier sentence, or in which a victimised family, suffering regular harassment from neighbours, could say, "Of course, if we had been a different colour, the police would have had to do something." That would be doubly foolish when the basic reach of the law, certainly where violence is concerned, remains the same under new clause 13 and others, whether or not there is a racial motive.

So why lead the public to believe otherwise? Why introduce a potent source of misunderstanding and resentment? I suspect that to do so was considered an easy way for the Opposition to respond apparently decisively to ethnic minority fears and the appalling experiences that so many have indeed suffered.

I do not impugn the integrity of the hon. Members who have put their names to the new clauses or who have spoken in support of them. I am sure that they are utterly sincere in their desire to provide better protection for ethnic minorities and to build the good race relations on which it must finally depend—it is their wisdom and good sense that I question.

Although new clause 13 and others would no doubt give immediate encouragement to ethnic minorities, it would surely bring cynicism in its train when they began to notice that it secured few, if any, extra prosecutions, especially when it was clear that the price had been to sour race relations and to provide a handle to those who like to argue that the law gives black people a privileged position anyway.

Mr. Vaz: Who are those people?

Mr. Lloyd: There are plenty of them, alas. If the hon. Gentleman has not met them, he has led an extraordinarily sheltered life. A number of them voted for the British National party in Tower Hamlets at the previous local election.

Sir Ivan Lawrence: Of course my right hon. Friend has a point and it is one which should be heard, but is it not also a reason for dismantling all our race relations legislation, whether civil or criminal, because the effect of that is presumably to create exactly the same reactions as he says are so abhorrent to us now?

Mr. Lloyd: That is of course one of the downsides, but, as my hon. and learned Friend will know, without such laws against discrimination, discrimination would not be unlawful. However, harassment and violence are unlawful, so he is not comparing like with like.

While I am waxing so critical of the content of the new clauses, I shall mention briefly what is not in them and, despite what the hon. Member for Hornsey and Wood Green (Mrs. Roche) said in her intervention, something that is certainly not there but which would genuinely benefit ethnic minorities and others if it were. The Government believe that the one aspect that the law does not sufficiently cover is low-level, repetitive abuse, name-calling or nuisance which as a one-off might be no more than a minor legal breach and on which no court is likely to come down with great severity, but which cumulatively is deeply hurtful, building fear, anxiety and distress, blighting the lives of individuals and families and poisoning relationships between different sections of the community.

It is in dealing with such persistent harassment, which can cause such misery, that I believe the law needs to be extended with appropriately severe penalties. I have said so many times in recent months, including at the Dispatch Box, but it is not easy to formulate an amendment that we can be sure would focus effectively on the offence without unwelcome side effects. I am, however, confident that we can produce such an amendment and the Government would have liked to do so on Report, but the complexities have proved too great.

Mrs. Roche *rose—*

Mr. Lloyd: If the hon Lady wants to tell me that new clause 13 covers this point, she can do so and then I shall continue.

Mrs. Roche: I am grateful to the Minister for giving way. New clause 13(2)(1)(a) refers to the use of

"threatening, abusive or insulting words or behaviour . . . or . . . any writing, sign or other visible representation"

that is abusive or insulting, which is exactly the type of behaviour to which I referred in my intervention. We are talking about the swastika daubed on a wall, threatening behaviour against a black family or a car aerial being vandalised. New clause 13 seeks to deal with such harassment.

Mr. Lloyd: The hon. Lady was not listening when I said that the words that she has just cited admiringly are already law—they have been lifted wholly from section 5 of the Public Order Act 1986. I am trying to tell the hon Lady that those words are insufficient to deal with cumulative low-level harassment which causes so much harm and has such a corrosive effect.

Mrs. Roche: I am grateful to the Minister for giving way a second time. I listened very carefully to what he was saying. New clause 13 would tighten existing legislation and enable it to deal with exactly the sort of incident to which I referred. There has been a failure on the part of the Home Office to listen properly to what is being said not only by Opposition Members but by some of the Minister's right hon. and hon. Friends.

Mr. Lloyd: The failure is that of the hon. Lady to read what is on the statute book.

Mr. John Marshall (Hendon, South): Will my right hon. Friend give way?

Mr. Lloyd: No, I cannot give way.

I must stress that the improved law would not be confined to racial harassment but would extend to other forms of harassment, although ethnic minorities may be the chief beneficiaries. I should be happy if that were so as I am quite sure that they are the chief sufferers. The important point would be that the same protection would exist for any repeatedly harassed individual or family, whatever the motive for the harassment.

Mr. Marshall *rose—*

Mr. Lloyd: No, I shall not give way as I have already done so too often in view of the time available.

I share with all hon. Members who have spoken their patent desire to make the law work more effectively. The chief impediment to prosecution is lack of evidence which will stand up in court, a point made by my hon. Friend the Member for Bury, South. That must be a matter for the police and local agencies working effectively together, and it is why earlier this year I was happy to speak in support of the CRE campaign urging victims to report incidents and, just as important, witnesses to come forward.

However, it is clear that the Public Order Act is used to very much greater effect in some spheres than in others. That is why the racial attacks group is also looking to see what can be learnt from those areas about the way in which good practice could be applied generally. It is not spectacular work, but it will prove far more helpful to minority communities than any of the new clauses before us today, however impressive they may sound when dolled up in a superficial and self-indulgent press release.

As I said earlier, making the distribution of material that is likely to stir up racial hatred an arrestable offence will help the police to get to the source of the material and I hope that the House will support amendment No. 125. It follows that I have immediate sympathy for those sections of new clause 13 and new clause 100, which would provide the police with an immediate power of arrest for harassment. However, on reflection, I am afraid that I am not yet convinced that it would on balance help to do so.

Section 5 of the Public Order Act, to which the new clause relates, is used in a variety of circumstances for dealing with a broad spectrum of abusive and threatening behaviour in public places, not only racial harassment. It could, for example, be employed by the police when they have been abused and harassed by demonstrators. At present, the police must give the demonstrator a warning. I am not sure that the Opposition would want to do away with the necessity for that warning and perhaps find that many of those arrested turned out to be black or white protestors who were perhaps protesting over the BNP book shop in Welling. I am not convinced that the requirement for an opportunity to cool off is not useful all round, but I do not rule out the new clause. It needs further and wider discussion, which it will receive when the Select Committee is able to publish its report.

Again, I understand why new clause No. 89, spoken to my hon. Friend the Member for Harrow, East (Mr. Dykes), queries the role of the Attorney-General, whose approval is necessary before a prosecution can be brought under part III of the Public Order Act for stirring up racial hatred. As some hon. Members have observed, he has given his go-ahead to only 14 prosecutions, implying that, somehow, he has been preventing many more from being brought.

That is certainly not so. Only 19 cases have been referred to him and the ones with which he did not proceed were disallowed on the same grounds by which other prosecutions are denied—two because of insufficient evidence and three on public interest grounds. At least two of those cases were dismissed because of the age of the person who was alleged to have committed the offence. Again, I am quite sure that the lack of evidence on the identity of the authors of the racial material which would stand up in court is responsible for the small number of prosecutions in that area, perhaps because so much comes anonymously through the post or is imported.

There are other broader issues relating to the scope of part III of the Act which were raised by some Asian groups, by the Tabachnik report and most recently by my hon. Friend the Member for Finchley in his Bill. They involve important questions about where the balance should be struck between free speech, public order and group sensibilities. They are beyond the scope of the new clauses and thus the debate, but they are an area to which we must and will return when the Select Committee unveils its remedies.

Finally, in new clause 98, my hon. and learned Friend the Member for Burton and some colleagues on the Select Committee seek to strengthen section 12 of the Public Order Act which deals with processions. At present, a police officer may place conditions on a march if he believes that it may cause serious disorder, damage or disruption. I cannot see that it helps to add the ability to put conditions on a march on racial, religious or ethnic

grounds, as subsection (1) of my hon. and learned Friend's new clause would. It gives the police no new power or new guidance.

Subsection (2) of the new clause, however, would insert the stirring up of racial hatred as an additional criterion for imposing conditions on a demonstration. Again, it would add little more to the way in which the present law is being used. The police already use their powers to impose conditions on marches for example, to re-route them where necessary away from areas where large Asian populations live—not on the grounds of stirring up racial hatred, but for straightforward public order grounds.

It could be difficult to argue—perhaps it has occurred to my hon. and learned Friend—that a march of Nazi skinheads down Brick lane would stir the local population to racial hatred, but it may well cause them fear and distress and provoke angry and violent reactions. That is why the 1986 Act, with the effects of some demonstrations on ethnic minorities clearly in mind, introduced criteria to ensure that individuals can go about their business free from intimidation.

It seems that the police have the professional expertise and the powers under the current law to make the operational decisions needed. To ask them to assess the likelihood of racial hatred being stirred up would be much more difficult and subjective and would not, for the reasons that I have given, be of much help. Of course, where those taking part in a demonstration incite racial hatred, the police may take action under part III of the Act. On that matter, in due course, I would again like to see the considered opinion of the Select Committee on how marches may be better managed as part of the wider questions of group defamation and the stirring up of racial hatred in a society which values freedom of expression and the right to demonstrate.

I do not believe that new clause 98 would alter that balance as it would not give the police any useful additional powers. If it did anything, it would confuse the basis on which they are properly required to make an operational judgment as to the impact of a march on public order.

Sir Ivan Lawrence *rose—*

Mr. Lloyd: As I have been talking of my hon. and learned Friend, I shall give way.

Sir Ivan Lawrence: We were asked to add those conditions by the police. If they do not understand the present law, what on earth is the likelihood of the ethnic minority communities in Britain understanding it?

Mr. Lloyd: I am certain that my hon. and learned Friend has spoken to some policemen. I would like to see the informed, complete, official response to the suggestions of the police and the Association of Chief Police Officers. Of course, we shall get that with the Select Committee report.

We have a limited time for the debate. I hope that I have managed to persuade the proposers of the new clauses that it would be better not to press them to a vote. If I have not, I must ask my hon. Friends to vote against them, except, of course, new clause 125, which I trust that the whole House will accept with acclamation.

5.45 pm

Ms Diane Abbott (Hackney, North and Stoke Newington): I rise to support new clause 13. The Minister asked why we should single out racial attacks for special legislative treatment—treatment that is not applied to attacks on disabled or elderly people. We should do so because nobody ever builds a mass political movement out of smashing those groups' windows—or out of spitting on them, assaulting them or killing them in their millions. In the lifetime of some hon. Members present in the Chamber, mass political movements in Europe have been built with the building blocks of individual acts of racial violence.

A responsible Government who were aware of the patterns of rising racial and fascist violence in Europe would see the need to send a message from Parliament to individual racists and fascists and to those terrorising black and Asian people saying that racism is a phenomenon—a social and political manifestation—that our society will not tolerate. Racial attacks ought to be singled out in the way set out in the new clause because of what they represent politically—a threat to the stability of society that no amount of individual attacks on elderly, poor or disabled people could ever represent. I am surprised that the Minister, who is normally a man of some sensitivity and insight, cannot see that simple point.

Britain's black and Asian communities wish that even at this late stage the Government will change their mind on the issue of racial harassment. They want to see the law changed first and foremost because no amount of legal quibbling and juggling with figures can bring home to people who do not experience racial attacks the fear and terror that individual acts of racial violence and low-level harassment can cause.

The Minister said that few acts of racial harassment are acts of violence. Tell that to Asian women who are trapped in their flats week in, week out because they are frightened to leave—because they are spat on, because they are shouted at and because they have graffiti on their doors. It is all very well to produce figures that say that those are not acts of violence, but for a woman who speaks little English and is frightened to leave her house for weeks, for months, for years, the situation is just as threatening as any individual act of violence.

Black and Asian people want new clause 13 to be accepted because we believe that many people underestimate the effect on individual communities of the fear of racial harassment and attacks. We want new clause 13 to be accepted because one of the problems with racial harassment is getting different communities in different places to report it. In my local Jewish community in Stamford Hill there is great fear and reluctance to report acts of racial violence to the authorities—and that goes for many different types of community in many different areas.

If Parliament made new clause 13 law, that would give the different ethnic minorities increased confidence to come forward and report acts of violence.

Mr. Jeremy Corbyn (Islington, North): Does my hon. Friend agree that one of the problems is that while there is a sort of permissive element in whether the police report or treat an incident as a racially motivated crime, many people are afraid to report such incidents to the police? Does not too much depend on the discretion of individual police officers on desk duty at a particular time? The advantage

[Mr. Jeremy Corbyn]

of our new clause is that it would force all police officers to take the issue of racial violence seriously, and thus give communities greater confidence in reporting the sort of horrors that my hon. Friend has rightly described.

Ms Abbott: I agree with my hon. Friend.

Britain's black and Asian communities want not crocodile tears from the Minister about how terrible such attacks are, but a recognition of the plight of tens of thousands of people, whether as communities or as individuals. Individuals can be trapped on estates, with one person being the only member of a particular minority. Those people want recognition of their plight. They want legislative action. They want an acknowledgement from the Government that individual acts are not merely random acts of violence, however reprehensible those may be, but represent the building blocks of a political tide. Unless the politicians of this country stand up against that tide it could bring to this country the sort of political movements and the sort of violence that we are now seeing in the rest of Europe.

Ms Ruddock: With the leave of the House, Mr. Deputy Speaker, I shall speak again.

When I opened the debate on the Opposition's new clause 13, on 28 March, I was mindful of two things. The first was the fact that the overwhelming weight of the evidence on racial attacks and harassment given to the Select Committee on Home Affairs was supportive of Labour's proposals in the new clause. The second was that every ministerial statement on the subject of racially motivated crime had displayed an extreme reluctance to legislate effectively on the issue.

My expectations both of the Minister and of the position of the Select Committee have been met in full today. It is clear that in tabling their new clauses members of the Select Committee have responded to community concerns and to expert opinion such as that of the Commission for Racial Equality and the Board of Deputies of British Jews, which agreed with us that a range of new measures was required and should be tabled for Report.

Dame Jill Knight (Birmingham, Edgbaston): I want there to be no misunderstanding about the fact that the Home Affairs Committee was divided six to four on the matter.

Mr. Corbyn: Name the four.

Dame Jill Knight: For various reasons that I shall not go into now, four of us strongly disagreed with the wisdom of what is now being suggested.

Ms Ruddock: Nothing that the hon. Lady has said changes the fact that there was a majority in favour. I was speaking especially of the expert evidence given to the Select Committee.

The range of measures tabled by those holding the majority view on the Select Committee, and the range of measures that we and other Opposition Members have tabled provide for enhanced penalties to be applied on proof of racial motivation in the commission of violent offences, and for the creation of new harassment and incitement offences.

I agree with the hon. and learned Member for Burton (Sir I. Lawrence) that if the racial motivation test is applied, that motive will be sought by the police and by the courts, and it will be found where it exists. That is what is so essential about the test of racial motivation. That is why it should be mandatory.

The hon. and learned Member for Burton believes, as we do, that racial incidents have increased. The Minister did much to try to rubbish that notion, and to try to talk down the extent of the problem and the pain that it causes. He cited in evidence the British crime survey, but that deals with two racial groups in particular, and does not even consider racial motivation in offences committed against members of the Jewish community. There is no doubt in the minds of the experts dealing with the issue that such attacks and incidents are on the increase, and are very serious.

I further remind the Minister that other surveys have suggested that only one in 20 racial incidents is reported. I remind him that there are believed to have been 14 racially motivated murders in this country over the past two years. Yet when I asked a parliamentary question about homicide one of his ministerial colleagues told me that the police are

"not specifically requested to note whether they consider racial motivation to be a factor".—[*Official Report*, 7 February 1994; Vol. 237, c. *24*.]

That is a disgrace. If the Minister feels that the huge number of racial incidents cannot be tested for the purposes of record surely at least the most serious violent offences should be categorised as to whether ethnic and racial motivations were a factor.

I remind the Minister that we do not know what the clear-up rates for racial incidents are. We do not know how effective the present law is, although most of us believe that it is entirely deficient. In another parliamentary answer I was told that there were

"no plans to require the police to publish clear-up rates for racial incidents".—[*Official Report*, 11 March 1994; Vol. 239, c. *414*.]

The Minister's speech was a disgrace. There is a wide consensus on the range of new measures needed to deal with the rising incidence of racial attacks and harassment, yet the Minister gave us the most minimal of responses. Of course we shall support new clause 125, but he spoke about a new offence of persistent racial harassment. That is a totally inadequate response to all the evidence that has come before both the Select Committee and his own committee, and the evidence that has emerged in the Standing Committee and during the earlier debates on Report.

We may ask why the Government are bothering to do anything at all, as they deny all the evidence and expertise brought before them. I can tell the House why, because I have here a letter sent by the Home Secretary to the Lord Privy Seal, which says that there has been

"intense public and Parliamentary pressure . . . for changes in the law"

on racially motivated crimes.

The letter mentions the pressure that the Government are under not only from the official Opposition but from their own Back Benchers, and describes the Home Secretary's concern

"that . . . the Government's position is likely to become untenable and at the very least open us to enormous criticism, especially once the urgent measures relating to stop and search powers I intend to introduce in the Bill become public. The proposed new powers are already being described in the minority press as recreating the discredited "sus" law and there are serious implications for both community relations and to public order if we are unable to present any positive counter-balance. It is

therefore important that the Government take the initiative on racial crimes if it is to counteract the belief amongst ethnic minority communities that we do not take their concerns equally seriously."

That is why the Government have proposed that most minimal of responses—because they are concerned about mounting pressures, and are deeply embarrassed because they have not been able to satisfy their own Back Benchers. More importantly, I believe that they understand that concern will be caused by the proposed new stop and search powers—concern that could properly be met by accepting the proposals of the official Opposition. Cynically, the Government seek to counteract the concerns of the ethnic minority communities, of which they are aware, by making the minimal proposal of a persistent harassment offence. That is a cynical move by the Government. It is totally unacceptable and it flies in the face of all the evidence that has been brought before them.

The letter does not try to persuade the Cabinet and the Prime Minister that racially motivated crime is on the increase, that it is serious and pernicious and that it needs to be dealt with effectively. It is a defensive, purely party political document and one that the Government, and the Home Secretary in particular, will regret writing.

It is absolutely unacceptable that the Government will not respond to new clause 13 in a more effective and sympathetic way. It is even more unacceptable that they cannot respond effectively to the new clauses that have been tabled by the Select Committee on Home Affairs on an all-party basis and with our support. The Government will remain deserving of our utmost criticism and condemnation and will continue to be under real pressure to deal with the matter in another place.

As Labour Members and so many of the Minister's colleagues have said, there is a need to do much more, but the Minister has not gone forward in any way to meet that need. He could not have heard the position spelt out more clearly than it was by the hon. and learned Member for Burton, who spoke to no fewer than five amendments dealing with racially motivated crime—or, indeed, by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), who spoke so movingly about the horrific offence of racial violence and racial harassment.

6 pm

Today, the Minister seemed to suggest that racial harassment would be a crime or would really hurt people only if it was repetitive. I tell him that once is enough: people who have been spat at, or who have had their homes daubed, or who have had violence perpetrated against them because of their colour or creed know that there is a need to strengthen the laws of this country.

The Minister says that the proposed measures would be divisive—that people will simply say that they would have a better deal from the law if they were black. Does he not appreciate the words of my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott), who aptly described the way in which this is a matter of organised violence against individuals on the basis of colour or creed? Does he not accept that a person who has been the subject of harassment or violent attack which is motivated on racial grounds is a victim twice over: once of the crime—the violence or whatever—and once of racial motivation? That is a double burden that must be borne by the victim and it is something for which a double penalty is appropriate.

We are not satisfied in any way by the Minister's explanation of why the new clauses tabled by the Select Committee should not be accepted. We will press them to a vote. More important, the Minister has not appreciated the strength of feeling and the weight of evidence on the issue. We shall pursue the issue wherever we must if the Minister continues to fail the ethnic minority communities with his attitude today.

Mr. Hartley Booth (Finchley): The way in which the debate has proceeded makes it absolutely clear that all hon. Members are united about one thing: their detestation of racism and any form of anti-semitism. It is also obvious that initially many hon. Members welcomed the clause tabled by the hon. Member for Lewisham, Deptford (Ms Ruddock) for the obvious reason that many of us support it and there was unity of feeling about it with regard to my Racial Hatred and Violence Bill a few weeks ago. But life in politics moves on: a week in politics is a long time.

Over the Easter recess, we heard that the Government will go forward, although we have not heard any details of the proposals. I hope that the matter is not regarded as one of petty party political bickering. The issue is too important for party political bickering. Even my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) accepted that persistent violence, persistent harassment and persistent incidents created an offence and a situation that needs to be dealt with. Apparently, that is what the Government will deal with—at least according to a leak last week.

Before hon. Members deride what I am saying, they should hear that what the Government intend to do is much more, much deeper and much more effective than new clause 13. Although we heard those good intentions derided a few moments ago, there is no doubt at all that Tory Members are deeply against any form of racism and that the measure brought forward—as we imagine from the leak that we read on the front page of *The Daily Telegraph* on Friday—will go much further.

Although initially Tory Members could perhaps be persuaded by new clause 13, on further consideration, and having heard what the Government will do, I feel that the new clause should be abandoned. Hon. Members should abstain from voting on new clause 13 and support what the Government propose.

Mr. Vaz: When the hon. Member for Finchley (Mr. Booth) got up to speak, I thought that he would support new clause 13 because it is in keeping with the private Member's Bill that he introduced last year, of which I am a co-sponsor. He recognises, as Labour Members recognise, that it is important for the House to make a decision today that will send out to the black and Asian communities the message that we care about their plight in the current circumstances.

I was not going to speak in the debate until I heard the Minister's speech. Like my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) I have a soft spot for the Minister, having dealt with him for many years when he was the immigration Minister. I say nothing more than "soft spot". Today, Labour Members who know the Minister and who have had dealings with him will be astonished by his extraordinary attack on the black and Asian community in Britain. Here is the Minister responsible for community relations. He is responsible for going to the black and Asian community week after week

[Mr. Vaz]

—I have been at many engagements with him—and telling the community how much the Government support them. Today, he came to the Dispatch Box and put to the House this choice: we either support the white pensioner or the Asian mother. That is exactly what he said today.

Mr. Peter Lloyd: I was simply saying that the law should not distinguish; it should take in the circumstances of the particular case.

Mr. Vaz: Here is the Minister who wriggled throughout his speech. He has already had a Select Committee report that was produced five years ago under the chairmanship of the right hon. Member for Westminster, North (Sir J. Wheeler). I know about that report because I served on the Home Affairs Committee. Five years ago, the Committee took a great deal of evidence on the issue.

What did the Minister say today? He criticised the hon. and learned Member for Burton (Sir I. Lawrence) because his report is not ready, as though the Minister is waiting for the report before he can decide what to do about the issue. That is a disgrace for a Minister who is supposed to be protecting the people of Great Britain. The right hon. Gentleman knows the statistics. He knows that in the time that it took him to speak today—20 minutes—another black or Asian family has been attacked in Britain in 1994.

We can all condemn racial attacks on fellow citizens, but the important thing is what we propose to do about them. The Minister said that he did not propose to do anything other than reclassify offences and wait for another report. He was waiting for new guidelines from the Association of Chief Police Officers. He would do everything under the sun except take proper action to protect the black and Asian community. That is what the right hon. Gentleman told the House.

Mr. Lloyd: What I said was that the Opposition's new clauses would not protect the black community, that they were ineffectual, pretentious and self-indulgent and would not help to solve a problem which I, like the hon. Gentleman, know is very real. It is a problem that deserves better argument than has been presented by the hon. Gentleman.

Mr. Vaz: The Minister now says that there is a problem. I am grateful for the fact that he has moved from his original statement, in which he questioned the extent of attacks in Britain.

Mr. Lloyd: I did not.

Mr. Vaz: The hon. Gentleman talked about estimates that were being made and said that criminal damage did not really matter as it was not a serious issue. He will be able to read the report of his words in *Hansard*. He was concerned only about the most serious attacks.

I know about these issues as I was subjected to attacks from the moment of my arrival in this country. As the representative of a constituency that is 70 per cent. non-Asian, I realise that it is very important that legislation on race issues be undertaken very carefully indeed. In this regard, Parliament must bring the nation with it. That is how I conduct my duties as a Member of Parliament. I represent everyone in my constituency.

There comes a time when the hand-wringing must stop —when the Minister must stop blaming the Select Committee on Home Affairs and other agencies and start taking effective action. The right hon. Gentleman could have come to the House and made a statement about changing the law of which every hon. Member would have been proud. We live in a multicultural society. We are proud of Britain's achievements and want to make sure that they continue. Race relations legislation is based on the fact that a minority of people are subjected to racial attack. The House of Commons must protect those people and, indeed, white pensioners who are attacked, through effective law and order legislation. But the Government refuse to introduce such legislation. The matter is in the Minister's hands. He must stop wriggling and ensure that effective action is taken.

Finally, I want to tell the House a story about a person in London—not a constituent of mine—who came to see me two weeks ago. This gentleman came to Britain as a first-generation immigrant and established himself here. He now owns five chemist shops in the east end of London. When he was driving in the east end he was dragged out of his car and kicked and otherwise attacked, and he had to go to hospital for treatment. The Crown Prosecution Service refuses to prosecute those responsible on the ground that they are already the subject of a list of offences. It will not take effective action.

We must today send out, not just to the black and Asian community but to the country at large, the message that we are not prepared to do nothing. Action must be taken to protect our fellow citizens.

6.15 pm

Mr. Stephen Byers (Wallsend): In a very short time I shall join my hon. Friends in voting for new clause 13. I speak as one of the majority of members of the Select Committee on Home Affairs who tabled new clause 127, which would create a new specific offence of racially motivated violence. The Chairman of the Select Committee—the hon. and learned Member for Burton (Sir I. Lawrence)—has addressed adequately the substance of the issues and the reasons for tabling the new clause. As the offence that would be created is very specific and very clear I should like, Mr. Deputy Speaker, to notify you formally that a majority of the Select Committee's members and, I believe, a large number of hon. Members in general would like to have a separate Division on new clause 127.

Mr. Deputy Speaker (Mr. Michael Morris): The hon. Gentleman would need the leave of the House. [HON. MEMBERS: "No."] It appears that leave is refused.

Question put, That the clause be read a Second time:—

The divided: Ayes 247, Noes 285.

Division No. 192] **[6.15 pm**

AYES

Abbott, Ms Diane	Bayley, Hugh
Adams, Mrs Irene	Beckett, Rt Hon Margaret
Ainger, Nick	Beith, Rt Hon A. J.
Ainsworth, Robert *(Cov'try NE)*	Bell, Stuart
Allen, Graham	Benn, Rt Hon Tony
Alton, David	Bennett, Andrew F.
Anderson, Donald *(Swansea E)*	Benton, Joe
Anderson, Ms Janet *(Ros'dale)*	Bermingham, Gerald
Armstrong, Hilary	Berry, Roger
Ashton, Joe	Betts, Clive
Austin-Walker, John	Blair, Tony
Banks, Tony *(Newham NW)*	Blunkett, David
Barron, Kevin	Boateng, Paul
Battle, John	Boyes, Roland

Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hume, John
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S.O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Mahon, Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Hara, Edward
Oliver, William
O'Neill, Martin
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Speller, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mr. Peter Kilfoyle.

NOES

Ainsworth, Peter *(East Surrey)*
Allen, Jonathan
Alison, Rt Hon Michael *(Selby)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Boreor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Burns, Simon
Burt, Alistair
Butcher, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushf)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by're)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Eggar, Tim
Ellerton, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger

Gillle, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maginnis, Ken
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Roes, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D. *(Strpfd)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Robert C. Hughes.

Question accordingly negatived.

New Clause 124

POWERS TO STOP AND SEARCH IN ANTICIPATION OF VIOLENCE

'.—(1) Where a police officer of or above the rank of superintendent reasonably believes that—

(a) incidents involving serious violence may take place in any locality in his area, and

(b) it is expedient to do so to prevent their occurrence,

he may give an authorisation that the powers to stop and search persons and vehicles conferred by this section shall be exercisable at any place within that locality for a period not exceeding twenty four hours.

(2) The power conferred by subsection (1) above may be exercised by an inspector if he reasonably believes that incidents involving serious violence are imminent and no superintendent is available.

(3) If it appears to the officer who gave the authorisation or to a superintendent that it is expedient to do so, having regard to offences which have, or are reasonably suspected to have, been committed in connection with any incident falling within the authorisation, he may direct that the authorisation shall continue in being for a further six hours.

(4) This section confers on any constable in uniform power—

(a) to stop any pedestrian and search him or anything carried by him for offensive weapons or dangerous instruments;

(b) to stop any vehicle and search the vehicle, its driver and any passenger for offensive weapons or dangerous instruments.

(5) A constable may, in the exercise of those powers, stop any person or vehicle and make any search he thinks fit whether or not he has any grounds for suspecting that the person or vehicle is carrying weapons or articles of that kind.

(6) This section applies (with the necessary modifications) to ships, aircraft and hovercraft as it applies to vehicles.

(7) A person who fails to stop or (as the case may be) to stop the vehicle when required to do so by a constable in the exercise of his powers under this section shall be liable on summary conviction to imprisonment for a term not exceeding one month or to a fine not exceeding level 3 on the standard scale or both.

(8) Any authorisation under this section shall be in writing signed by the officer giving it and shall specify the locality in which and the period during which the powers conferred by this section are exercisable and a direction under subsection (3) above shall also be given in writing or, where that is not practicable, recorded in writing as soon as it is practicable to do so.

(9) Where a vehicle is stopped by a constable under this section, the driver shall be entitled to obtain a written statement that the vehicle was stopped under the powers conferred by this section if he applies for such a statement not later than the end of the period of twelve months from the day on which the vehicle was stopped and similarly as respects a pedestrian who is stopped and searched under this section.

(10) In this section—

"dangerous instruments" means instruments which have a blade or are sharply pointed;

"offensive weapon" has the meaning given by section 1(9) of the Police and Criminal Evidence Act 1984; and

"vehicle" includes a caravan as defined in section 29(1) of the Caravan Sites and Control of Development Act 1960.

(11) The powers conferred by this section are in addition to and not in derogation of, any power otherwise conferred.'.—*[Mr. Maclean.]*

Brought up, and read the First time.

The Minister of State, Home Office (Mr. David Maclean): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also amendment (a) to the proposed new clause, at end insert—

'( ) Subsection (1) above shall not come into force until the Secretary of State has laid an order, subject to affirmative resolution of both Houses of Parliament, specifying the conditions to be satisfied for the powers conferred under this section to be exercised, including:

(a) what may reasonably constitute "a locality";

(b) what would constitute a reasonable belief that incidents involving serious violence may take place.'.

Mr. Maclean: The question of police powers of stop and search has always been a matter of understandable sensitivity. Present police powers to stop and search can be exercised only when a constable has a reasonable suspicion that a person is carrying an offensive weapon or other prohibited article. We continue to believe that that power is the right one for day-to-day circumstances, but are persuaded that the need to meet the test of reasonable suspicion seriously inhibits effective preventive action by the police when they believe that violence is likely to break out.

In Committee, an amendment was tabled that would have given the police powers to stop and search without reasonable suspicion after a violent incident. That was a valiant attempt to introduce a new power, but the amendment struck the wrong balance. It raised familiar concerns about police powers to stop and search, without providing the benefit of enabling the police to take preventive action.

6.30 pm

I undertook to consult the police further about how we could most effectively meet their concerns and the clause is a result of those consultations. My right hon. and learned Friend the Home Secretary and I are grateful to the police for their comments. We also attempted to keep Opposition Members informed as our thinking developed. I am well aware of their concerns and will deal with them in a moment, but I can say that we do not consider that there is a great deal between us on the matter.

Amendment (a) deals with what constitutes "a locality" and

"a reasonable belief that incidents involving serious violence may take place"—

[Interruption.]—

Madam Deputy Speaker (Dame Janet Fookes): Order. It is clear that there is much private conversation in the Chamber. It would be a courtesy to the Minister and to those of us who wish to listen to him if people could be quiet.

Mr. Maclean: Our new power could deal with similar incidents outside this House.

In practice, "locality" and "reasonable belief" will be well understood, but they cannot sensibly be spelt out in more detail in the Bill or in secondary legislation because their precise meaning will depend on the circumstances.

Mr. Alan Howarth (Stratford-on-Avon): My hon. Friend the Minister and my right hon. and learned Friend the Home Secretary are right to look urgently for ways in which to prevent the appalling assaults on police officers that we have witnessed. However, history and experience show that if men and women in uniform are given powers to deal arbitrarily with their fellow men and women, in all too short a time some will begin to abuse those powers. A Government of a party that lays such stress on personal freedom and believes in protecting the citizen from an oppressive state should not introduce such a measure.

Mr. Maclean: I am disappointed that that is my hon. Friend's view. I can assure him that the power cannot be used arbitrarily or abused because it will be highly circumscribed. It can be used only for a maximum of 24 hours, will have to be authorised by a very senior police officer and will be limited to a defined geographical area. There will be detailed monitoring of the power to ensure that there is no abuse of the type to which my hon. Friend referred.

Mr. David Trimble (Upper Bann): I am sympathetic to the principle underlying the new clause, but one aspect concerns me. How will a citizen in one of the localities in respect of which direction has been made, where the new powers are operating, know that the new power exists? The reasonable man might be prepared to co-operate with the police—I am sure that most would do so if they were stopped—but if someone were in a hurry, for example, and said no when the policeman tried to stop him, he would have committed an offence although he might not have known that the power existed in the locality at the time. How is the citizen to know that the additional powers are in force in a locality?

Mr. Maclean: I am afraid that we must fall back on ignorantia juris neminen excusat. Some citizens may not realise that many offences exist and that they are committing an offence by what they may think is perfectly legitimate conduct. In all seriousness, I can see no mechanism for declaring that a locality is a certain zone. I will happily consider police proposals aimed at drawing to the attention of people in an area the fact that the powers exist there. I will also happily consider the hon. Gentleman's suggestions if he writes to me.

Mr. Trimble: It is not enough to say that ignorance of the law is no excuse, because, in the situations that the police will be dealing with, some people may be relying on their knowledge of the law—a knowledge that the police have the power only to stop a person if there are reasonable grounds and that they do not have the automatic right to stop people. If someone is relying on their knowledge of the law in general and is doing something that is reasonable, is it right to expose them to committing an offence when they do not know that the law has been changed in the locality for a short time?

Mr. Maclean: If they are relying on their knowledge of the law, that knowledge will be defective when the clause comes into effect because the law will permit the police, in defined localities and if authorised by a senior police officer, to conduct stop-and-search operations for a limited time.

When the power is introduced, the Home Office will take steps to try to draw it to the attention of the public. I suspect that the media will wish to draw attention to the

[Mr. Maclean]

fact that the new powers exist. However, I cannot guarantee that everyone outside a night club or a pub will suddenly realise that the new law applies to them. I cannot even guarantee that for any existing law.

I was telling the House why I did not think that the inclusion of amendment (a) was necessary, although it is well intentioned and sensible. The precise size of the locality will vary according to the circumstances. For example, if the police are concerned about violence outside a pub or a club, the locality specified might be a few streets only. If the police are concerned about the possibility of violence before and after a football match, the locality might be wider.

The concept of "reasonableness" occurs frequently in statute and the courts are well used to interpreting it. We are concerned with a belief, based on sound professional judgment. If a judgment were shown to be arbitrary or irrational, there would be grounds for considering it to be unlawful. Again, that would be a matter for the courts to consider, if a decision were challenged. It would not be right to try to define the concept of "reasonableness" further in legislation.

We accept that fuller elaboration of some operational matters, such as the nature of record-keeping arrangements and how long authorisations should last, will be necessary. Those were the substance of some other Opposition amendments, which were not called. The code of practice on statutory powers of stop and search, issued under section 66 of the Police and Criminal Evidence Act 1984, is the right place for such elaboration and I can assure the House and the Opposition that we shall want to make the necessary amendments.

Mr. Nell Gerrard (Walthamstow): The hon. Gentleman suggested that if an irrational decision were taken it could be challenged in court. Can he elaborate? I find it difficult to see how that could be done with a power that lasts for a maximum of 24 hours. By what method could something be put right after the event? It seems that it would be impossible to deal with it through the courts.

Mr. Maclean: Exactly the same method could be used as exists at present. If anyone believes that a servant of the state or the police has acted unlawfully, irrationally or in abuse of his or her powers, the action can be challenged in court.

The hon. Gentleman is questioning whether a group of citizens, who thought that implementation of the power outside a pub, for example, was unnecessary, could have it suspended. I accept that that would require very quick court action. I envisage that, through the power of judicial review, if the police or any police force behaved irrationally a court would judge against them. I care to bet that no other police forces or superintendents would then authorise the power in similar circumstances to those in which the courts had ruled that it was irrational.

On the important question of community relations in respect of the new powers, we understand the anxiety that they might be used to the disadvantage of members of ethnic minority communities. Before tabling the amendment, my right hon. and learned Friend the Home Secretary explained our intention to the chairman of the Commission for Racial Equality. The commission has welcomed the new powers, which it recognises will help prevent racially motivated violence as well as other kinds of violent incidents. It understandably draws attention to the need for effective monitoring to ensure that the powers are not used in a racially discriminatory way, and I can confirm that it is our intention that such monitoring take place.

The police themselves want close monitoring of the use of the powers. They are well aware that effective policing of inner city areas depends on the trust of the communities who live there, and they are as determined as the Government that such trust should not be damaged by heavy-handed or improper use of these powers. It is, therefore, critical that their use is properly monitored to ensure that this does not happen, and I hope that Opposition Members will accept our good faith in that matter as well, as it was part of the substance of their amendments.

Police forces have been required since last April to collect statistics on the ethnic origin of people who are stopped and searched. The figures are to be published as part of each force's package of performance indicators. We intend that separate figures for stops and searches under the new power will also be published in this way.

I commend the new clause to the House and I invite the House to accept it. I hope that, in view of the assurances that I have given, the Opposition will feel that their amendment (a) is not necessary on the face of the Bill.

Mr. Alun Michael (Cardiff, South and Penarth): I am glad to see that a Labour amendment in Committee has been effective in getting the Government to recognise the need for action against violence on our streets and in a variety of other situations.

I also welcome the positive response of the Minister of State to our offer to seek an acceptable formula for a search power and the exchanges that we have had on this issue. I commend it because it is clear that hon. Members on both sides of the House have made a serious attempt to find a formula that will balance the requirement to provide the power with the safeguards that will reassure those who are concerned about the misuse of the power—a concern already expressed by Back-Bench Members on both sides of the Chamber.

What we need is a power that allows the police to take the initiative and to search people in appropriate circumstances, but which avoids the dangers of the old "sus" laws which did enormous damage to trust and confidence between the police and many local communities.

Having said that, it is only fair to point out that there was no attempt to deal with this issue in the original Bill, and it is one of a series of pieces of evidence that prove beyond all doubt that the present Home Secretary brought forward this ragbag of a Bill without proper care and thought and without addressing the real issues that are so important to individuals, families and communities throughout the country as well as to the police who are at the sharp end of so many serious problems.

I remind the House that the Bill as drafted contained nothing to deal with racial violence, which we have just dealt with, nothing to deal with drugs and drug-related crime, nothing to deal with violence on our streets and nothing to deal with possession of guns or trading in weapons. When the Bill emerges with something to deal with some of these issues, the Labour Members on the Standing Committee, to whose work I pay tribute, will have good reason to feel proud of their work there.

The new clause moved by the Minister does the job of providing the power when it is needed. We would all agree, for instance, that when it is known that two gangs are heading for a pre-planned venue for a fight it is desirable for the police to have the power to intervene and to search those in the area of such events and to prevent violence from taking place. It is the general theme of Labour policy that more needs to be done to prevent crime rather than just depending on punishment which can be delivered only after the event when violence has already created victims.

Our new clause in Committee achieved the balance between providing the power and the necessary safeguards in regard to some situations—although only some—because it required the trigger of an objective fact, an event of violence, for the power of search to be used. We said then that we would be willing to consider a preventive power if a clause could be drafted that would include an equally careful formula, balancing power and responsibility.

I believe that the amendments that we have tabled are helpful to the work of the police and helpful in achieving such a balance. They seek to provide in legislation clarity for the superintendent or other senior officer who has to decide to permit the exercise of the power contained in the clause.

The Minister has undertaken to address these issues within the Police and Criminal Evidence Act 1984 rules and to bring formulations before the House, but let me explain the importance of the issues that we addressed in the amendment that has been selected and also in the other amendments, with which there were technical difficulties —not surprisingly, I may say, given the half hour we had in which to meet the deadline for submitting amendments on Friday.

The hon. Member for Stratford-on-Avon (Mr. Howarth) said that we needed to be sure that there was no way in which this power could be arbitrarily used, and he was absolutely right. It is also right that the House should ensure, in the drafting, that that is the case, and that both the House and another place have a chance to scrutinise any limitations on the exercise of the power, so as to be satisfied that such a requirement is met.

The danger with the power of stop and search is that it can be abused. It can be used in a way that is not intended by Parliament. We need a safeguard against such abuse. We all know, from the operation of the "sus" laws and the use of other powers of search, that very often, for instance, young black males will be stopped to a disproportionate extent and that confidence between police and the local community can be undermined or even fail as a result.

6.45 pm

We have seen in recent times the throwing of the "ring of steel" round the City of London. We all recognise its importance in dealing with the serious problem of terrorism and in the avoidance of such incidents if possible. But I venture to suggest that the Metropolitan police, because of their experience in recent years, would have exercised the power a little differently than the City of London police, simply because the experience of the two forces is quite different. The subject of frequent comment has been the surprisingly large number of black drivers who are stopped when it is not generally thought that there is an excessive number of black members of the IRA, yet the IRA is the clear objective of the ring of steel round the City. It is a serious point, and it is recognised by the police as being serious.

It is to ensure that there is no misuse of a power that we all consider desirable for the appropriate circumstances that it is important for the amendments, which the Minister has recognised as being sensible and helpful, to be accepted and properly enshrined in the law.

The Minister said that there should be rigorous ethnic monitoring. The letter in which, on behalf of the three police associations, the chief constable of Hampshire sets out the nature of the clause that they wish to see, says:

"This power would be subject to rigorous ethnic monitoring and would be an effective measure with which to combat racial violence against the ethnic minority communities."

It is an aspiration which we all share, but the requirement for monitoring is not in the new clause as it stands.

As a result of talking to the chairman of the Commission for Racial Equality, I have received the view from him and from that organisation that our suggested amendments are helpful. If the Minister is to accept what we intend in the amendments, and if those intentions are to be in the requirements under which police must exercise this power, we are very close, as the Minister said at the beginning of the debate, to an agreement across the House on both the intention in regard to the new power and the limitations that should be placed on it.

The four amendments that we tabled would not create problems for the police in exercising the powers that they seek. I have spoken to a number of police representatives in the past few days, and the president of the Association of Chief Police Officers has confirmed that he cannot see that our proposal would be restrictive: it allows the power in the Government's new clause and does not impose constraints that would make it unworkable. It would simply put into effect the intention of the police in seeking this power, without allowing them to go beyond the requirements that they seek.

Many police representatives said originally that they would be happy with a six-hour period rather than a 24-hour period. Senior officers have made that comment to me. We have not sought in our amendments to restrict that period, because we think that it is important that there should be flexibility, but that the minimum period possible should be used.

A senior police officer said to me, as recently as yesterday, that the great danger is that the maximum becomes the norm—that one says, "We can give 24 hours; let us give as many hours as possible." That is why we feel that there should be a balancing constraint; that the superintendent or senior officer should act under a constraint of the maximum number of hours consistent with effective use of the power.

A representative of the Police Superintendents Association of England and Wales said to me that it would welcome the clarification that would be provided to its members in exercising that power. It would be clear what Parliament intended. It would be clear that there were constraints on them in exercising those powers.

I refer in passing, as the Minister referred to them positively, to the amendments that were not selected for debate. Amendment (d) requires a record to be kept, in a form prescribed by the Secretary of State, of the full circumstances of every occasion on which the powers in the new clause are exercised and requires a regular review of those records by Her Majesty's inspectorate of

constabulary. That would require the co-monitoring by the Commission for Racial Equality and the inspectorate, which is the aspiration and would meet one of the major concerns about the operation of the new clause.

Amendment (c) proposes that the senior officer who allows the exercise of the powers would have oversight of the use of the power and would be responsible for ensuring that a post-operational report and review be submitted to the chief constable or, in the case of the Metropolitan police, the Commissioner, and to the police authority. I think that that is accepted by the Minister as the right way to proceed, because it reminds the person exercising the power that the decision is to be reviewed. Superintendents have said to me that they would have to record their thought processes in reaching the decision and that would be helpful in ensuring that it was done in the way that Parliament intends.

Amendment (b) refers to the use of the power for the minimum number of hours consistent with the effective use of the power. I am sure that that is the right balance to achieve.

Finally, amendment (a) seeks a definition from the Government of what may reasonably constitute a locality and of what would constitute a reasonable belief that incidents involving serious violence may take place. The advice that has been given to us is consistent with what the Minister said—that the courts would decide those matters if they were not decided by Parliament. I ask the House: is it reasonable or right to ask a senior police officer to guess what the courts would describe as being responsible if he exercises the power? I suggest that it is not.

It is the responsibility of Parliament to define a locality, not in a limiting way that says—as the Minister seems to suggest—that it can only be 200 yd in one direction and 300 yd in another, but by stating the considerations that a senior officer should take into account in deciding that the circumstances are right for the power to be exercised. It is only right for Parliament to give guidance on that. I hope that the Minister will accept amendment (a), because that will enshrine the principle that that definition—that expression of intent by Parliament—should be in the legislation.

I welcome the fact that the Minister said that he would take the gist of our four amendments into the guidance that will be provided in the PACE requirements and will be subject to consideration by Parliament. I believe that he has gone a long way towards meeting our concerns in his responses in correspondence and in the debate. We believe, however, that it would be best for the principle that is enshrined in amendment (a) to be in the Bill. We would therefore seek to divide the House if the Minister is unable to accept that amendment.

Mr. Michael Shersby (Uxbridge): I declare an interest, as I am parliamentary adviser to the Police Federation of England and Wales.

I am sorry that the hon. Member for Cardiff, South and Penarth (Mr. Michael) gave the impression that new clause 124 was Labour-inspired. It was nothing of the kind. It was the result of an all-party initiative, which started out asking for 28 days; it was reduced to seven days; eventually, the Labour party said that it would consider six hours and now we have increased it to 24 hours. That is an example of an effective all-party parliamentary initiative to break the deadlock that has existed for the past decade, in which the police have found it difficult to do their job properly because of the severe restrictions that exist on the stop-and-search powers.

I therefore congratulate the Minister for State, my hon. Friend the Member for Penrith and The Border (Mr. Maclean), on the Government's decision to provide those new proactive powers to search for offensive weapons in carefully defined circumstances, and I must say to the hon. Member for Cardiff, South and Penarth that I am glad to know that the new clause has the support of his colleagues and that he feels that we can now make progress on what has, until now, been a very difficult issue.

The decision to introduce the new clause has been warmly welcomed by the Police Federation and by the other police staff associations. It is the result of a discussion that has taken place, not only with my hon. Friend the Minister a few days before the easter recess, but with successive Home Secretaries, to my certain knowledge, for the past five years, ever since I have been parliamentary adviser to the Police Federation.

I congratulate my hon. Friend the Minister on listening to the advice of the police staff associations and finding a way to enable a senior police officer to authorise the use of powers by a uniformed constable to stop and search persons and vehicles for a period not exceeding 24 hours or, in circumstances where an offence has been, or is reasonably suspected to have been, committed, for a further two hours.

Since 1984, police stop-and-search powers have been prescribed by the Police and Criminal Evidence Act 1984, and they are confined to very narrow and specific circumstances. At present, a police officer must have grounds for suspecting that a person is carrying an offensive weapon before a search can take place in the street and the power to search is limited by the codes of practice which are part of the 1984 Act. If, for example, an officer wishes to search beyond a suspect's outer clothing, that search must take place in a police station.

The problem that confronts the police today, a decade after the enactment of the Police and Criminal Evidence Act, is that there is at present no power to search groups of people, even when the police have grounds to believe that an offensive weapon—a knife, for example—may be carried by some members of the group or that a violent incident is likely or has just taken place. Modern policemen and women throughout the country have to face that situation every day of the week. They need the powers to deal with that situation, especially in relation to knives, which are the bane of the life of every police officer in every part of the country. At present, there is no power to detain a group for searching after such an incident has occurred. Any search in such a situation must be based on suspicion that each individual is carrying a weapon, and that is quite impractical.

In practice, the absence of those powers has caused great difficulties for the police. For that reason, the Police Federation and the other staff associations have repeatedly mentioned the matter to successive Home Secretaries during the past five years and previously. The police need to be able to act to prevent violence. That is what the new clause is all about. They need adequate powers to investigate following an incident and to recover weapons —for example, the weapon or weapons that may have been used in a specific incident.

The new clause enables the police to deal with incidents involving groups of people when trouble is likely to occur

or has occurred. An example of that would be the aftermath of a stabbing incident inside or outside a pub. There is widespread concern in the House, and outside, about racially motivated attacks and the activities of racist gangs.

The new powers would enable the police to take action before trouble occurred or to search suspected perpetrators before an incident occurred. Surely it is ridiculous that although the police may have received prior information that trouble is expected at a football match, for example, they lack the power to search fans near the ground although stewards inside the ground can do so.

Some people outside the House may mistakenly take the view that these new powers represent a return to the "sus" law. If they think that, I can reassure them—and, indeed, the hon. Member for Cardiff, South and Penarth who referred to the "sus" law—that that is not so. I think that it is important for the House to recognise, as I am sure the hon. Gentleman does, that the old "sus" law had absolutely nothing whatever to do with stop and search. It was a power given to the police to arrest persons who were suspected of loitering in a public place in order to commit a crime.

7 pm

Mr. Michael: I want to reassure the hon. Gentleman. I do not think that we need a lecture about the definition of the "sus" law; we recognise the difference between the powers. But the communities that will be affected and which have an important relationship with the police should understand it precisely. That was the whole point of the intervention by the hon. Member for Stratford-on-Avon (Mr. Howarth); it is a concern which is shared across the House.

Mr. Shersby: I agree with the hon. Gentleman: it is vital that people should understand the powers, and that was the reason for my remarks. It is important to remember that loitering in those circumstances was, in itself, an arrestable offence. Those who will rightly be concerned about these matters will be reassured to know that the new clause has been carefully and narrowly drafted. It permits only the searching of people for weapons, and then only in the specific circumstances to which my hon. Friend the Minister of State referred.

As we have heard, a search has to be authorised by a senior officer. It is subject to a time limit and has to occur in a specific place. I welcome the assurances that my hon. Friend has given that the operation of the time limit and the place where the powers are to be exercised will be dealt with in the codes of practice.

I also believe that there is nothing in the proposed new powers to alarm the ethnic minority communities. Earlier this evening, a number of hon. Members on both sides of the House referred to concern in the ethnic communities. No one should attempt to alarm these communities by giving them the impression that police will use the powers to discriminate against them. On the contrary, the police have been strongly criticised for failing to act when racist gangs have caused trouble in multiracial neighbourhoods. In fact, the new powers will enable the police to act against the troublemakers and protect innocent members of minority groups.

I hope that in the consultation process my hon. Friend will ensure that the local police and community liaison groups are fully aware of the new law and the way in which it will operate. These groups have the very considerable ability to communicate with local councillors and others who work with the police to make sure that people are aware of the way in which the law is supposed to operate.

For those reasons, I strongly support and warmly welcome the new clause. It demonstrates once again that both the Home Office and Ministers are prepared to listen to the expert advice that they receive from the police staff associations. I am particularly pleased that the new clause has come about as a result of considerable discussions between hon. Members on both sides of the House, both in and outside the Standing Committee.

Mr. Maclennan: The power to stop and search has proved extremely controversial and sensitive. I should have preferred the Government to incorporate their proposals in this area much earlier in the proceedings and to bring something forward in the Bill when it was published.

It does not seem to me to be a satisfactory way to legislate to produce a significant amendment to the Bill at a relatively late stage without much open consultation and without giving hon. Members on both sides of the House who well remember the consequences of the old law the opportunity to consult fully about precisely what the Government have in mind. I think it fair to say that it has been a rather hurried process: I share the views of the hon. Member for Stratford-on-Avon (Mr. Howarth), who said that it may be taken ill.

Having looked at the new clause as carefully as I could and having consulted, in the very short time available, as widely as I could, I think that it holds out the prospect of making a power available to the police which could be of value in preventing violent action. I strongly favour prevention and I know that the police also favour that. They are also concerned to ensure that the power should be used only when it is truly required.

I think that the most important matters that the Minister referred to are not included in the Bill, but are those that will be included in the revision of the codes of practice flowing from the Police and Criminal Evidence Act. We will certainly want to look at them.

The powers are plainly intended to be used only in exceptional circumstances. The hon. Member for Uxbridge (Mr. Shersby) referred to the possibility of their being invoked in the event of a perceived threat of violence at a football match. I hope that it is not the intention to use these powers at just any football match. Of course violence often occurs, to a greater or lesser extent, in close proximity to football matches; but there would have to be a particular reason associated with a particular match and locality before it would be appropriate to invoke these powers.

Similarly, the powers should not be invoked on just any Saturday night outside any pub in a rough area of town. I hope that they will be invoked only in respect of a particular perceived threat. I hope that the rules that the Minister will be bringing forward in the code of practice will make that clear.

I do not believe that amendment (a) is practical. I do not think that it is possible to spell out in a statutory instrument precisely the sorts of circumstances in which the powers might be used. It is clear that some flexibility and discretion must lie with the senior police officers who wish to invoke the powers.

Mr. Michael: Will the hon. Gentleman give way?

Mr. Maclennan: Certainly, in a moment.

A width of discretion is necessary if the powers are to be useful.

Mr. Michael: I am grateful to the hon. Gentleman. I thought that I had made clear the processes that have to be gone through and the considerations that have to be taken into account. There should not be an over-restrictive definition. We clearly seek flexibility and that is why the amendment is drafted as it is.

Mr. Maclennan: I think that it would be extremely difficult for the House to define what would

"constitute a reasonable belief that incidents involving serious violence may take place".

They are the words that the hon. Gentleman has used in his amendment (a). Whether or not a belief is reasonable is an objective test, and it must be for the police officer to decide whether that test is discharged properly. I cannot see how crystal ball gazing by Parliaments and legislatures about the sorts of circumstances in which it might be reasonable to use the powers will assist. The hon. Gentleman no doubt wished to come in on the act in some way at this stage. I quite understand that; it is perfectly normal for Oppositions to take that view.

We must regard this important new power as exceptional. I entirely endorse what the hon. Member for Uxbridge said about the reassurance that should be given to members of ethnic minority communities who may fear that the power will be used against them. It should be designed to protect those communities against the abuses, harassment and violence that have given rise to such concern.

For those reasons, I offer my support to the Government in bringing forward the new clause.

Mr. Greville Janner (Leicester, West): The new clause has much good in it, as we all share the same concerns. What worries us is the fact that the Minister is prepared to put only into guidance what should be contained in the Bill. The law has little faith in guidance, because breach of guidance gives no one any rights, whereas breach of a statute or regulations made under a statute is an offence. Breach of a code may be taken into account in any proceedings—civil or criminal—to which it is relevant.

My constituents are immensely worried about crime in general and violent crime in particular. Last week, I attended a meeting in Leicester of people in a mixed race neighbourhood who were worried about both staying home or going out at night. I discussed with police officers what could be done about the prodigious and awful growth of crime in my constituency. It was not suggested that there was a difficulty with the right to search. Rather, the difficulty was the growth of crime, the decrease in policing and the weakness of the law in dealing with racial harassment and racial crime, none of which is dealt with in the Bill.

Nor does the Bill deal with the anxieties of the Muslim community, which is not regarded as an ethnic minority and does not have the same legal protection as the Sikh or Jewish communities. Nor does the Bill answer the recommendations made by Eldred Tabachnik, leading Queen's Counsel and leading member of the Jewish community, in a report that he submitted to the Home Secretary and which the Home Secretary undertook to take into account.

Furthermore, the Bill shows no acceptance of the recommendations of the Home Office Select Committee, chaired by the hon. and learned Member for Burton (Sir I. Lawrence). As Chairman of another Select Committee, I deeply deplore the fact that the Government take no notice of Select Committee reports. One might understand the Government taking no notice if the Select Committee is chaired by an Opposition Member, but one does not understand it when the Committee is chaired by such a staunch Government supporter who has never been accused of being on the far left of any party, least of all his own.

The Government have shown no concern for the anxieties of the black, Asian, Muslim or Jewish communities. Even more important in parliamentary terms, they have shown no concern for what they have been told in the unanimous report of the Select Committee.

We accept the right to search, although I wish that it had been put in a better form. The hon. Member for Uxbridge (Mr. Shersby) made some important points. He knows what this matter is about. He said that the new clause would not alarm the ethnic communities and, to an extent, he is right. But it is not a conscious alarm; it is built in because they believe, rightly or wrongly, that the police do not understand them and that too many members of the police do not care about them. I believe that they are often wrong, but they do not have the security which we want them to have. They are worried about the return of the "sus" laws. The Government and the hon. Member for Uxbridge should understand that, as many police officers do.

7.15 pm

The hon. Member for Uxbridge said that the right to search must be given before violence takes place. He is right, but he should know what the fascists are up to. They do not just settle down in places like Tower Hamlets or inhabit the terraces at football matches. They arrange meetings—often with neo-Nazis from other countries—that move from place to place, and the police do not know in advance where those meetings will be.

The hon. Gentleman rightly said that the police are given permission to search only for weapons. But when one searches for weapons, other things may turn up. Nobody will believe that the police are looking only for weapons. Although the police should have powers, they should be ringed properly and carefully, as the Opposition amendment suggests.

Will the Minister take another look at the matter? If he accepts that those rights should be approved by the police and embedded in the police's reasoning so that a senior police officer's decision to search is reasonable, why should not a reasonable Government include them in the Bill? I hope that, on reconsideration, that is what the Minister will do.

Mr. Gerrard: I shall be brief because we are pressed for time and I do not wish to repeat some of the arguments that have already been made.

Clearly, the Commission for Racial Equality has accepted that there are some good points about the new clause, but it has also emphasised the need for monitoring. Many powers, including stop and search, could be extended to have an effect on crime. But one must think carefully about whether those powers should go ahead because of their impact on civil liberties. While the

Minister has mentioned the welcome from some people, organisations that deal with civil liberties have expressed concern about the new clause.

There are several areas of concern. The hon. Member for Upper Bann (Mr. Trimble) raised the issue of temporary powers and how people will know whether a power is in force in a particular area. I see the potential for problems when a power is applied temporarily in a small area. A person who is stopped will not know whether the policeman has the right to stop and search him, as it will depend whether the power is in force.

I am concerned about powers that allow the anticipation of an event. If a violent incident has occurred, that fact can be clearly established. But anticipation of an event that might happen and powers taken as a result are a different matter, as they will depend on subjective judgments. A few years ago in my constituency, a funeral took place of an Asian man who had been killed in an arson attack on his house. It happened to be at almost the same time as riots in Brixton and other parts of London. Large numbers of people were expected to turn up for the funeral. As a result of the police anticipating trouble—in the event, there was none—shops the length of the main road were boarded up. The police had stirred up disquiet as a result of anticipating trouble. I see exactly the same thing happening under this power when trouble is anticipated.

The Opposition amendments would achieve monitoring and the Minister has said that he wants to achieve that. It is not just a matter of monitoring on an ethnic basis, although that is important, but of how often the power will be used. We have been told that it is intended for emergency use only. I have a suspicion that, once a power exists and has been used, it will quickly stop being something exceptional that is used only in emergencies.

What will happen if the monitoring shows that there is an imbalance in the use of the stop-and-search powers, and that they are being used disproportionately, particularly against young black males? We know that the "sus" laws were used in that way, although they involved a different power. Many young black males feel that they are stopped in their cars much more often than anyone else. We know that, around the City of London, the powers are being used disproportionately against young blacks.

I have serious doubts about the wisdom of the power. If it is misused, it will cause serious damage to community relations. I suspect that, even if it is not misused, but is used precisely as drafted, it will still cause trouble and damage community relations. The new clause introduces an extremely dangerous power—one which we may live to regret introducing.

Mr. Mike O'Brien (Warwickshire, North): I declare an interest as a parliamentary adviser to the Police Federation of England and Wales.

As the hon. Member for Uxbridge (Mr. Shersby) mentioned, the police are pleased with the new clause, and the fact that stop-and-search powers are to be granted. Some 16 police officers have been either stabbed or shot in the past 10 years, besides the many civilians who have been victims of guns and knives. There is clearly a rising problem, with which the police increasingly have to deal, not only at football matches and public events, but when there are violent incidents in public houses. The police want to enter, but they do not know who may be holding a gun or knife. They want to be able to make people turn out their pockets. That sort of power is necessary.

I am pleased that the Government have recognised the nature of the increasing problem of guns and knives. They seem to have realised it only since the Committee stage of the Bill. As late as Christmas, the Home Office was telling the police that it would not guarantee further extensions of stop-and-search powers. It is only as the result of pressure, from not only Conservative Back Benchers but Opposition Members, that the Government are now prepared to accept changes. Conservative Members withdrew their amendments, but Opposition Members tabled amendments in Committee and, in those circumstances, the Minister and the Home Office were forced to make the sort of change that we are now seeing.

I shall not embarrass the Minister by reading back to him all the comments that he made about my new clause 184, which sought to introduce stop-and-search powers.

Mr. Paul Boateng (Brent, South): Go on, embarrass him.

Mr. O'Brien: I am greatly tempted to do so, but I am conscious that we are pressed for time so I shall not give way to temptation.

I shall paraphrase the Minister of State, Home Office, who said that the phrase "reasonable belief" was deficient and that reasonable suspicion should provide the basis and criterion for any search. He said that that was a fundamental principle of PACE. He said that my new clause was too widely drawn as it allowed a six-hour period. Government new clause 124 uses the phrase "reasonably believes" and ignores the idea of reasonable suspicion being necessary. It is even more widely drawn than my new clause and grants a 24-hour period.

The Minister seems to have been involved in a political leapfrog from one side of the Labour party's position to the other. I am curious about how he made that intellectual jump. I am not sure whether he will wind up the debate, but if he does perhaps he will explain how he made his intellectual jump—he might have been forced to do so out of embarrassment. The Minister has given reassurances that the codes of practice will contain safeguards. Those safeguards will not only protect the public, which is important, but the police, which is also important. We must ensure that we maintain and improve good community-police relations.

Question put and agreed to.

Clause read a Second time.

Amendment proposed to the proposed new clause: (a), at end insert—

'( ) Subsection (1) above shall not come into force until the Secretary of State has laid an order, subject to affirmative resolution of both Houses of Parliament, specifying the conditions to be satisfied for the powers conferred under this section to be exercised, including:

(a) what may reasonably constitute "a locality";

(b) what would constitute a reasonable belief that incidents involving serious violence may take place.'.—[*Mr. Michael.*]

Question put, That the amendment be made:—

The House divided: Ayes 246, Noes 304.

Division 193] **[7.25 pm**

AYES

Abbott, Ms Diane	Armstrong, Hilary
Adams, Mrs Irene	Ashton, Joe
Ainger, Nick	Austin-Walker, John
Ainsworth, Robert *(Cov'try NE)*	Barnes, Harry
Allen, Graham	Barron, Kevin
Anderson, Donald *(Swansea E)*	Battle, John
Anderson, Ms Janet *(Ros'dale)*	Bayley, Hugh

Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Dr. Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dalis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hume, John
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
Macklinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Andrew F. Bennett.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Beggs, Roy
Beith, Rt Hon A. J.
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burt, Alistair
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim

Ellesson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Harvey, Nick
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Hughes, Robert *(Aberdeen N)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maginnis, Ken
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shephard, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, George
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and Mr. Michael Brown.

Question accordingly negatived.
Clause added to the Bill.

New Clause 125

OFFENCE OF RACIALLY INFLAMMATORY PUBLICATION ETC. TO BE ARRESTABLE

'. In section 24(2) of the Police and Criminal Evidence Act 1984 (arrestable offences), after the paragraph (h) inserted by section 137(4) of this Act, there shall be inserted the following paragraph—

"(i) an offence under section 19 of the Public Order Act 1986 (publishing, etc. material intended or likely to stir up racial hatred):".'—*[Mr. Maclean.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 15

LAW OF MURDER

"The presumption in criminal law that the offences of murder and manslaughter shall occur only if the party wounded or hurt dies of the wound or hurt within a year and a day shall be abolished.'.—*[Mr. Milburn.]*

Brought up, and read the First time.

Mr. Alan Milburn (Darlington): I beg to move, That the clause be read a Second time.

The clause has a straightforward purpose—to bring the law on murder into the 20th century. At present, the offence is governed by Judge Cook's antiquated 16th-century definition:

"When a man of sound memory unlawfully killeth any reasonable creature so as the party wounded dies of the wound or hurt within a year and a day after the same".

That outdated definition has cost a family in my constituency the justice to which they were entitled following the tragic death of their son, Michael Gibson.

Michael suffered an unprovoked assault in Darlington town centre in April 1992, a month before his 21st

[Mr. Alan Milburn]

birthday. As he walked along Darlington's High Row, he was savagely attacked by a passing stranger. He was hit only once, but it was enough. He remained comatose for the next 16 months, kept alive thanks only to the care and dedication of staff at Darlington memorial hospital.

Within a matter of hours, Michael's assailant, David Clark, had been arrested by local police. He was well known to them, having served recent sentences for burglary and actual bodily harm. Clark readily confessed that, after consuming 12 pints of lager, he had gone out looking for trouble that Friday evening. He found it in the shape of Michael Gibson.

But David Clark is a very lucky man. He is free today to roam the streets once again, thanks to an ancient law that takes no account of advances in medical technology.

The absurdities of the law as it stands mean quite simply that Michael Gibson took too long to die. According to a letter that I have received from Barbara Mills, the Director of Public Prosecutions:

"in the event of Michael having died within a year and a day of the assault upon him, Mr. Clark would have been charged with an offence of manslaughter."

The Crown Prosecution Service even waited for 366 days before bringing Clark to court, but once the year and a day had passed, it was left with no alternative but to bring a charge of grievous bodily harm against David Clark. He received a two-year sentence. He was released from prison just nine weeks after Michael Gibson finally died, in August 1993.

It is little wonder that Michael's mother, Pat Gibson, has earned the support of people throughout the north-east of England for her campaign to scrap this antiquated rule. She has to live with the knowledge that, if her son had been attacked just 150 miles further north—in Scotland—her son's killer would face life imprisonment, because the rule simply does not apply there. Nor does it apply in any other European country apart from Cyprus. She said of her son's killer:

"I thought the law and justice would take care of him. But the law has simply aided and abetted him in getting away with it."

Pat Gibson is right. The law protected the guilty, because it had been outstripped by medical science. Today, patients can be kept alive for many years, thanks to all the advances in life-saving and life-enhancing medical technology. There are now some 1,200 patients in England alone who are believed to be in a persistent vegetative state. No doubt many will be the victims of road traffic accidents, but a few will be the victims of assault.

I am aware of at least three other cases in which the 366-day rule has served to deny justice to the victims of crime and to their families. As the Minister conceded in Committee, the number of crime victims caught in this legal time warp is likely to increase as the frontiers of medicine are constantly pushed back.

He has, of course, expressed sympathy for the Gibson family, and that is very welcome. He even said in Committee that the 366-day rule was anachronistic. That is very welcome. What is less welcome is the fact that, for almost a year, he has ducked and dodged about making a final decision about the future of this outdated and unjust rule.

7.45 pm

I first wrote to the Home Secretary on 19 May last year, calling for a review of the 366-day rule. The Minister cannot claim this evening that he has not had enough time to assess the implications of change. He has had 11 months to conduct a review. Only now is he prepared to refer the issue to the Law Commission, but he still cannot say what sort of timetable or remit the Law Commission will have, or when it will report its conclusions to the House. That is simply not good enough.

The Minister said in Committee that the first clause that I tabled would have given rise to a new anachronism, because it did not cover manslaughter as well as murder. There can be no such excuses with new clause 15. It covers both, and has taken on board his concerns. It calls for the immediate abolition of a rule that is bringing the law into disrepute by failing properly to punish those who commit the most serious of offences on our statute book—murder.

Over recent months, we have all heard much from Ministers about getting tough on crime. The Minister himself has spoken eloquently about the need to return to common-sense principles in matters of crime and punishment. I can remind him that, just a month ago, he told the House:

"Our constituents are sick and tired of lengthy legal games letting the guilty go free on technicalities."—[*Official Report*, 2 March 1994; Vol. 238, c. 1054.]

Tonight, Ministers have an opportunity to put those convictions into practice. Ministers can demonstrate that the commitment to justice and the right of victims come before retaining an ancient rule that has simply outlived its usefulness.

I urge all hon. Members this evening to support new clause 15.

Mr. Alex Carlile (Montgomery): The rule to which the hon. Member for Darlington (Mr. Milburn) has referred is a rule which, when it was created, no doubt met the perception at that time of common sense. If somebody had recovered more than a year and a day after the trauma leading to their unconsciousness, it would have been regarded as a miracle of sanctifiable proportions.

But understandings have changed, and medical science, as the hon. Gentleman said, has moved on a good deal. One could not say that it was an everyday occurrence for somebody to recover more than a year and a day after becoming unconscious, but it is certainly relatively common for people to recover a measure of consciousness much more than a year after a traumatic incident.

During my years in legal practice, I have been involved as a barrister in a good many personal injury cases. I recall a number of cases in which children, particularly, who had the physical strength to remain alive while unconscious for a considerable time, have made—albeit part, but good part—recoveries from what appeared to be a persistent vegetative state. So science is very different from the understanding at the time that the rule was created.

That nobody can be prosecuted in 1994 for murder or manslaughter after a year and a day plainly makes an ass of the law. As every year passes, the position will seem ever more asinine, unless the Minister is prepared to concede that the time has now come for a change.

It is hardly a revolutionary change. I am given to understand that the law of Scotland does not involve a rule of this kind, and that it never has. I do not believe that life, at least in modern times, is held more cheaply in Scotland than it is in England and Wales. It is my view that what

applies in Scotland in this regard should apply in England. There is a need for some uniformity in the law of murder and manslaughter within the countries of the United Kingdom. Indeed, I hope that we may see some harmonisation of these criminal laws throughout the European Union in due course.

Many issues affecting the law of murder and manslaughter have been and are being considered by the Law Commission. I believe that fundamental changes should take place which go somewhat beyond this proposal. It should not await that wider consideration before being introduced. Many practising lawyers, such as myself, who have appeared in a great number of homicide cases, believe that the distinction between murder and manslaughter is now no longer sensible, and that the mandatory life sentence is no longer a realistic way of dealing with the vast range of facts that may arise in a homicide case. I accept that those issues may require wider and longer debate and possibly specific legislation, but this is an issue which the Government have had more than enough time to consider. The time for change has now arrived.

I applaud the proposal made by the hon. Member for Darlington and hope that we shall at last hear a positive response from the Minister.

Mr. Maclean: Of course I believe that people who kill should not escape the full force of the law because of a technicality. That has been my view, is my view and always will be my view.

I said in Committee that I was personally inclined to the view that abolition would turn out to be the sensible reform of the year-and-a-day rule in due course, and that also is still my view. I am not known as a person much given to sympathy for those who commit crime and I worry that the rule has outlived its usefulness, but I believe that simple abolition would create a vacuum in the way in which we treat those who may be liable to further prosecution having already been convicted of a lesser offence, if the victim goes on to die, or who may not have been prosecuted in the first place. We are, after all, talking about the most serious charge known to law in the same breath as we contemplate a potentially unlimited liability to prosecution in the future.

If the matter were really as straightforward as the hon. Member for Darlington (Mr. Milburn) suggests, why did the Criminal Law Revision Committee and the House of Lords Select Committee on murder and life imprisonment not leap instantly to the conclusion that the rule should be abolished? Instead, they recommended its retention.

As I said in Committee, the Law Commission had separately arrived at a decision to review the rule—not, I must point out to the hon. and learned Member for Montgomery (Mr. Carlile), as part of a long and wide-ranging review of all aspects of crime and punishment or murder, but as a separate, shorter, sharper review. Those of us who are familiar with the Law Commission's way of working will know that consultation is its key component, and that it would be foolish and wrong to expect the commission to forgo that element simply to beat a parliamentary deadline. In any event, it is not for me, the Government or the House to try to set timetables for the Law Commission.

I do not expect that the commission will produce its report in time for the Government to amend the Bill; still less would I presume to guarantee that the commission will come up with the same proposal as Opposition Members, or follow my own views on the matter. I can say, however, that the commission has been made well aware of the strength of feeling in the House and of the Government's concern.

That is why I believe that the Law Commission will take forward this difficult but discreet and limited task with urgency. I believe that the House should therefore reject this premature new clause with every confidence that the matter will be quickly and thoroughly dealt with by those who are expert in it.

Mr. Michael: I pay tribute to my hon. Friend the Member for Darlington (Mr. Milburn) for the way in which he has pursued the issue for a considerable time. I made the case on behalf of the Opposition in Committee, and I do not need to add to the arguments which stand in the record of the sittings of the Standing Committee of 3 March.

I remind the Minister of his words in response to our debate in Committee:

"The year and a day rule has outlived its usefulness, but we must tie up the loose ends."

With reference to those loose ends, he asked:

"What happens if the rule is abolished for murder but the charge is later reduced for manslaughter?"—[*Official Report, Standing Committee B*, 3 March 1994; c. 1165.]

We have put that right, because new clause 15 deals with manslaughter as well as murder.

The Minister does not wait for or listen to advice unless it suits him. There has been dangerously speedy decision-making on a range of issues—videos and stop-and-search are only two cases in point. The Minister is again refusing to fulfil a promise made to my hon. Friend the Member for Darlington by the Prime Minister. At this point, the House should vote on the issue and resolve it once and for all.

Question put, That the clause be read a Second time:—

The House divided: Ayes 260, Noes 277.

Division No. 194] **[7.53 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Roy
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Berry, Roger
Betts, Clive
Blair, Tony
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunningham, Jim *(Covy SE)*
Dalis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald

Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hume, John
Ilsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Iauan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Btham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Bdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lloyd, Ellyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maginnis, Ken
Mahon, Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, William
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & Finsbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, Matthew *(Truro)*
Trimble, David
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. John Hutton and
Mr. Stephen Byers.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Batiste, Michael
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Dewa, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David

Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'ham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Killedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broadowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shephard, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Waller, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Andrew MacKay and
Mr. Michael Brown.

Question accordingly negatived.

New Clause 17

FIREARMS OFFENCES (PENALTIES)

'(1) The offences of possessing a firearm or shotgun or ammunition contrary to Section 1 (as amended by Section 2 of the Firearms (Amendment) Act 1988) and Section 2 of the Firearms Act 1968, shall be punishable

(a) upon conviction on indictment by a term of imprisonment not exceeding ten years;

(b) on summary conviction by six months imprisonment or a fine of £1,000 or both.

(2) The offence of trading in firearms without being registered as a firearms dealer contrary to Section 3(1) of the Firearms Act 1968 shall be punishable upon conviction on indictment by a sentence of imprisonment not exceeding ten years.

(3) The offence of selling a firearm to a person without a certificate, contrary to Section 3(2) of the Firearms Act 1968, shall be punishable as at subsection (2) above.

(4) The offence of possessing or distributing prohibited weapons or ammunition contrary to Section 5(1) of the Firearms Act 1968 shall be punishable as at subsection (2) above.

(5) Notwithstanding that a person shall otherwise be guilty of an offence contrary to Section 1 or Section 2 of the Firearms Act 1968, it shall be an offence for a person to possess a firearm (including shotguns and ammunition) without the appropriate certificate or permit authorising such possession, if that person has previously been the holder of a certificate or permit to possess such firearm within the previous six months, and is not a prohibited person under Section 21 of the Firearms Act 1968, and a person guilty of an offence under this subsection is liable—

(a) on conviction on indictment

(i) where the offfence is commited in an aggravatged form within the meaning of section 4(4) of the Firearms Act 1968 to imprisonment for a term not exceeding five years, or a fine; or both

(ii) in any other case to imprisonment for a term not exceeding three years or a fine; or both.

(b) on summary conviction, to imprisonment for a term not exceeding six months or a fine of £1,000 or both.'.—*[Mr. Michael.]*

Brought up, and read the First time.

Mr. Michael: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to discuss the following: new clause 57—*Carrying of offensive weapons (penalties)*—

'-In section 1 of the Prevention of Crime Act 1953 (Prohibition of the carrying of offensive weapons in public places without lawful authority or reasonable excuse)—

(a) subsection (a) shall be omitted.

(b) the words after the word "exceeding" in subsection (b) shall be omitted and shall be substituted by the words "30 years".'.

New Clause 58—*Dangerous weapons (penalties)*—

'-In section 1 of the Restriction of Offensive Weapons Act 1959 (Penalties for offences in connection with dangerous weapons)—

(a) the words from "liable on" to "fine" shall be omitted and substituted by the words "conviction on indictment to imprisonment for 20 years".'.

New Clause 59 —*Having article with blade or point (penalties)*—

'-In Part IX of the Criminal Justice Act 1988—

(a) In section 139 (Offence of having article with blade or point in public place) subsection (6), the words after the words "liable on" shall be omitted and substituted by the words "conviction on indictment to imprisonment for 30 years".

[Madam Deputy Speaker]

(b) In section 141 (Offensive weapons) subsection (1), the words after "liable on" shall be omitted and substituted by the words "conviction on indictment to imprisonment for 30 years".'.

Government amendment No. 349.

Mr. Michael: I am grateful for the opportunity to propose new clause 17, which seeks to increase penalties for the possession of firearms—contrary to existing legislation—and to give greater flexibility to the courts in dealing with firearm issues. The new clause sets out a series of amendments to the current legislation and I hope that they will be commended to the House.

As with a number of other issues that Opposition Members have raised during the passage of the Bill, the new clause highlights the need for fast and firm action. In this case, it is to curb the increasing use of guns and other weapons on the streets of Britain. The new clause would increase the maximum penalty, thus giving wider discretion to the courts to act firmly in cases where it is required.

I want to make it clear that that does not make penalties more onerous at the lower end of the scale of offences. Understandably, people who possess weapons for legitimate purposes, such as for sport or in connection with their work, are concerned that an increase in offences can, perhaps through an oversight in reviewing a licence, lead them to face greater penalties. There is no need for that to occur because, obviously, we are not targeting circumstances of that sort and it remains open for the courts to leave penalties for such offences as they stand.

The purpose of tabling amendments in Committee was to highlight the problem of firearms. As with other matters, we are entitled to point out that it is only when Opposition Members demand action that changes in penalties are introduced. That happened with drugs and drug-related offences when the Government amended the clause dealing with the Sea Fisheries (Shellfish) Act 1967.

The Government have tabled an amendment, too, and I am pleased that they have responded in that way to our initiative. However, their amendment is narrower than our new clause. The urgent need for action on the issue is shown by the fact that since 1982 there has been an 83 per cent. increase in offences of wounding, which is the statistical category that includes possession of firearms and other offensive weapons. In view of the seriousness of offences of that nature, that is a frightening increase. Within that category, the more serious offences of wounding or endangering life have increased by 128 per cent.

There now seems to be some acceptance of the argument for taking action to prevent weapons from reaching the streets. Our new clause deals with that aspect too. As was demonstrated by some of the new clauses that we tabled in Committee, it is important to prevent weapons from reaching the streets. If they are not carried, if they do not become part of the normal dress of some people in some communities, they cannot be used. The best approach to the problem is to prevent the recurrence of the worrying incidents that have taken place recently by tackling the availability of weapons and the possibility of their being carried, and thus restoring some of the safety that has been lost to our streets.

It is important that Parliament understands and responds to the message now coming from police officers. People will have taken note of the comments of the Commissioner of Police of the Metropolis after yet another worrying and frightening incident of violent assault on a police officer. Because the Commissioner referred to being driven by events, his remarks could have been taken to mean that it was inevitable that before long all police officers would be armed, and that we could change the tradition of policing in the community and policing by consent. However, it is important for Parliament to ensure that we are driven not by events but by decisions made in the House. We must be driven by the law and by the success of the law in curbing violence on our streets.

In conversations with representatives of the various police associations it becomes clear that all three of them view with distaste and alarm the possibility of armed police becoming standard on the streets of this country. That would bring about a change in the nature of the relationship between the police and the community that it is frightening to imagine. The House should not consider that idea lightly.

The remarks by the Commissioner and by other police officers who have had to deal with some of the results of the availability of weapons should be taken seriously, not as a description of the inevitable but as a warning of the path down which the country will go unless Ministers and all other hon. Members succeed in introducing measures to curb the availability of weapons on our streets.

Clearly that cannot be done by legislation alone. The way in which policing is carried out, and the way that we tackle the environment in which crime flourishes, are important too. As the Opposition have repeatedly said, we must be tough on crime and tough on the causes of crime. That applies as much to violence and the possession of weapons as to any other element of crime that we need to tackle.

The amendment that the Government have tabled in response to new clause 17 suggests that they recognise the need to amend the law, but the amendment is narrower than the new clause, so I hope that on reflection the Minister will feel able to accept the wider provisions of our new clause, which I hope will have the support of the whole House. The important issues involved should have been dealt with when the Bill was first drafted, or on Second Reading, so that they could have been considered in greater detail in Committee. But that did not happen, so the Opposition have sought to remedy the omission. On those grounds, I commend the new clause to the House.

Mr. Maclean: I fully agree that the courts must have at their disposal suitable penalties for the unlawful possession of offensive weapons and for unlawful dealing in and purchase of firearms. But we must ensure that we retain a differential between such offences and offences involving actual harm. We have tabled amendment No. 349 to increase the maximum penalty for the unauthorised possession and distribution of prohibited weapons from five to 10 years' imprisonment, as proposed in subsection (4) of new clause 17.

8.15 pm

However, we believe that the new clause as a whole is not on the right lines. Penalties for the use of firearms in crime are already severe. Possessing a firearm with intent to endanger life or with intent to commit an indictable

offence, and using a firearm with intent to prevent arrest, already carry a maximum penalty of life imprisonment —and quite right too.

With reference to new clauses 57, 58 and 59, trial on indictment only is reserved for offences considered too serious for magistrates courts. Existing maximum penalties for possession of offensive weapons are substantial, and in the Government's view they adequately reflect the seriousness of such offences.

I have pleasure in recommending Government amendment No. 349. Weapons prohibited by the Firearms Acts include machine guns, machine pistols, many kinds of self-loading and pump-action rifles and shotguns, and noxious substance weapons, such as CS gas sprays. Those are of especial concern to hon. Members, to the Government, to the police and to the public. The prohibited category also includes disguised firearms, as well as mortars, rocket launchers and other heavy military weaponry.

I see no justification for the possession of such machine guns and machine pistols; there is no justifiable excuse for their simple possession. That is why we believe that the present penalties for possession of such items—from two to five years' imprisonment—should be increased to a maximum of 10 years. Of course, if anyone endeavours to use such weapons in any way, or has intent to commit a crime, the life imprisonment maximum will apply, and rightly so.

At present the maximum penalty on summary conviction for unauthorised possession or distribution of a prohibited weapon is three or six months, depending on the weapon. Amendment No. 349 would ensure a common maximum of six months. I commend it to the House, and I submit that the other amendments are not necessary.

Mr. Mike O'Brien: Again I remind the House of my position as adviser to the Police Federation of England and Wales. I welcome the Government's conversion to supporting the changes, but their amendment does not go far enough. We need to send a clear message not only to those who use guns in the commission of offences but to those who possess them and may well subsequently commit offences, that it is unacceptable to possess such weapons unlawfully.

Over recent years there have been all too many cases of the use of firearms in serious criminal offences. Not only have police officers been shot—16 officers have been shot or stabbed in the past 10 years—but on the television and in our newspapers we have seen and read about many other tragic cases.

Mr. Maclean: I am sorry to interrupt the hon. Gentleman, but does he accept that in cases where weapons have been used against the police the maximum penalty is life imprisonment? I do not know how to make that maximum any greater.

Mr. O'Brien: I entirely accept that. Indeed, if the Minister had been listening carefully, I suggested that there was a distinction between possession and use. I readily accept that, and I certainly do not quarrel with it.

On this occasion, there needs to be a clear message from the Government that the unlawful possession of weapons is not acceptable. No one is seeking to restrict the shooting lobby or the hunting lobby in the measure. The aim of it is to deal with those who possess weapons for criminal purposes; at that stage, they may not be using them. One of the concerns expressed to me in the past hour is that officers often find that they have arrested a person who possesses a gun, whom they believe was in the process of committing an offence. That person will argue and seek to suggest that he was not intent on committing an offence and there will be various plea bargains with regard to the seriousness of the matter. Usually, the lesser offence will be accepted in those circumstances, so it results in a reduced sentence.

We need to ensure that where there is possession of weapons, and it is shown that a person does not have a lawful right or reason to have those weapons, that person is punished adequately. At present, it seems that the powers that the courts have to deal with the most serious cases of possession, not only armourers, for example—we had recent cases where automatic weapons were possessed by someone who was alleged to be an armourer renting guns to criminals, who then used those guns to commit offences —but criminals who think that they have a right to carry guns perhaps for the purposes of drug dealings. The courts should be able adequately to deal with such criminals.

At present, it seems that the Government are trying to be restrictive and to hedge about. They talk continuously about being tougher on crime. However, when the Labour party—as it does now—proposes stiffer penalties to deal with the unlawful possession of guns by criminals, the Government seem to back off from doing something about it. That is an entirely inadequate response and sends the entirely wrong message, especially to young people who may be considering getting involved in the drugs trade, that the possession of guns, if they are caught, will not merit the most severe penalties.

The Minister will be familiar with the catalogue of cases that I set out in the Standing Committee—I will not rehearse them again now—where the Police Federation in particular was concerned that circumstances had arisen where criminals were allowed to plead to lesser charges in order to receive lesser sentences. It seems that we are not dealing with the issue of deterrence, although it may be important to deter. We must ensure that the courts have adequate powers to deal with the most serious cases of possession.

The new clause is not targeted at the bottom range of possession offences—those who simply happen to be caught without their licence—but at the most serious cases of possession. The Government are not responding adequately or strongly enough to send a clear message to those people that they should not be found in possession of weapons.

Mr. Bill Walker (Tayside, North): I rise to address new clause 17. Of course, I shall be paying particular attention to new clauses 57, 58 and 59 which stand in my name and that of my hon. Friend the Member for Dover (Mr. Shaw). I shall also make observations about new clause 43, which I withdrew earlier this evening, because it also relates to weapons offences against individuals.

I must tell my hon. Friend the Minister that I find myself agreeing with what the hon. Member for Warwickshire, North (Mr. O'Brien) said. For years, I have felt that deterrence was an important element in the whole criminal justice system. Whatever excuse people who carry a weapon may give, and whatever device they use in court to try to mitigate against any penalty, the plain truth is that it is the carrying that is the problem. The carrying of weapons leads to use. Unless one addresses the whole question of

[Mr. Bill Walker]

carrying, whether it is a gun or a sharp weapon, inevitably in some circumstances the risk of the weapon being used is real, especially to the police. If we think ahead and recognise that if the police stop and search individuals who may be considered to be in the act of committing, or about to commit, a felony of some sort, if the individual is in possession of an offensive weapon, the risk of use is considerably increased simply because they have been stopped.

In London alone in 1992, there were 7,700 recorded acts of robbery and violence with sharp instruments. That is almost one act every hour of the night and day. It is interesting to note that 36 per cent. of all homicides in the United Kingdom in 1992 were caused by sharp instruments —that is, 226 out of a total of 622—and blunt instruments accounted for 8 per cent. or 51 out of 622. That is a 50 per cent. increase over 1983. We cannot ignore that continuing increase.

The age of drugs and guns has spawned an avalanche of crime. I am not simply saying that the problem is only in the United Kingdom—the plain fact is that it is a worldwide problem. However, the one area that we can help and deal with is in this country and that is why it is important for Parliament to address the situation here.

In 1939, there were 304,000 recorded criminal offences of all types. In 1965, the number had risen to more than 1 million—a trebling in 25 years. By 1992, it had risen to 5.5 million—a fivefold increase in 27 years. Will we continue to think that we can do little about the problem? I hope not. In 1974, there were 2,828 firearm offences; in 1992, there were 13,305. That is a 500 per cent. increase in 18 years. I suggest that 1993 and 1994 will continue to follow the trend of previous years. Is it America today and the United Kingdom tomorrow? As we know, violent crime is out of control in Florida and is dramatically affecting its £20 billion tourist industry. That is simply because of the relentless flow of killings, rapes and robberies.

I do not believe that we can stand here and say that we can do little about the matter. I happen to believe in deterrence. That is why I put a simple question to my hon. Friend the Minister during the previous speech that I made on this matter. I asked my hon. Friend about the Government's view on deterrence; he accepted that deterrence had a part to play. That is why the Government have increased the penalty from five years to 10 years, and I welcome that. However, that is only one example of movement.

It was devastating to learn from the recently leaked report which was commissioned by five London police divisions that they can no longer cope with gun crime and that a totally new strategy is required. I understand that there are an estimated 4 million illegal firearms in this country and goodness knows how many knives that are used to impose the will of all of those involved in crime, especially the drug barons in their £2.5 billion business. The only way to cope with those criminals, their fire power, and their wanton disregard for human life, is to have draconian penalties. The existing and potential explosion of drug and gun crimes, and the increased use of weapons, especially knives, are the evils of our modern society. If something is to be done we shall have to make it quite clear to those involved that they will be dealt with summarily by the courts.

8.30 pm

It takes some £9,000 million per annum to run the criminal justice system. The Metropolitan police alone costs £1.8 billion. I am convinced that my new clauses would help to stamp out violent crime and would produce considerable savings for the police and the court system —not to mention hospital treatment and the millions of man hours that are lost to the economy through the suffering of victims. The savings would be enormous— more than compensating, I believe, for the cost of imprisonment. This is why my new clauses, which my hon. Friend the Minister spent about 10 seconds addressing, are important.

I commend my right hon. and learned Friend the Home Secretary for his valiant efforts to come up with new ideas, but it is an inescapable fact that traditional policing methods are as out of date today as the Keystone Kops ever were. In this situation we must look comprehensively at how the problem of rising crime, particularly violent crime, should be addressed. I believe that in the absence of the real deterent—capital punishment—we must incarcerate people on such a scale as to deter.

Deterrence is the ability of the courts to inflict upon individuals an unacceptable period of incarceration. This is what we must address. Nuclear deterrence is the ability to inflict an unacceptable level of damage on a would-be aggressor. The ability of courts to sentence individuals to unacceptably lengthy periods of imprisonment would have the same effect. If it is credible for my hon. colleagues to argue that we must retain nuclear weapons because of their deterrent effect—I believe that such weapons do deter, and I have no hesitation in expressing my support for them —they must accept that deterrence in other fields has to be acknowledged and recognised.

If what I am suggesting deterred some people it would be worth while. People outside, including girls and young women, must be given confidence that they can walk around our cities unmolested. Within the past 24 hours we have heard reports of the hideous attack on two elderly people, resulting in their death, and I understand that teenagers have been raped. We read every day about such behaviour. It is becoming commonplace. Who can remember the names of the policemen who were recently killed while on duty? We have reached the stage at which names escape individuals.

When I was a boy, murder was an incident that kept the community alert and aware and was talked about not for weeks or months but for years. I remember the murder of "the man with the staring eyes" on the Buckey braes, not far from Dundee. That murder was the talk of the city for years. Today it would be forgotten within hours because such events are commonplace. We must not allow ourselves to become so conditioned to such evil, ghastly, hideous deeds as to think that we can do nothing or very little about them. I believe that we can.

Deterrence alone is not the answer, but it has a role to play. It must be part of a package. It ought to be incorporated into our system. I hope that the Minister, who normally has robust views about these matters, realises that I am not someone who thinks that we should do things just because they are good. I have never pursued that policy. Indeed, I have always stood up and stated my belief in the context of the circumstances, and I have voted accordingly, sometimes with difficulty. Some of my suggested

provisions are very lengthy and detailed as they address each offence and deal with it in turn. I am addressing the need for a deterrence capability.

If my hon. Friend were to tell me that the new clauses were technically flawed I should understand. It is the whole principle with which I am dealing. That is why the speech of the hon. Member for Warwickshire, North was very interesting and worthy of a very careful hearing.

Deterrence does work. People can walk unmolested around the streets of Singapore at any hour of the day or night. I am not suggesting that we should have a regime like Singapore's, but the deterrence element of sentencing policy there does work. It is something that we should try to emulate.

Question put, That the clause be read a Second time:—

The House divided: Ayes 252, Noes 288.

Division No. 195] **[8.35 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Colley, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hume, John
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N Wiltshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, William
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. John Cummings and
Mr. John Spellar.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*

Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Batiste, Michael
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Roes, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, A. Cecil *(Belfast N)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. James Arbuthnot.

Question accordingly negatived.

New Clause 21

Dogs

'-(1) If any person responsible for any dog or dogs, causes that dog or those dogs to enter land in contravention of the written instructions of the landowner or occupier, and the action of that dog or dogs causes damage to any form of property, disrupts any lawful activity, or interferes with the lawful enjoyment by the landowner or occupier of the property, he shall be guilty of an offence.

(2) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale, or both.'.—*[Mr. Morley.]*

Brought up, and read the First time.

Mr. Elliot Morley (Glanford and Scunthorpe): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this it will be convenient to discuss the following: New clause 22—*Digging for wild animals*—

'(1) . If any person enters land equipped for the purpose of digging for a wild animal sheltering in a subterranean refuge, he shall be guilty of a criminal offence unless he can show that, at the material time, he had the permission of the landowner or occupier to dig for that wild animal.

(2) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale, or both.'.

New clause 23—*Dogs (protection of livestock)*—

'. In the Dogs (Protection of Livestock) Act 1953, in section (2A)(b) the word "or" is inserted after the words "a trained sheep dog", and the words "or a pack of hounds" are omitted.'.

New clause 24—*Dangerous dogs*—

'. In the Dangerous Dogs Act 1991, section 3, in subsection (3) there shall be inserted the following new paragraph

"or

(c) it injures any domestic animal either owned by, or authorised to be in that place by, the landowner or occupier."'.

Government amendments Nos. 186 and 187.

8.45 pm

Mr. Morley: I am grateful for the opportunity to speak to the new clauses, as I believe that some misleading information has been circulated among hon. Members concerning the way in which clause 58 will apply.

The Minister said that the intention is that clause 58 will apply equally to fox hunts which trespass on other people's land even when notice has been given to them that they are not welcome, and to those who trespass in terms of disrupting fox hunts, which is the intention of the new clause.

I am also grateful for the cross-party support which the clauses have attracted. It is clear that there is widespread concern about the way in which the new offence will be implemented. I am only sorry that the Government have applied a three-line Whip, because a free vote on the issue would demonstrate that there is a great deal of concern on all sides of the House about an attempt to criminalise an activity which is designed to assist one particular group in society, without making sure that such restrictions apply fairly.

Many people are surprised that the Government have given such a high priority to legislation of this kind simply at the behest of blood sports groups without any attempt at proper consultation with the wider community. Indeed, that contrasts sharply with issues such as offences involving racial attacks, on which the Government are reluctant to introduce legislation on the grounds that existing procedures deal with the matter. Under present law, there are procedures for dealing with the disruption caused by blood sports. I must also make it clear at this point that the Labour party opposes and unreservedly condemns violence, criminal damage and intimidation, whatever its source. It is totally untrue to suggest that such violence and intimidation come purely from one source.

Mr. Oliver Heald (Hertfordshire, North): The hon. Gentleman will see that clause 58(1) requires that the offender intends to intimidate, obstruct or disrupt. Is not the problem with his new clause the fact that the offence is absolute and that proof of intention is not required, so that someone who committed the offence inadvertently, negligently, or without intending to do so would be liable not merely to a fine but to a sentence of imprisonment?

Mr. Morley: I shall touch upon that as I progress.

The definition of intention is a key aspect. Because of the use of the word "intended" in the Bill it will be almost impossible to take any action against fox hunts that trespass on people's land, even when they have been given notice not to do so—I am not sure whether that was the intention. It is totally untrue that only hunt saboteurs are responsible for violence and intimidation. The evidence that I have collected suggests that it is the yobbish element associated with hunts who are responsible for violence, intimidation and convictions, rather than the other way round.

I only wish that I could be more precise, but unfortunately, although I tabled written questions to the Home Secretary asking him to provide details of convictions of people who had been involved in violent attacks on hunt supporters, he was unable to give me any figures. If he cannot provide such figures it begs the question, what is the scale of the problem? The Home Secretary does not know, but has seen fit to introduce legislation to deal with the problem.

I also understand that the police did not ask for the powers in the Bill and were not consulted about the clauses, how they would work in practice and their implications for police manpower and resources. My local force told me their grave reservations about the new clause and about the problems that they would have enforcing it.

A case can already be made to show that the new clause will give one group of people special protection—a group of people who pursue activities that the majority of people, including the majority of the rural community, totally oppose. If we are to provide powers of that sort—I am not convinced that they are necessary—they should also apply to trespasses by hunts, especially when the master has been given clear notice that the hunt is not welcome. Clause 58 does not do so.

Sir Nicholas Bonsor (Upminster): I hesitate to interrupt the hon. Gentleman because his facts are so wildly inaccurate that they speak for themselves. However, he must know that the Government's new clause applies as much to hunts as to anyone else. If a hunt were intentionally trying to disrupt someone else's lawful pursuit it would be just as liable as anyone else under the Bill. The fact is that hunts would not have that intention and that is why the clause will not apply to them.

Mr. Morley: With respect, the hon. Gentleman is talking complete nonsense. I have a letter here from Lord Ferrers at the Home Office. In direct response to my question about whether the clause would deal with hunts that trespass deliberately on people's land, he states:

"simple trespass, by hunters or anyone else, would not be caught."

That makes it clear that hunts would not be affected by clause 58, even when they persistently trespass on other people's land—farmland, gardens, parks and nature reserves—although they have been told not to do so. If we have to have such powers—

Mr. James Paice (Cambridgeshire, South-East): Does not the hon. Gentleman understand that no one else would be prosecuted if they simply trespassed with no ulterior motive? As my hon. Friend the Member for Hertfordshire,

[Mr. James Paice]

North (Mr. Heald) explained, intent to disrupt must be proved, as clause 58 demonstrates, and that applies across the board. The act of simple trespass, to which he referred, remains a civil and not a criminal offence for anyone.

Mr. Morley: The hon. Gentleman is completely missing the point. As the Bill stands, even when a hunt persistently and deliberately trespasses—I can cite cases in which hunts have been given notice in writing that they are not to go on people's land but persistently do so—it will simply have to say that it was an accident, that it did not mean to trespass or to be disruptive, and there is no way that the landowner can take any action in the courts other than civil action. Why should landowners face the expense and trouble of civil action when hunts receive special protection from the law?

Mr. Tim Devlin (Stockton, South): The hon. Gentleman is absolutely right. A case reported extensively in the *Darlington and Stockton Times* concerned just such a landowner. He attempted to prevent a hunt from crossing his property because he has a wildlife sanctuary. He wrote to the master of the hunt on five occasions, but has been ignored. The hunt has continued to go over his land. That is why I tabled amendment No. 60, which I am sorry has not been selected, which states:

"A person commits an offence of aggravated trespass if he trespasses on land in the open air with any horse or dog for the purpose of hunting, trapping or taking game."

The hon. Gentleman is correct in saying that clause 58 will be applied unfairly to hunt saboteurs and not to hunters.

Mr. Morley: I am grateful to the hon. Gentleman and I agree. I recognise that his amendment is similar to my new clause and his argument is clearly demonstrated in a brief circulated by the British Field Sports Society to Liberal Democrat Members of Parliament. Not surprisingly, the society complains about the new clauses, but states that at present the Bill will only make it

"a criminal offence to trespass with the intention of disrupting a lawful activity."

The word "intention" is underlined. As a result, hunts will get off the hook, even when they deliberately cause problems and consistently cause damage. I mentioned the letter that I received from the Home Office Minister, which also makes that absolutely clear.

Having established, beyond doubt, that the law will be selective, one might question how new clause 21 attempts to apply it fairly. First, the new clause will not make inadvertent trespass a criminal offence, as suggested in the BFS brief. It applies to a person responsible for dogs who is informed in writing that the dogs are not allowed on an owner's land. It would not apply, for example, to an individual dog owner whose dog simply strayed on to a person's land when he was taking it for a walk, because the owner must be given notice in writing before such an offence takes place. Certain individual irresponsible dog owners may cause problems because their dogs persistently go on to people's land, and there may be an opportunity here as well for dealing with that kind of problem. I can think of a few examples myself where irresponsible dog owners have caused particular problems.

There is a real problem of disruption caused by hunts. Hon. Members will have received the excellent document, entitled "Riot" and compiled by the League against Cruel Sports, which gives 270 recent examples of hunts trespassing on people's land, causing problems, damage and even intimidation. The 270 examples are only those which have appeared in newspapers or about which legal advice has been sought from the League. I am quite sure that many others go unreported.

I have two examples here of people who have written to me in response to a campaign by the International Fund for Animal Welfare. Both people live in the country. The first, a sheep farmer in Dyfed, writes:

"Three dogs broke away from the pack and went into a different valley from the rest."

This was after giving notice to the local hunt that it was not to trespass on his land. He went on to say that, unattended, they entered his

"land (32 acres) which was being grazed by 39 pregnant ewes and one ram. Despite the intervention of my wife, myself and one of our border collies, the foxhounds chased all the sheep off our land, right through the next farm, and into the land of the farm beyond that. There, some half a mile distant, they merged them in with another flock of the same breed. It took 3 days to sort and recover the correct sheep . . . Despite the ewes having been climbing over each other to cross barbed wire fences".

9 pm

Why should a sheep farmer have to go to all that trouble after giving notice to the hunt that it was not to go through his land? He wrote to tell me that the hunt came to him beforehand to say that it would be coming through on Tuesday, not seeking permission to come through. It was then that he told them verbally, and in writing, that the members of the hunt would not be allowed to go through his land.

Mr. Michael Colvin (Romsey and Waterside): The hon. Gentleman has quoted an isolated case and an extreme one. Will he also acknowledge that half a million lambs are killed each year by foxes? I do not think that he would find many sheep farmers opposed to the idea of the hunt being near or round their farms.

Mr. Morley: I do not want to be drawn into the ethics of fox-hunting when we are discussing these new clauses, as they go beyond what we are talking about. What evidence there is suggests that fox predation accounts for 0.5 per cent. of sheep, most of which are lambs that have died from hypothermia. That figure compares with 17 per cent. of sheep that die of hypothermia normally. The Ministry of Agriculture, Fisheries and Food itself does not regard fox predation as significant. The hon. Gentleman is also wrong to suggest that this is an isolated case. I have already referred to 270 cases outlined in the document from the League against Cruel Sports. I have another letter, this time from a family in Barnstaple, Devon.

Mr. William Ross (Londonderry, East): The hon. Gentleman will be aware that I do not hunt foxes on horseback although I have shot the creatures on a number of occasions. I must confess to him that from my own experience as a sheep farmer of a considerable number of years' standing the predation of foxes is rather higher than is indicated by the figures that he has just given. They are opportunist feeders and tend to pick up the twin lamb that is lying behind the hedge asleep when the mother and the other lamb are further off in the field, grazing. That is my personal experience.

In the incident to which the hon. Gentleman referred he said that the farmer had told the hunt not to come through

his land, but he also said that it was three hounds that broke away from the main pack which came through the land, not the hunt.

Mr. Morley: My impression from the letter was that the three hounds that broke away from the pack were from the main hunt which was on his land and which drove the sheep to a particular valley. That is all that I want to say about fox predation, apart from the fact that it is not significant.

Returning to my other example, the letter says:

"During the afternoon we heard the hounds getting very close to our property and having several cats and a dog in the garden called them in. Ten minutes later the hunt charged through the garden in pursuit of a stag that had sought refuge there. As they went through the Huntmaster shouted, 'Stand back. We are the hunt.' The arrogance was truly amazing. The stag, poor thing, suffered as follows. The hounds chased it through the garden to a steep rise at the top, where it stood for twenty minutes, can you believe, being bitten, dragged and jumped on. One can hardly imagine the terror and pain it suffered before being shot. The stag was then dragged back through our garden, the children blooded and we were offered the liver. To myself, family and friends it was like some satanic ritual."

Those are two examples—I need hardly quote more—of the kind of problem that hunts cause. We need to make sure that this law, if we are to have it, applies fairly to all concerned. It does not do so at present. New clause 21 will deal with that, and new clauses 23 and 24 will also deal with the problem of hunts and stock.

I should have thought that clause 22 was far less controversial than the others. It relates to the problem of badger-baiting. At present, people involved in the sickening sport of badger-baiting, who are often stopped and challenged on people's land, will simply say, unless they are caught in the act of digging the badger set, that they are looking for a fox's earth or intend to dig out a fox, which is not illegal. New clause 22 will help the police and the landowner. If people are caught on a landowner's land, equipped to dig subterranean animals, with shovels and sacks and the associated paraphernalia, they will be guilty of an offence if they cannot show that they have the permission of the landowner to be on that land. That will go some way towards strengthening the powers to prevent badger-baiting, which is a real problem in this country.

In conclusion, I believe that we need to tackle this serious problem. I am only sorry that we have not had the opportunity of discussing and voting on whether blood sports should be allowed to continue. I believe that that vote will come sooner rather than later, at which time these clauses may be academic. At present it is unjustified to give special protection to any one group in society without applying that law fairly. That is why I believe that the House should support the new clauses.

Mr. Maclean: We should be aware that clause 58 has nothing to do with hunting; it is all about public order. I shall quote the words of the statute because it seems that the hon. Member for Glanford and Scunthorpe (Mr. Morley) has not followed them. The measures that we have taken to deal with disruptive trespassers apply only where anyone who

"trespasses on land in the open air and, in relation to any lawful activity which persons are engaging in or are about to engage in . . . does there anything which is intended by him to have the effect of intimidating those persons . . . so as to deter them . . . from engaging in that activity,"

or the effect of

"obstructing that activity, or . . . disrupting that activity."

Yet, to listen to the hon. Gentleman, one would think that the whole debate was about hunting.

The statute would apply to disruption at the grand national, for example. Many examples have been cited, in Committee and by Opposition Members. The clause would apply to all sides. If a hunt or shooters or any other people in the countryside trespass on someone else's land with the intention of disrupting an activity, and deliberately disrupt that activity or threaten the people engaged in it—whether that activity be lambing, doing one's garden or holding a fete for the League Against Cruel Sports—this law will apply to them, and rightly so; they will deserve everything that they get.

Mr. Morley: Let me make two brief points. First, the Home Secretary himself emphasised in his speech to the Conservative party conference that the clause was aimed at hunt saboteurs, as the Minister well knows. Secondly, how does one prove that the trespass was intentional when a hunt goes on to people's land? That is the crux of the problem.

Mr. Maclean: No doubt if my right hon. and learned Friend the Home Secretary had been speaking at Aintree on Saturday, he would have emphasised the benefit of the clause there, and if he had been speaking to all the angling associations he would have emphasised the relevance of the clause there. This clause is relevant to all perfectly legal activities that can be liable to disruption. It is not right that they be disrupted.

Mr. Bill Etherington (Sunderland, North): Will the Minister give way?

Mr. Maclean: No, because I want to answer the second argument advanced by the hon. Member for Glanford and Scunthorpe, about intention. It is up to the police and the prosecutor to prove intention in a variety of cases. We cannot have a law making simple trespass—circumstances in which someone, inadvertently or not, steps on to someone else's land—a criminal offence. Of course we must have intention. It would be necessary to prove intention on the part of saboteurs who go on to someone's land. If they go on to someone else's land and do not intimidate, threaten or obstruct the activity, they are not committing a criminal offence; the landowner will have to resort to the civil law, and rightly so. How could intention be proved? The difficulty of proving intention is common throughout the criminal law.

Mr. Michael *rose—*

Mr. Maclean: I do not want to take up too much time in the debate, Mr. Deputy Speaker.

Mr. Michael: But will the Minister acknowledge that the clauses on disruptive trespass contain a power for a constable in uniform who reasonably suspects that a person is committing an offence to arrest him without a warrant? Does the Minister accept that the extensive proof is not as strong as he is suggesting in his own clauses?

Mr. Maclean: No, not at all. Of course, under the laws of our land, if a policeman reasonably suspects someone of wrongdoing, he may make an arrest. There is no automatic right of arrest; we are not giving any draconian power to landlords or old-fashioned lairds to summon the police

[Mr. Maclean]

automatically and order them to do their duty—or what those landlords believe to be their duty—to haul anyone and everyone off their land.

Some of the rumours flying around Scotland at the moment are quite appalling. There is a rumour that this power will be used to stop people hill walking in the Scottish mountains. It is quite an extraordinary concept that the powers that we have introduced to deal with people who are intimidating, threatening or obstructing would ever be used by any sensible policeman against hill walkers in the Scottish mountains. It is just not on.

The other point is that only a policeman may make an arrest. If a policeman does not come to the reasonable assumption—

Mr. Etherington: Will the hon. Gentleman give way?

Mr. Maclean: I want to make this very important point. There are many misconceptions about what the power involves. If a policeman does not conclude that someone is a trespasser on someone else's land and engaged in intimidating people who are involved in a lawful activity or in threatening, deterring, obstructing or disrupting them, he does not have the power to arrest that person and cannot do so.

Mr. Etherington: I note that the Minister is stressing the term "lawful activity". What would be the position if a hunt were trespassing against the explicit wishes of a landowner and if hunt saboteurs, who perhaps had the sympathy of the landowner, were trying to do something about it? What would happen in that case, because that is the sort of situation that the clause would help to bring about?

Mr. Maclean: A decision would have to be made by policemen on the ground as to whether the conditions of the clause were satisfied. I cannot give an exact answer in every hypothetical case. What would be the position if saboteurs had gone on to someone's land and were not engaged in intimidating, obstructing or disrupting anyone? Many people do not want others to come on to their land. Many people with footpaths would much prefer members of the public and their dogs to keep off the footpaths. But that is tough luck; people have a right to use footpaths. Sometimes their dogs stray from the path—*[Interruption.]* That would be getting into a different argument. The idea that we should make simple trespass in those circumstances a criminal offence is quite extraordinary.

Mr. Michael: Will the hon. Gentleman give way?

Mr. Maclean: I want to conclude my remarks; then the hon. Gentleman can make his own speech.

New clause 21 would create a new offence if a dog entered land without the landowner's consent and it subsequently caused damage or nuisance. That would pose a risk for every dog owner who allowed his or her dog to stray on to private land, or even from the footpath, if that dog caused damage or distress as described in the new clause.

Mr. Michael: I am grateful to the Minister for giving way. In order to restore some balance to the consideration of the clause, the Minister needs to show what thought he has given to dealing with the problems raised by my hon. Friend the Member for Sunderland, North (Mr. Etherington).

Under the Minister's proposals, even if it could be proved that a hunt was reckless in trespassing and had ignored repeated attempts by the landowner to protect his property, it would not be committing an offence. Why has the Minister not brought forward something in the Bill to deal with the issues raised by my hon. Friends rather than simply picking holes in what we proposed in Committee, so giving him plenty of time to consider how to deal with the matter?

Mr. Maclean: The civil law is there to deal with that sort of trespass where there are no threats, no obstruction and no damage. Exactly the same law would apply to hunt saboteurs. The landowner could write to them and say, "Keep off my land. I don't want you to come." If they constantly ignored the landowner and came on to his land, they could not be arrested under this clause unless they intended to intimidate him, obstruct him or disrupt any lawful activity. If they did that, they would be caught. If a hunt or anyone else goes on to private land—whether or not any notification has been received about it—with the intention to disrupt any activities of other people, they will be caught as well, and rightly so.

Mr. Michael: This is an important matter because the Minister is making a point that needs to be understood. As a result of decisions in the House of Lords, what is said in this House is important in the interpretation of the law. Is the Minister asserting that in the circumstances to which my hon. Friend the Member for Sunderland, North has referred—where there has been an invasion of land by the hunt on a number of occasions—that evidence would be addressed by the measure that is in the Bill already? Is he saying that, just as hunt saboteurs can be dealt with under criminal law subject to the evidence that he has discussed, a hunt that trespassed in that way could be dealt with in that way?

Mr. Maclean: I am saying that repeated trespass by anyone is not a criminal offence and will not be a criminal offence under this provision as civil law can be used to stop it. I am also saying that, if anyone—whoever he or she may be—trespasses on someone else's land and commits the offence in the new clause, intending to intimidate, obstruct or disrupt any lawful activity, he or she will be committing an offence and a policeman may take action against that person.

9.15 pm

Mr. A. J. Beith (Berwick-upon-Tweed): I agree with the Minister's criticisms of the new clause but I am anxious about the stories that I have been hearing all day to the effect that the provision may not apply to Scotland. Hunts in my constituency operate on both sides of the border and I am a little concerned that people may be able to disrupt or intimidate the hunt when it gets that far down the road, whereas they cannot do so at this end of the road. Will the Minister advise me on that matter?

Mr. Maclean: I advise the right hon. Gentleman to take the matter up with my right hon. Friend the Secretary of State for Scotland. I am afraid that I cannot be more helpful than that. It must be for my right hon. Friend the Secretary of State to decide what laws he wishes to apply in Scotland.

I wish to conclude my remarks on new clause 21 before coming to some important Government amendments. If a real mischief is being caused because dogs are being allowed deliberately to enter private land and encouraged thereafter to behave in the disruptive ways described in the new clause, the person responsible may be committing the aggravated trespass offence already provided for in clause 58.

Sir Terence Higgins (Worthing): The new clause does not say what my hon. Friend says it says. It does not mention "encouraging" the dogs. That is not the point made in the new clause.

Mr. Maclean: No, it does not have to. The hon. Member for Glanford and Scunthorpe suggested that people may put their dogs on to land and encourage them to cause disruption. Whether they encourage them or not, if they intend to disrupt a lawful activity and threaten others in their lawful activity, they will be caught by the new clause. We use the words "intend" and "intimidate" rather than "encourage", but the practical effect is the same. If people encourage them, they must have some intention to do so.

Mr. Colvin: New clause 21 contains a fundamental flaw because it refers to circumstances in which

"any person responsible for any dog or dogs . . . causes that dog or those dogs to enter land".

It does not state whether the cause is intentional or unintentional. The dictionary defines "cause" as a thing that makes something happen. For the clause to have an effect in law, it must stipulate whether an action is intentional or inadvertent. The new clause as drafted does not do so, so it must be defective.

Mr. Maclean: My hon. Friend makes a good point but I am not relying on that. It is wrong in principle to go down the route suggested by the hon. Member for Glanford and Scunthorpe.

New clause 22 proposes to make it a criminal offence to enter land equipped for the purpose of digging for a wild animal. That proposal is unworkable because until a person actually engaged in digging for a wild animal, there would be no positive means of determining his purpose in entering the land as a trespasser. It would not be acceptable to make it an offence for a person simply to walk on to someone else's property carrying a spade, for example, but that is what the provision would mean. If damage is caused to the land by digging activity, that could constitute an offence; indeed, it is already an offence under the Criminal Damage Act 1971.

Mr. Morley: Does the Minister think that it is normal activity to go strolling around people's land equipped with a spade?

Mr. Maclean: It may not be normal activity for many people to stroll around the countryside carrying a spade, although I can think of some who have done it. *[Interruption.]* Hon. Members acknowledge that they have done it. It is already an offence to dig out wild animals. It is nonsense to suggest that the police should anticipate that someone may be about to do that.

Mr. Michael: Will the Minister give way?

Mr. Maclean: No. The hon. Gentleman can make his own speech in his own time. I must make progress.

New clause 23 seeks to make it an offence for a pack of hounds to be in a field in which there are sheep. Currently, a pack of hounds is one of several exemptions to the general provisions in the Dogs (Protection of Livestock) Act 1953, which makes it an offence for an owner to allow his dog to be at large in a field or enclosure in which there are sheep. I am not aware that packs of hounds, as opposed to any other type of dogs also exempted by the law, pose such a particular threat to sheep that would justify an amendment to the 1953 Act.

New clause 24 seeks to create a new offence in circumstances in which an owner allows his dog to enter private property and injure an animal. The Dangerous Dogs Act 1991 already creates wide-ranging and effective powers in respect of dogs which are dangerously out of control or injure any person. At the same time, under the Dogs Act 1871, magistrates courts have the power to make a control order over a dog that is considered dangerous —a dog that attacks people or animals. Such an order may specify how the control should be exercised—for instance, by requiring a dog to be muzzled or kept on a lead or excluded from specific places such as school playgrounds. I do not consider it necessary to introduce additional controls of the sort envisaged in the new clause.

Some of the proposals seek to criminalise simple trespass per se. Unless there are significant aggravated factors, such as disruption of a lawful activity or threatening behaviour or intimidation, trespass should not be caught by the criminal law but should remain a matter for the civil law. As I have stressed, the powers are not solely about hunting: they are about the disruption of any lawful activity in which people may be engaged. They are entirely even-handed in their effect.

I want to speak to Government amendments Nos. 186 and 187. I said in Committee that I would give careful consideration to the proposals to tackle the nuisance caused by groups who trespass on private land to indulge in the criminal activity of illegal hare coursing, terrorising local people in the process. I congratulate my hon. Friend the Member for Hertfordshire, North (Mr. Heald) on his persistence in Committee in coming up with amendment after amendment to try to focus more carefully on the mischief involved. My hon. Friend was of considerable help to the Government and I must give him most of the credit for coming up with the eventual solution.

We have now produced amendments Nos. 186 and 187, which are amendments to the Game Act 1831 and the equivalent Scottish legislation, the Game (Scotland) Act 1832. They will increase the fine maxima for offences of trespass in search or pursuit of game, which will cover the evil of hare coursing. For England and Wales, where the mischief is more of a problem than in Scotland, we shall give the courts a specific power under the Game Laws (Amendment) Act 1960, so that when convicting a person of more serious poaching offences, they can order the forfeiture of vehicles that have been used to commit or facilitate the commission of the offence.

The measures represent an appropriate response to a distressing and intrusive phenomenon. I hope that they will have a welcome deterrent effect. I hope that they will be welcomed by hon. Members on both sides of the House as, in Committee, Opposition Members were keen to introduce them.

Mr. Maclennan: For the avoidance of doubt, will the Minister say a word about the Government's intentions

[Mr. Maclennan]

regarding Scotland? His reply to my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) was a little misleading. The Minister suggested that it was a matter for Scotland as to whether the provisions on disruptive trespass would apply in Scotland. As I understand it, the Government have tabled an amendment to delete the application of the measures to Scotland—amendment No. 28, which will be considered later.

Mr. Maclean: It is a matter for the Secretary of State for Scotland whether or not he wishes the powers to apply in Scotland. He does not consider it necessary for the confiscation power to apply in Scotland at present. If a time comes when he considers it to be necessary, no doubt he will introduce the relevant Scottish legislation.

Clause 58 is a sensible, balanced measure that will be of help to all those who wish to participate lawfully in any activity in the countryside and do not wish to have it disrupted by people of whatever nature or persuasion who want to disrupt it. The Government amendments introduce proposals to deal with the mischief of illegal hare coursing which I believe will be welcomed by hon. Members on both sides of the House. I commend the amendments to the House.

Mr. Heald: Farmers in north Hertfordshire have been frightened by gangs of men coming up to bet on illegal hare coursing, who threatened the farmers and their wives. Gangs come up for the weekend and drive their four-wheel drive vehicles on to the land, often with shotguns hanging out of the windows. They shoot out of the windows of their vehicles, shout and scream. When they are approached by farmers or the local police, they mouth abuse and make threats. On occasions, haystacks have mysteriously burnt down a few days after a farmer has intervened, windscreens have been smashed and so on. It is a public order issue.

In Committee, I tabled a large number of amendments designed to increase the penalties for what are basically poaching offences and to allow the courts to confiscate the motor vehicles used to commit such offences. In Committee, my hon. Friend the Minister said that he would consider my amendments and, true to his word, he has returned on Report with Government amendments which I am perfectly satisfied deal with a major problem. I thank my hon. Friend for the seriousness with which he has dealt with the matter and for the result that he has produced.

I thank also the Police Federation, the Country Landowners Association and the National Farmers Union for all the support that they gave me in tabling my amendments in Committee. I just want to say thank you very much to them all.

Mr. Andrew Bowden (Brighton, Kemptown): I support new clauses 21 and 22. I make it clear that I totally condemn violence and intimidation by a minority of animal extremists and huntsmen. Both activities are totally unacceptable. It is on record that more huntsmen have been found guilty of acts of violence while involved in hunts than animal extremists, but both must be clearly and roundly condemned.

In dispute is our rule of law, which the House surely accepts must be fair and equitable. On 21 January, my noble Friend the Minister of State, Lord Ferrers, stated in a letter to the hon. Member for Streatham (Mr. Hill):

> "The new powers would protect anyone whose lawful activity was disrupted by trespassers whoever they might be."

In the House, my hon. Friend the Minister said that the powers apply to everyone equally. In practice, that is not true. For an offence to be committed, it will have to be proved that the person was trespassing and that he intended —that is the key word—to obstruct, disrupt or intimidate.

In recent years, there have been scores of cases in which hounds and huntsmen invaded private gardens, property and farmland. To prove such cases is virtually impossible. I shall illustrate that with a specific example, given in a letter from a lady living in Petersfield:

> "In October 1992, we had foxhounds riot through our garden . . . When a hunt official finally arrived, he was rude and arrogant and even appeared to think that the incident was funny . . . I dread to think what could have happened had my animals been free and dozing in the autumn sunshine as they usually do . . . There is no excuse for them to trespass, and claiming that they cannot control their dogs is a weak excuse and not acceptable. The law requires me to keep my dog under control, which is quite right . . . Especially in areas such as ours, where there are many sheep, beef and dairy farms and their animals are extremely vulnerable to a pack of rioting dogs . . .
>
> 'For at least six months of the year, I live in fear when I let my domestic animals outside, I do not suppose you could possibly imagine what that feels like."

Some hon. Members could not give a damn what those people feel like anyway. But the fact is that, under the proposed legislation, it would be impossible for that lady to take action to protect herself. That is why the law as proposed is not equitable and fair.

Every year, some 11,000 hunts meet. When chasing a defenceless wild animal, the hounds will attempt to follow their quarry wherever it runs, whether to railway lines, roads, private gardens, village streets or nature reserves. Some hon. Members have intervened on colleagues and pretended that hunting or controlling foxes in that way makes a difference to the total fox population. As they and the House know, that is sheer undiluted rubbish. At any one time, there could be anything between 300,000 and 500,000 foxes in this country. The hunts kill at the most 20,000 a year. Hunting makes no difference to the fox population whatever.

I regard blood sports as a cowardly and loathsome activity, but this debate is about justice and fairness. I hope that the House will support the new clauses.

9.30 pm

Mr. Paice: I shall comment quickly on Government amendments Nos. 186 and 187, and follow on from what was said by my hon. Friend the Member for Hertfordshire, North (Mr. Heald). I echo what the Minister said about my hon. Friend's amendments, to which I have added my name although I was not a member of the Standing Committee.

The problems to which my hon. Friend referred are widespread throughout East Anglia. They are not unique to north Hertfordshire. In my constituency every Sunday, gangs of people are illegally coursing. It is necessary for us to come to the House and persuade the Government to increase the penalties because, every week, there are people out coursing who the previous week were in court and fined a pathetic £150, or something of that order, which compares unfavourably with the bets that are laid on their dogs every Sunday morning. It is quite commonplace for bets of £1,000, £2,000 or £3,000 to be wagered, which makes the small fines insignificant and simply part of the occupational hazard.

The proposed measures will be welcomed by magistrates, because they wanted the power to confiscate vehicles—something which the magistrates in Cambridgeshire asked for—and by the police, because it will improve the morale of the police who go out and try to arrest those individuals or gangs, when they are coursing illegally, and find it demoralising to arrest them week after week knowing full well that any prosecution will end up with a derisory fine. Most important, the new measures will be welcomed by the many farm owners, landowners and their employees, who suffer intimidation, victimisation and, sometimes, violence at the hands of those gangs. I, too, express my thanks on behalf of my constituents for the fact that the Government have introduced the amendments.

Mr. Roger Gale (Thanet, North): It gives me no pleasure to have to oppose our own Ministers. I am, as is well known, opposed to the hunt. I voted against it in the past and will do so at every opportunity that I am afforded in future. But, equally, I hold no brief for those who indulge in illegal activity, violence and intimidation.

I welcome the Government's proposals in so far as they go, but they do not go as far as my hon. Friend the Minister and my right hon. and learned Friend the Home Secretary claim. They afford considerable protection to those who seek to hunt. They afford no protection whatever in real terms to those people who wish to enjoy their land without the hunt trampling over it.

I shall have to detain the House for a few moments because I want to place on record details of one or two more cases of people who have written to me. They are the type of cases that I hope my hon. Friend the Member for Upminster (Sir N. Bonsor) will be proud to endorse.

From Badger cottage in Hampshire, Eric Ashby, who won the MBE for his services to wildlife, wrote to me on 22 March:

"We have a 10 acre wildlife sanctuary here in the New Forest and have banned the hunts from trespassing for very many years. Eventually, after many incursions, some years ago we obtained a Court Injunction against the New Forest Hounds, but as the Masters have all been changed we no longer have the advantage of the Injunction.

We have a badger sett on our boundary and several hound visits have reduced numbers and since the Injunction expired we had within a few weeks three serious invasions of hounds. Now the once thriving badger sett has declined so much that the sett is no longer occupied.

But even worse, our seven rescued foxes in their grass pens, have been so traumatised that even people talking loudly on the road outside of our boundary frightens them, reminding them that a possible hunt visit might be starting.

This year we already have over 50 families hoping to see and stroke at least one or two of the foxes as they used to be able to do. Now great care has to be taken to persuade them to come to strangers, this is a great strain on us as we do want each visit to be a success.

In the past all our foxes would welcome visitors, coming running to meet them with tails wagging. All that has gone. It really is a terrible situation we now find ourselves in.

If hounds are making their way towards our property, hunt followers line our boundary, and the sound of shouting, cracking whips and galloping horses and hounds added together drives our poor foxes frantic . . . The situation has become quite unacceptable and we dread the thought that we shall have to undergo another season."

That was this year. In 1992, Eric Ashby wrote:

"Our foxes were even more panic stricken than when the buckhounds invaded eight days ago, they were climbing the fences, tearing at the wire, running around as if demented. This evening they appear completely exhausted—and so are we."

This has been going on for a long time. In 1991, he wrote:

"It is not right and fair that we should be subject to the stress and worry of it all, plus the shyness of our badgers and our foxes being now so wary and fearful of strangers owing to hunt disturbance. This is real damage to our way of life and to our animals. Four breeding seasons . . . have now gone by without any badger cubs being born in our natural badger sett."

A letter from Ecsendon Hill in Hertfordshire states:

"I have a 10½ acre small holding in the village with 3 sheep, 2 goats, 2 pigs, a Shetland pony, pigmy donkey, 40 chickens and six doves. The whole affair is run for the benefit of David, a profoundly handicapped Down's syndrome 7½ year old boy."

The writer says that he is the boy's custodian and father. The letter states in respect of an incident:

"I raced to the scene shouting and hollering—the dogs had ripped the backside out of the deer but it was still very much alive. I let the dogs finish the job—the poor animal screaming."

From Eyton, Leominster in Herefordshire, a letter about the Ludlow hunt states:

"I could see my own animals just fleeing in terror . . . and many more were chased in pure terror down my long drive . . . We were met with what I can only describe as arrogant indifference from the Master of the hounds—we were barely acknowledged when I told him how undisciplined I thought the hounds were as not one had obeyed the horn or the calling of the 'whipper-in' . . . Some of my animals were stuck . . . in hedges and had to be pulled out backwards".

The letter continues in a similar vein.

A letter from Pett Bottom in Canterbury states:

"To my knowledge our land has been invaded by the East Kent Hunt on at least six separate occasions."

I have a stack of such letters which go on and on. Each one is from a person who wanted to enjoy his own property in peace, without having a hunt trample all over it.

When the measure was first mooted, long before the Bill was published, I wrote to my right hon. and learned Friend the Home Secretary because I and the all-party animal welfare group, which I have the privilege to chair, were concerned about whether the measure would be even handed. I wrote on 8 November last year. On 29 November my right hon. and learned Friend replied:

"The proposals do not apply solely to any specific group of people. The purpose of the proposed legislation is to provide protection for those engaging in lawful activities, whoever and whatever they may be, from trespassers using disruptive behaviour."

Let us keep that letter on one side for the moment.

On 24 January this year, my right hon. and learned Friend wrote to my right hon. Friend the Secretary of State for Social Security:

"We therefore also take the view that it is for landowners, including local authorities, to choose whether or not to allow hunting on their land".

Are local authorities to be given the right under the Bill to choose whether to allow huntsmen to cross their land? The letter continues:

"It is quite unacceptable for hunters or hunt saboteurs—or anyone else—to assume that they have the right to enter private land without the occupier's permission. The new powers, outlined in my earlier reply, would protect anyone whose lawful activity was disrupted by trespassers, whoever they may be."

It is clear that my right hon. and learned Friend believes that the clauses in the Bill as it stands afford protection to all, not only to some. Indeed, to be fair, my hon. Friend the Minister reaffirmed that tonight.

A letter to the hon. Member for Glanford and Scunthorpe (Mr. Morley) on 11 February stated:

"Where hunters commit other offences, such as criminal damage, the general criminal law applies."

My hon. Friend the Minister wrote to me on 21 March and said that aggravated trespass will deal with

[Mr. Roger Gale]

"the activities of those who deliberately try and disrupt or obstruct a perfectly lawful activity or intimidate those involved in that activity".

However, for hunters, like hunt protesters, the letter said:

"unless they enter that land with the intent to obstruct or disrupt a lawful activity, then they will not have committed the offence of aggravated trespass."

All that is absolutely clear and, indeed, that is precisely what my hon. Friend the Minister has said tonight.

I shall return to the letter of 29 November from my right hon. and learned Friend the Home Secretary. It said:

"The proposals do not apply solely to any specific group of people. The purpose of the proposed legislation is to provide protection for those engaging in lawful activities whoever and whatever they may be".

In other words, my right hon. and learned Friend and my hon. Friend the Minister believe that the Bill is even-handed.

I have taken counsel's opinion. I am not at liberty to name him, but I am at liberty to say—[HON. MEMBERS: "Name him."] I shall not, only because I have not sought the man's permission to name him. [HON. MEMBERS: "You should have."] Perhaps I should have, but let me quote what he says; if, in due course, he reads the report of the debate and chooses to make his name known, it would seem to be entirely proper. My hon. Friend the Member for Upminster is a very learned silk. I went to the Queen's Counsel and sought his advice, because my right hon. and learned Friend is also a learned silk, I am not a lawyer and I wanted to match legal brain power with legal brain power. The counsel's opinion was:

"You ask three questions:

Does the Bill at present reflect the stated intentions of the Home Secretary?

Answer: Yes, and no."—*[Interruption.]*

Fortunately, I was not paying the bill—

"The clause will, so far as the criminal law can be effective,"—

Sir Nicholas Bonsor: Will my hon. Friend give way?

Mr. Gale: No. The opinion continues:

"The clause will, so far as the criminal law can be effective, protect landowners and others lawfully on the land from trespassers using disruptive behaviour.

The draftsman has chosen to make the offence, not one of strict liability but requiring the prosecution to prove mens rea. This obviously makes it more difficult to bring home a conviction. It will obviously be easier to persuade a Court that hunt saboteurs intend the necessary consequences of their actions, than it will be to demonstrate an intent by the hunts to do so. Indeed I think it would be difficult to obtain a conviction against a hunt which is trespassing.

Would the suggested new clause reflect the stated intentions of the Home Secretary?

Answer: No. It would not be evenhanded. It is focused almost exclusively on the hunts."

Mr. Alex Carlile: Will the hon. Gentleman give way?

Mr. Gale: I have said no once. We are short of time.

Hon. Members: He is a QC.

Mr. Alex Carlile: I do not want to enter into a contest of lawyers, but does the hon. Gentleman really believe that it is right to render people liable to punishment even by imprisonment if they commit an act inadvertently?

Mr. Gale: I am grateful to the hon. and learned Gentleman—

Mr. Michael Colvin (Romsey and Waterside): Answer the question.

9.45 pm

Mr. Gale: I shall answer the question. I am grateful to the hon. and learned Gentleman for placing in order a comment that I might otherwise not have been able to make. I do not propose to support the new clause tonight. [HON. MEMBERS: "Why not?"] I shall not support it because I have tabled two amendments to a later part of the Bill, which I intend to move tomorrow night, if necessary, and to press to a vote, unless I can secure some form of undertaking from my hon. Friend.

My amendments are based on the counsel's opinion, which said:

"Q.3 Is there a reasonably simple way of amending clause 52, to *reflect* the intentions of the Home Secretary or otherwise?

A.3 Yes. 'A person commits the offence of aggravated trespass if he trespasses on land in the open air, and in relation to any lawful activity which persons are engaging in or about to engage in on that or adjoining land in the open air *which has the effect of*"—

doing various things. That would remove the mens rea, so that is an answer to the hon. and learned Member for Montgomery (Mr. Carlile).

The counsel continued:

"Since the wording would lessen the degree of criminality, in that it would become a strict"—

Mr. Alex Carlile: Will the hon. Gentleman give way?

Mr. Gale: No.

Mr. Carlile: On that very point?

Hon. Members: Go on.

Mr. Gale: Let me finish, and then I shall give way.

"Since the wording would lessen the degree of criminality, in that it would become a strict liability offence, I would amend sub-clause 3 to make the penalty non-imprisonable. The benefit of making the offence one of strict liability will be more nearly to equate the level of criminal responsibility between the huntsman and hunt saboteur."

Mr. Carlile: Does the hon. Gentleman realise that one consequence of his proposal would be that if, for example, I happened to lose control of my car because it burst a tyre, and it went through his hedge into his garden, I would be guilty of his suggested criminal offence? Surely that is an absurd proposition of law. Yet it follows clearly from the words that he read out, to which I listened with extreme care.

Mr. Gale: That would be an absurd proposition, and it is not what my amendment suggests.

I realise that there are many hon. Members who will choose to rubbish any suggestion made tonight or in future to try to make the measure—half of which most of us support—more even-handed. However, I must tell the Home Secretary and the Minister that I entirely accept the possibility that the new clause may be flawed. I am also prepared to accept that there are likely to be differences of opinion between lawyers and that my amendments, which may or may not be debated tomorrow night, may not be perfect either.

However, I am certain that the Home Secretary has given a clear undertaking that he intended to introduce even-handed legislation, and that the Minister of State has expressed his belief that the legislation is even-handed. I am equally certain that not one animal welfare organisation

believes that it is even handed. Many people believe that the measure as it stands is likely to prove a legal dog's breakfast that will make the Dangerous Dogs Act 1989 pale into insignificance—we heard some intimation of that a few moments ago.

I seek from the Minister, and hope to obtain, a clear confirmation that he will take the idea away and consider it with the Home Secretary, and if necessary introduce an amendment in another place that will make the Bill the even-handed legislation that we all believe is necessary.

Mr. Michael: I commend the courage of some Conservative Members, such as the hon. Member for Thanet, North (Mr. Gale), who have sought to inject balance into an ill-considered part of the Bill. There may be deficiencies in the new clauses or in the amendments tabled by the hon. Member for Thanet, North, but there are also certainly failings in the Bill as it stands.

Unlike some of his Back Benchers, the Minister has not sought to condemn or to deal with hunts that disrupt lawful activities, as he has sought to tackle those who seek to disrupt hunts. The lack of balance lies in the fact that opponents of hunting can be arrested because a police officer thinks that they intend to do something. They can be banned from returning to an area for three months. That is more draconian than what happens to those who offend by rape, violence or other serious offences.

In Committee, hon. Members who support hunting said that the code of conduct for masters of hunts would prevent the irresponsibility that has been well documented by hon. Members on both sides of the House, the League against Cruel Sports and others. All we seek is balance. Those matters are not being dealt with by the Bill, whereas the disruption of hunting is. If the code of conduct is so stringent, no responsible hunt would be at risk from the new clause.

With regard to the new clause relating to badgers, the Minister ridiculed the real problem and ignored the fact that people have been able to use a gap in the law to dig for badgers and pretend that they have been doing other things. Those are two gaps in the law which need to be addressed. They are addressed by new clauses 21 and 22 and that is why we should support both of them.

Sir Nicholas Bonsor: I had not intended to speak, but I have been provoked into doing so by my hon. Friend the Member for Thanet, North (Mr. Gale). There are three short points that need to be put on the record. First, those who support the new clause, which proposes to attack hunting, are clearly not capable of distinguishing between an inadvertent act of trespass and a deliberate act of trespass to disrupt the lawful pursuit of someone else. It is only the latter that the new clause seeks to address. In addressing the problem, the new clause is even-handed in its treatment of those who participate in such activities, and any argument to the contrary is ill-founded.

Secondly, it was alleged that much of the violence has come from the hunting side. I certainly accept that some people have been successfully prosecuted for violence in those circumstances. However, there is a clear distinction, which fair hon. Members will accept, between those who are pursuing a lawful pursuit, who are being harried, chased and attacked by others and who retaliate in a way which is not allowed under the law but which is the result of extreme provocation, and those who pursue others and attack them deliberately in order to make it impossible for them to carry out their lawful activities. The latter is indulged in by hunt saboteurs, and members of the hunt who have been convicted of violence are convicted only in circumstances in which there has been extreme provocation. I am not saying that that is an excuse. It is not an excuse in law, but it is a distinction.

Thirdly, I come to the Queen's Counsel's opinion that my hon. Friend said he had received—I have no doubt that he received it. It would be interesting to know who that QC was. It would also be interesting to know who paid for the opinion, as my hon. Friend told us that he did not. I do not think that there is any value in the opinion because, as any lawyer knows, the value that comes out of an opinion depends on the brief that has gone in to instruct it. If the brief went in from an organisation such as the League against Cruel Sports, it would be a case of rubbish in, rubbish out.

Question put, That the clause be read a Second time:—

The House divided: Ayes 248, Noes 303.

Division No. 196] **9.53 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Bowden, Andrew
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Cofley, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faichett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*

Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hume, John
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Bdgn)*
Khabra, Piara S.
Kilfedder, Sir James
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Dennis Turner.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Begg, Roy
Beith, Rt Hon A. J.
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Harvey, Nick
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*

Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maginnis, Ken
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, John M. *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Irvine Patnick and
Mr. James Arbuthnot.

Question accordingly negatived.

It being after Ten o'clock, further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Criminal Justice and Public Order Bill may be proceeded with, though opposed, until any hour.—*[Mr. Andrew Mitchell.]*

Question agreed to.

New Clause 22

DIGGING FOR WILD ANIMALS

'(1) . If any person enters land equipped for the purpose of digging for a wild animal sheltering in a subterranean refuge, he shall be guilty of a criminal offence unless he can show that, at the material time, he had the permission of the landowner or occupier to dig for that wild animal.

(2) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale, or both.'.—*[Mr. Morley.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 253, Noes 302.

Division No. 197] **[10.07 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Bowden, Andrew
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Higgins, Rt Hon Sir Terence L.
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug

Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hume, John
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Killedder, Sir James
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Sir Teddy *(Southend, E)*
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Dennis Turner.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Begg, Roy
Beith, Rt Hon A. J.
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushf)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Harvey, Nick
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas

MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maginnis, Ken
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, John M. *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bex'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Irvine Patnick and
Mr. Andrew Mitchell.

Question accordingly negatived.

New clause 42

SUPPLY AND VIEWING OF VIDEOS LIKELY TO HARM CHILDREN

"-(1) In subsection (2) of section 7 of the Video Recordings Act 1984 ("the 1984 Act") (Classification certificates), at the end, there shall be inserted the following words—

"; or

(d) a statement that, either because it presents an inappropriate model for children, or because it is likely to cause psychological harm to a child, no video recording containing that work is to be supplied for private use, or viewed in any place to which children under the age of 18 are admitted."

(2) After section 12 of the 1984 Act there shall be inserted the following section—

"12A. Where a classification certificate issued in respect of a video work states that no video recording containing that work is to be supplied for private use, or viewed in any place to which children under the age of 18 are admitted, a person who

(a) supplies a video recording containing the work for private use,

(b) offers to do so, or

(c) permits the video work to be viewed in a place to which children under the age of 18 are admitted

is guilty of an offence, unless the supply or viewing is made for the purpose of arrangements made by the designated authority.".'.—[*Mr. Alton.*]

Brought up, and read the First time.

Mr. David Alton (Liverpool, Mossley Hill): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss also new clause 107—*Definition of an obscene article (computer pornography)*—

'In section 1(2) of the Obscene Publications Act 1959 (definition of an article) there shall be added at the end after the word "pictures" the words "or any items which store data for immediate or future retrieval".'.

Mr. Alton: The House will be relieved to know that, instead of the protracted debate that many had expected would take place this evening, it may be possible to curtail both the debate and the need to make the kinds of arguments that people had anticipated would be made in the House this evening. That will be possible not least because the Home Secretary has been very obliging to those who have approached him and spoken to him directly about these issues, both today and in the weeks preceding the debate. He has been open to the arguments which have been put before the House by me and by many other colleagues.

I couple with those remarks my thanks to the hon. Member for Sedgefield (Mr. Blair), the official Opposition spokesman on home affairs, who has also intervened in order to try to make progress on the issue of video violence which is covered in my new clause.

I will briefly paint the background to the issue in order to put the debate in context. More than a year ago, I asked the House whether it would support an early-day motion, which I tabled, to establish a royal commission to look into the effects on the community of levels of violence both on television and on video. More than 100 Members from both sides of the House supported that call.

I still believe that there should be a major long-term study to examine the links between real-life violence and that which is transmitted by the media. Since that early-day motion, a number of cases have come before the courts which have involved the use of videos and videos have been cited in the course of those court cases. I think particularly of the Suzanne Capper case in Manchester, where a young woman was tortured and brutally murdered while the sound tape of the movie "Child's Play 3" was transmitted to her. Quite recently, in a case in Cardiff the video "Deuce" was cited as an influence on the young people who were involved in a terrible murder.

Therefore, the Criminal Justice and Public Order Bill provides an opportunity for the House to address this issue and to consider action which it might be appropriate to

[Mr. Alton]

take. I say at the outset that I am especially grateful to hon. Members from both sides of the House for their support. More than 220 right hon. and hon. Members have signed the new clause. They are drawn from all parts of the political spectrum and from all political parties.

The co-sponsors of the new clause—the hon. and learned Member for Burton (Sir I. Lawrence), the right hon. Member for Selby (Mr. Alison), the hon. Members for Birmingham, Ladywood (Ms Short), for Worsley (Mr. Lewis), for Stockton, North (Mr. Cook) and for Belfast, South (Rev. Martin Smyth), and my hon. Friend the Member for Rochdale (Ms Lynne)—have been especially helpful in formulating the new clause and ensuring that it has enjoyed the support of many people in many parts of the House of Commons.

In addition, the National Society for the Prevention of Cruelty to Children and the Professional Association of Teachers have given their support to the new clause. I know that hon. Members on both sides of the House have been instrumental in ensuring the support of those two agencies, for which I am grateful.

My new clause has three aims: first, to open the debate; secondly, to demonstrate widespread concern; and, thirdly, to stimulate change. I think that in all those respects it has achieved its purpose.

I refer the House briefly to the report that was published only a few days ago over the Easter recess by Professor Elizabeth Newsom and her colleagues—some 25 psychiatrists, psychologists and paediatricians who are some of the most distinguished and eminent people in their field. Suffice it to say—many hon. Members will have seen the report—that what they have said represents a major change from the previously accepted orthodoxies.

The report states:

"Many of us hold our liberal ideas of freedom of expression dear, but now begin to feel that we were naive in our failure to predict the extent of damaging material and its all too free availability to children. Most of us would prefer to rely on the discretion and responsibility of parents, both in controlling their children's viewing and in giving children clear models of their own distress in witnessing sadistic brutality; however it is unhappily evident that many children cannot rely on their parents in this respect. By restricting such material from home viewing, society must take on a necessary responsibility in protecting children from this as from other forms of child abuse."

Those are the words of the eminent and distinguished psychologists to whom I think that we should pay enormous attention.

Mr. Donald Anderson (Swansea, East): That brave volte face on the part of so many distinguished scientists was supplemented by a call that I had today from the leading child psychiatrist in my city, who said that she sees the malign effect of that diet of violence every day in the children whom she interviews and totally supports the hon. Gentleman's proposal.

Mr. Alton: I am grateful to the hon. Gentleman. That is in line with the evidence given last September to the House of Lords Broadcasting Group, when Professors Sims and Gray, professors of psychiatry and paediatrics respectively, pointed to

"a vast world literature, more than 1,000 papers, linking heavy exposure to media violence with subsequent aggressive behaviour".

I appreciate that there are varying views about that. I do not claim that there is a proven demonstrable link. Indeed, it is extremely hard to prove such a link. But most of us with any common sense recognise that video and television images are likely to have an effect on those who see them, which is why I commend to the Home Secretary the idea of a long-term research project to look at those questions. It should involve those leading psychiatrists and the eminently distinguished people who signed that paper.

I also commend the research of Dr. Susan Bailey, the forensic scientist who works for the Home Secretary. She looked at 40 juvenile offenders who committed some of the worst and most violent crimes ever committed in the UK. She says that, in 25 per cent. of those cases, the youngsters had been exposed to high levels of gratuitous violence. A recent poll showed that more than one in 10 adolescents feel violent having watched a violent film.

In addition, public opinion has been changing. Last Sunday's *Observer* newspaper published a poll showing that 70 per cent. of people want tougher regulations to deal with violent video and television material. I was not surprised, therefore, that when my new clause became public knowledge, petitions bearing more than 100,000 signatures arrived in support of the terms of the new clause and I presented them in the House just before the Easter recess. The petitions were signed by many ordinary parents who know that it is not enough simply to leave the matter to parents. However good a parent may be, children go into other people's homes where they are exposed to material which their parents would not wish them to see.

What control can parents have, especially when, as the Consumers Association points out, many children who are under age gain access to those videos? The Consumers Association published a report in *Which?* magazine saying that one in 10 of the children receiving videos had no membership card and were not entitled to the videos that they were obtaining. A woman to whom I was talking only yesterday told me that a six-year-old child was able to take the family's membership card to a local video shop and obtain an 18-rated video. Hon. Members on both sides of the House know as well as I do that that is a fact of life in our country today.

Home Office figures show that 1.1 million children watch television for one and a half hours after watershed. That, too, is an issue to which the House must return.

It is not entirely surprising that there has been some scaremongering about the new clause, as huge vested interests are involved. Last year alone, some £650 million was generated by 18 and 15-rated videos. It would be surprising, therefore, if some of those who might be affected did not react. It is worth calling in aid yesterday's leader in *The Times*, which said:

"This amendment does not advocate a mindless ban on even the most benign horseplay. It seeks to extend the powers of the British Board of Film Classification to judge, in an intelligent and conscientious way, each individual film on its own merits and to decide which of them should be put definitively beyond the reach of children."

That is what the new clause seeks to do by introducing new categories of "not suitable for home entertainment" based on whether the model may be inappropriate for children or may cause them psychological damage. The proposal is perfectly workable and enforceable, according to much respected opinion and legal opinion. Again, I can see there is an alternative view. The House of Commons and the Home Secretary have to come up with something that is workable and that satisfies all sides of the argument. I fully appreciate that.

I believe that my new clause would catch about 3 per cent.—perhaps 3 or 4 per cent.—of the ultra-violent videos. The idea that it sets out to catch "Schindler's List" or, dare I say it, "Toad of Toad Hall" or "Tom and Jerry" —I even heard "Bambi" mentioned—is so absurd as to be beyond belief. No one in the House of Commons seriously believes that that is the intention of a single signatory of the new clause. If the British Board of Film Classification cannot tell the difference between "Bambi" or "Toad of Toad Hall" or "Schindler's List" and something like "Child's Play 3", it is time that we got a new British Board of Film Classification.

For the industry to rely on gratuitous violence or degrading material to justify its existence is a disgrace. The presence in our society of a depraved video culture is a subject to which we in the House of Commons should return. I hope that the Select Committee on Home Affairs will have a chance to look at the subject in detail.

10.30 pm

I was affected by something that the hon. and learned Member for Burton said to the House some months ago. He told us that in the United States of America, before a child reaches the age of five, he or she will have seen about 20,000 homicides. Do we want that disease in this country, too? We must draw a line between censorship, to which all of us feel a great aversion in principle, and the protection of children. With 46,000 children in this country on child protection registers, through fear of physical or sexual abuse, all of us must think deeply about how we can cope with gratuitous violence, penetrating and saturating our homes and living rooms day in, day out. Our first obligation must always be to those children.

Mr. Frank Cook (Stockton, North): I am anxious to nail the argument of those who say that such material is innocuous and does not cause harm. If that were so, what is the justification for the amount that we spend on video material to train our military, our tank and air crews, and those in industry and education? Why do we waste so much money on that if it does not have an impact on the recipients?

Mr. Alton: In addition, why does the advertising industry spend £1.6 billion trying to sell us its wares if such material does not have an effect on anybody? It seems an extraordinary waste of money if that is the case. The hon. Gentleman is right, which is why we must take such issues very seriously.

I first gave my new clause to the Home Secretary when the right hon. Member for Selby (Mr. Alison) and I went to see him. He was courteous when he met us to discuss the issue about three months ago. Before that, my hon. Friend the Member for Caithness and Sutherland (Mr. Maclennan) and I met the Home Secretary last year, when I also raised some of the issues. I know that the Home Secretary has tried to respond at every stage. The new clause has also been with the industry for that period, so there has been an opportunity to discuss it at length and for people to come forward with alternatives.

My new clause has widespread support throughout the House, including that of 220 right hon. and hon. Members, among them a clutch of former Ministers. I have also had the helpful support of the right hon. Member for Manchester, Gorton (Mr. Kaufman), who wrote a superb article in this morning's edition of *The Daily Telegraph*. He advanced a powerful argument revealing the differences between censorship and protection. The effect has been to show the House of Commons at its best. It has demonstrated how people can come together on an issue that has nothing to do with party politics and can be resolved in a common-sense and adult way.

I am grateful that the Home Secretary has been able this afternoon to announce on television—no doubt he will say more to the House in due course—measures that will lead to tighter enforcement. I strongly welcome his moves to introduce penalties that will result in increased fines and imprisonment for those who sell such videos to children who go into shops where they should not be given access to such violent material.

Ms Angela Eagle (Wallasey): I have been listening carefully to the hon. Gentleman's arguments. Did he see the report today about the viewing habits of known offenders compared with the viewing habits of children of the same age who had not offended? Did the hon. Gentleman notice that viewing patterns tend to revolve around programmes such as "The Bill" and soap operas? The report's most significant point was that offenders are in large numbers readers of *The Sun*.

Mr. Alton: I will resist the temptation to be drawn into a wider debate about the quality of our newspapers, but I accept the hon. Lady's point that many other factors are at work in society. People misrepresent my position when they suggest that I naively believe that the only influencing factor in the development of young people is exposure to video violence. In the sick culture that exists in so many parts of urban society, as the hon. Lady knows, youngsters have so little of value or quality to fill their lives that violent videos, drugs and pornography become substitutes. Surely we can do better for our young people. We owe them an obligation to try.

Mr. Gareth Wardell (Gower): In 1982, I introduced a ten-minute Bill that eventually became the Video Recordings Act 1984. Does the hon. Gentleman believe that a way forward for the Home Secretary would be to draw to the attention of all magistrates the fact that, under the 1984 Act, they can impose a fine of up to £20,000 for a first offence of renting or selling a video that is not classified for the age group of the person to whom the video is rented or sold? Would it help to inform magistrates that that is already the law?

Mr. Alton: That sounds like a very constructive suggestion. I will leave Home Secretary to elaborate on penalties and fines.

Mr. Patrick Thompson (Norwich, North): The hon. Gentleman referred to young people and education and to the Professional Association of Teachers, in which I declare an interest. Is the hon. Gentleman aware that the association conducted a survey earlier this year, the results of which will be published soon? It found that a significant number of teachers believe that current safeguards designed to protect children from exposure to adult entertainment are not working. In particular, teachers believe—among other things—that the current system of film classification is not tough enough, with some material classified with an age rating too low for its content. Is not that survey likely to support the hon. Gentleman's arguments?

Mr. Alton: The hon. Member for Norwich, North (Mr. Thompson) has given significant support during the progress of the Bill. I am grateful to him and to the Professional Association of Teachers, whose report I have read. It refers also to behavioural problems in the classroom caused by youngsters watching television often as late as midnight and being exposed regularly to violent video material. We should listen to our teachers. That may be another factor in the discipline problems that confront them in our schools.

Before entering the House, for six years I worked with children with special needs. I accept that not every child will become a psychopath or commit violent crimes as a result of exposure to such material. However, if there is no parental support and things are taken out of context, we should not be surprised that such material may tip over the edge a child who is anyway predisposed to committing a violent crime.

The second point made by the Home Secretary in his statement on television this afternoon was the need for greater rigour by the British Board of Film Classification, which I strongly welcome. But neither measure would have been enough unless the Home Secretary had been prepared to go the extra mile of introducing legislative safeguards, which he has agreed to do.

I welcome his support and his willingness to introduce an amendment when the Bill goes to the other place which will incorporate the two criteria mentioned in my new clause, of material that

"presents an inappropriate model for children"

and is

"likely to cause psychological harm to a child",

among those that the right hon. and learned Gentleman will draw up for the British Board of Film Classification to examine when it judges the suitability of films for general circulation in the future. I believe that that represents significant progress. It shows the House of Commons and Parliament at its best. It shows us listening to public opinion. It shows the Government listening to Opposition colleagues and particularly to Back-Bench opinion in Parliament.

The Home Secretary also said that he will involve those who have taken part in the debate in the drafting of the amendment that will be introduced in the other place. That, again, is the sort of guarantee that I would have been looking for. Therefore, in that spirit, I am happy to say to the Home Secretary that it will not be my intention to press my new clause to a Division. If he is able to give the assurances which I understand he is—from what he has been saying publicly today and in the meetings to which I have alluded—there should be no reason for the House to divide. I hope that we will be able to make progress together on this important question.

The Secretary of State for the Home Department (Mr. Michael Howard): The hon. Member for Liverpool, Mossley Hill (Mr. Alton) has provided us this evening with an opportunity to consider an extremely important issue —the concern that is widely felt about the availability of unacceptable videos. I hope that no one will be in any doubt that the Government share those concerns and have acted to translate them into action. Indeed, since we came to office, the legal position governing the availability of videos has been transformed. In 1984, controls over the availability of videos were introduced in the Video Recordings Act 1984, a private Member's measure sponsored by my hon. Friend the Member for Luton, South (Mr. Bright) to whom we all owe a great debt of gratitude. I pay tribute, too, to the hon. Member for Gower (Mr. Wardell), whose ten-minute Bill was referred to earlier.

Much of the argument that has taken place outside the House on the issues raised by the hon. Gentleman's new clause has been irrelevant to the questions that we have to decide. Reams of newsprint have been devoted to the question whether there is any evidence that human behaviour can be influenced by what people see on videos. For my part, I have never been in any doubt that it can. It seems to me self-evident that, just as human behaviour can be influenced for the good by what is seen in the theatre, on film or video, so it can be influenced for the bad. Much argument is centred around whether it is appropriate to have a regime of censorship in this area. We already have censorship. Indeed, we already have a system of control that is the most rigorous in Europe and, probably, in the western world.

I hope that the House will forgive me if I take just a minute or two to explain exactly how the present system works. All video works, except those falling into a few exempted categories, must be submitted for classification to the British Board of Film Classification before they can be supplied on a commercial basis.

The board may decline to issue a certificate altogether —and sometimes does—or require cuts. If a work is classified, it is placed in one of a number of categories. It might be one of unrestricted supply, or it might be supplied only to persons over a certain age—15 and 18—or supplied only through licensed sex shops. It is an offence under the Video Recordings Act to supply, or possess for supply, an unclassified work, with a maximum fine of £20,000, or to supply a work to someone below the relevant age, where the maximum fine is £5,000.

The board is formally required as a condition of designation not to classify any work that would be unlawful—for example, obscene—and to pay special regard to the fact that the works will be viewed in the home without the access control that exists in the cinema. That latter point is particularly relevant in the present context, because it means that, if the board really is persuaded that a work is unsuitable for viewing in the home, it can, and does, refuse it a certificate.

We have one of the most rigorous control systems in the western world. But it is quite clear from the extensive support that the new clause has attracted that many think that it needs to be strengthened further. I recognise and share that concern.

Mr. Beith: Will the Home Secretary give way?

Mr. Howard: I shall complete this part of my remarks.

There are a number of different ways of tackling the problem.

I have made it clear from the outset that, while I understand the sentiments that underlie the new clause tabled by the hon. Member for Mossley Hill and which have motivated those who have expressed support for it, I cannot accept the new clause itself. The effect of the new clause, whatever the hon. Gentleman might have intended, would be to ban the supply to adults of all videos that are unsuitable for viewing by children. That would, in my view, go much too far and would be deeply unpopular with our constituents once they understood its scope.

10.45 pm

Of course I want to tackle what we all agree is a very worrying problem. I have therefore had extensive discussions with the people most closely involved in the issues and would like to propose to the House an alternative approach which in my view will meet the concern that has been expressed.

That approach has three elements. First, it relies on more rigorous enforcement of controls under the Video Recordings Act 1984. The Bill already contains provisions that will make it easier to investigate widespread offences. That is achieved through clause 77, which enables local authority trading standards officers to investigate offences under the Video Recordings Act which are part of a chain of supply in their area but which are committed outside their area. That will enable them to investigate an entire chain of supply and will significantly improve the enforcement of the Act.

The Bill also expands the definition of video work and video recording to include moving images which are electronically stored on a recording device other than a magnetic tape or disk. That will ensure that the law keeps pace, as it must do, with developing technology such as computer pornography.

Sir Teddy Taylor (Southend, East): In view of the great assurance that the Home Secretary has given, does it not cause him great concern that, 10 days ago, the EC Commission sent an official notification to the Secretary of State for National Heritage that it plans to challenge in the European Court the Government's policy of national licensing for the use of pornographic video films sent by satellite television, which enabled the Government to stop the import of filthy videos? Does not the Home Secretary think it very strange and unfortunate that the Government have not announced the fact that 10 days ago they received official notification of prosecution in the European Court?

Mr. Howard: The considerations that apply to the problem to which my hon. Friend refers are not the same as those which would apply to video recordings. I do not think that he need be concerned that the controls that I am announcing will fall foul of any European legislation.

The recent debate has revealed a widespread perception that the provisions that I have just identified are by themselves not enough. I want to make absolutely sure that dealers who flout the provisions by supplying videos to underage children, or by supplying videos which have not been classified at all, face stringent penalties. They should be under no illusion that they can get away with such behaviour merely for the price of a fine which they might well regard as just another business expense.

I therefore propose to provide a penalty of imprisonment to deal with the worst cases. Those who supply videos in breach of an age classification will face the possibility of up to six months in prison, while those who supply unclassified works will be liable to a maximum sentence of two years' imprisonment as well as an unlimited fine. That is the first element of my approach.

The second element involves the British Board of Film Classification with which I have been discussing these issues for some time. I know that the board already takes care in its task of classifying videos and that it is especially conscious of the need to maintain public confidence in its operations. It recognises that it has a responsibility to respond to public concerns and that public attitudes to the depiction of violence are changing. Consequently, it accepts the need for its classification decisions to reflect those changing attitudes and it proposes to stiffen the standards that it applies when classifying works. It will mean that some works which are at present placed in the 15 category will be placed in the 18 category and others will be refused a certificate altogether. In other cases, works will be classified only on condition that significant cuts are made.

The third element of my strategy will underpin and help to deliver the tougher standards from the BBFC. I propose that the Video Recordings Act should be amended to require the BBFC to take into account certain factors when it decides whether to classify a video and, if so, in what category to put it. We will obviously need to consider carefully what those factors should be, but they would include—for example, whether a work may cause psychological harm to a child and whether it portrays techniques that it would be undesirable for a child to imitate.

Mr. Gareth Wardell: Will the Home Secretary clarify one point? Would the legislation be retrospective so that existing videos which have received a BBFC classification, let us say for the age of 15, would be changed if the BBFC is required to uprate them to an 18 category? How will he deal retrospectively with videos that are already in existence and have already been classified?

Mr. Howard: I doubt that it is possible to deal with that problem. There are some 24,000 separate works in existence in the country and, of course, each work can be copied any number of times. I have given some thought to the question that the hon. Gentleman has raised. It is a serious question, but I see no practical way in which his concern could be met.

Mr. William Cash (Stafford) *rose—*

Mr. Alton *rose—*

Mr. Howard: I shall give way first to the hon. Gentleman.

Mr. Alton: I am grateful to the right hon. and learned Gentleman. He will be well aware that videos such as "Child's Play III" have been very much at the heart of the debate. Therefore, will he give some consideration to specific videos where a referral or even a judicial review to the BBFC takes place, perhaps through Members of Parliament or some other agency that he may care to name, so that there is some way by which the public are able to draw to his attention specific videos which are already in circulation without having to go throughout the entire library—a point that I well understand?

Mr. Howard: I shall certainly consider very carefully the point that the hon. Gentleman makes. I appreciate his recognition of the practical difficulties to which I referred earlier and I am certainly prepared to consider his point.

Mr. Cash: Will my right hon. and learned Friend give us an assurance that, in dealing with the question through the board of censors, we will be guaranteed that it will not merely have a wider discretion, but that there will be an obligation imposed on it with strict criteria to ensure that the mischief that the hon. Member for Liverpool, Mossley Hill (Mr. Alton) has brought to the attention of nation will

[Mr. Cash]

be dealt with properly? There are many people who have very little faith in the manner in which the discretion is currently being exercised by the board.

Mr. Howard: My hon. Friend will appreciate that the whole purpose of the package of measures which I am putting forward is that a more rigorous approach be taken. If he is patient for a moment or two, he will see how that package will achieve the objective which he and I share.

I have mentioned some of the criteria which we intend to designate. Of course, we shall want to consider carefully the criteria which will be set out on the face of the Act, but our aim is that the legislative framework governing the BBFC's discharge of its responsibilities should reflect the spirit of the criteria set out in the new clause introduced by the hon. Member for Mossley Hill. I shall certainly consult him and others with an interest before bringing forward a suitable amendment in another place.

Mr. Colvin *rose—*

Mr. Howard: May I finish the point, as it deals with the point raised by my hon. Friend the Member for Stafford (Mr. Cash)?

The presence of the statutory criteria will reinforce the more rigorous approach by the board which it has agreed to take. The criteria will also make it easier for the decisions of the board to be made the subject of judicial review. My hon. Friend the Member for Stafford will appreciate the significance of that point.

I believe that those three measures taken together constitute a substantial strengthening of the existing arrangements. I am grateful to the hon. Member for Mossley Hill for suggesting that the measures go a long way towards meeting his concerns. I am grateful to the hon. Gentleman and others, including the hon. Member for Sedgefield (Mr. Blair), for their helpful and constructive approach to the question. It has enabled us to produce what I believe is a real improvement on the existing position and one which I hope will be welcomed by the House and by all those responsible, concerned members of the public who have made their views known to us.

Before I finish my speech I shall give way to my hon. Friend the Member for Romsey and Waterside (Mr. Colvin).

Mr. Colvin: I am grateful to my right hon. and learned Friend for giving way before concluding his speech. He will recall that during the passage of the Computer Misuse Act 1990, which I had something to do with, a problem arose concerning proper powers for the police to enforce its proposed provisions. My right hon. and learned Friend has not so far said anything about powers of enforcement, and he is aware that, under the Police and Criminal Evidence Act 1984, there are limitations on police powers of entry and search. Will he undertake to bear in mind the difficulties of enforcement when he considers the amendments that he proposes will be tabled in the other place? Without proper powers of enforcement, whatever is proposed in the legislation could prove ineffective.

Mr. Howard: I entirely accept my hon. Friend's argument about the importance of enforcement. He will appreciate that some of the measures already in the Bill will help in that respect. In so far as they are not adequate, of course I undertake to reflect further on what my hon. Friend has said.

Mr. Beith: Will the Home Secretary give way?

Mr. Howard: Yes, finally, and then I must finish.

Mr. Beith: The right hon. and learned Gentleman has twice said that we have the most rigorous framework in Europe, or even in the western world. That may be true of the framework, but not of the classification. I hope that he will bear in mind the fact, which I hope will also be clear in the mind of the British Board of Film Classification, that it is fairly common, for example, for violent films to receive a higher age classification in Sweden than in Britain. Whether we have an effective framework will depend on the board's decisions, and the extent to which the procedures that the Home Secretary has described will influence its members.

Mr. Howard: I take the right hon. Gentleman's point, but he will understand that the purpose of the measures is to adopt a more rigorous approach, and I am confident that they will achieve that end.

The details of my proposal will of course be subject to full debate when the relevant provision returns to the House from another place. I therefore hope that, on the basis that I have outlined, the hon. Member for Mossley Hill will feel able to withdraw the new clause.

Mr. Tony Blair (Sedgefield): I shall be very brief, because in any event we shall have a full debate on the matter when the Lords amendment returns to the House of Commons. I am pleased that we now have the basis for a sensible way forward, and that the Home Secretary has undertaken to consult us on the nature of the amendment to be tabled in the other place.

I pay tribute to the hon. Member for Liverpool, Mossley Hill (Mr. Alton) and to all the other hon. Members, including many of my hon. Friends, who have consistently raised the issue over time, and helped to bring the amendment forward. They did that not only because they responded to the huge and legitimate public concern but because they shared that concern, often on the basis of their own views and experience of the problem.

People are rightly sickened by some of the gratuitous and sadistic violence, often aimed at women and involving rape, portrayed in some videos that can and do find their way into the hands of children. We can argue about the nature of research, but surely it is common sense that a daily diet of such violence cannot be healthy for our children. Indeed, I would argue that it cannot be healthy for adults either, but they should be old enough to form their own judgments.

The House has a duty to protect children. Society has a duty to act through Parliament to protect children. Of course parents have the primary responsibility, and of course in legislating we do not in any sense attempt to diminish the responsibility of parents. But we also have a duty to act to protect children in circumstances in which they would not otherwise be protected.

It is precisely because we recognised the distinction between films being shown in cinemas, where access can be controlled, and videos for home viewing, that we passed the Video Recordings Act 1984. In order to legislate sensibly, we require, to put it briefly, a way through the following dilemma: how to prevent such sadistic and

gratuitously violent videos from reaching children, without, by some form of legislative accident, banning serious films that may move us, and indeed shock us, but which do so for a serious and genuine purpose.

The film that is often quoted is "Schindler's List". That example makes the distinction. I would not want my eight-year-old child to watch it—it would be deeply disturbing. However, it is not a film that any sensible people would want banned. That is therefore the terrain in which we must negotiate.

11 pm

By imposing a statutory obligation on the board to take the care and protection of children into account but leaving them with legitimate boundaries of discretion intact, we can meet the public concern while avoiding the pitfalls. That is a sensible way to proceed. That is what we are attempting to do. We now have the basis to proceed. We can add a proper amendment to the Bill—we may improve the Bill in the course of doing so—and show that we have listened attentively to public opinion and yet legislated with care.

Mr. Alton: On the basis of the speeches made this evening, and the interventions by many right hon. and hon. Members, I am happy to withdraw the amendment that is before the House. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 60

EVIDENCE IN CASES INVOLVING INTERCEPTION OF COMMUNICATIONS

'Section 9 of the Interception of Communications Act 1985 shall be amended as follows:

(1) Subsection (1) shall commence with the words "subject to subsection 5".

(2) The following subsection shall be added:

"(5) Where intercepted material shows that the person making the intercepted communication has committed an offence, evidence to prove the relevant content of intercepted material which may include a tape recording thereof shall be admissible to proceedings against that person for that offence."'.—*[Mr. Trimble.]*

Brought up, and read the First time.

Mr. Trimble: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this we may discuss the following: New Clause 61—*Penalties for membership of proscribed organisations*—

'(1) In section 2(2)(a) of the Prevention of Terrorism (Temporary Provisions) Act 1989 after the word "term", there shall be inserted "of not less than three years, and" and the words "or a fine or both" shall be omitted.

(2) Section 2(2)(b) of the Prevention of Terrorism (Temporary Provisions) Act 1989 shall be repealed.

(3) In section 28(1) of the Northern Ireland (Emergency Provisions) Act 1991 after the word "term", there shall be inserted the words "of not less than three years and" and all the words of the subsection after the words "ten years" shall be omitted.'.

New Clause 62—*First hand hearsay*—

'.—(1) Notwithstanding any rule of law or provision to the contrary, a statement made by a person in a document to a police officer or some other person charged with the duty of investigating offences or charging offenders shall be admissible in a trial on indictment for a scheduled offence under the Northern Ireland (Emergency Provisions) Act 1991, or in any criminal proceedings related thereto, as evidence of any fact of which direct oral evidence by him would be admissible.

(2) For the purposes of this section a document includes an audio or video tape recording.'.

New clause 63—*Investigations by the Royal Ulster Constabulary*—

'. Section 57 of the Northern Ireland (Emergency Provisions) Act 1991 shall be amended as follows—

(1) The following subsection shall be substituted for subsection (4)

"(4) This section applies to any investigation by the Royal Ulster Constabulary

(a) into the existence of

(i) the resources of a proscribed organisation;

(ii) funds which may be applied or used for the commission of, or in furtherance of or in connection with acts of terrorism connected with the affairs of Northern Ireland; or

(iii) the proceeds of the commission of such acts of terrorism or of activities engaged in furtherance of or in connection with such acts; or

(b) into the activities of an organisation concerned in the commission of acts of terrorism".

(2) In subsection (5) for the references to paragraphs (a) and (c) of subsection (4) there shall be substituted references to paragraph 4(a)(i) and 4(i)(ii) respectively.

(3) The following new subsection shall be added as subsection (6):

"An authorised investigator appointed in relation to an investigation under paragraph (4)(b) of this section shall be a barrister or a solicitor of at least 10 years standing".

(4) Schedule 5 to the Northern Ireland (Emergency Provisions) Act 1991 shall be amended as follows

'(1) The following sub-paragraphs shall be added to paragraph 2—

"(8) A notice in writing served under sub-paragraphs (1) or (2) of this paragraph may provide that the questions may be answered by a written answer or the information furnished as the case may be by post.

(9) A person required to appear before an authorised investigator may be accompanied by a solicitor".

(2) In paragraph (5) all the words after "paragraph 2" shall be omitted and there shall be inserted the words "may be admissible in evidence.".'.

Mr. Trimble: It is my task to refer to new clause 60, with which we are taking new clauses 61, 62 and 63. These new clauses relate primarily to anti-terrorism legislation and intend to strengthen that legislation. Obviously, they are framed with a view to the terrorist situation in Northern Ireland, but they have implications for the kingdom as a whole. Indeed, one of the interesting aspects of the Bill is that it extends to the whole of the United Kingdom a significant number of anti-terrorism provisions that hitherto have applied only to Northern Ireland. It is appropriate that that should be done.

Of the four new clauses, new clause 60 is general in its extent. While terrorism was part of the background to the thinking behind new clause 60, the new clause is not so limited. It is trying to make admissible in criminal proceedings the results of intercepted communications—what is referred in the United States to as wire-tap evidence. There is legislation that regulates the interception of communications—the Interception of Communications Act 1985. That Act provides a legal regime by which the authorities can be authorised to intercept or to have forms of electronic eavesdropping on communications that are being made.

Nothing in the new clause in any way changes the range of circumstances in which interceptions can take place; nothing in the new clause extends the extent to which there can be electronic surveillance or eavesdropping. I am prepared to concede that in some respects the new clause may not be happily drawn, but I am sure that the Minister is aware that this is a complex area, and it is not easy to draft provisions accurately.

[Mr. Trimble]

The new clause seeks to enable wire-tap information, whether in the form of actual tapes or transcripts, to be admissible in court. Under the Interception of Communications Act 1985, intercepted material as defined in the Act is not admissible. Indeed, it is now clear—any doubt was removed by a House of Lords decision in November last year—that intercepted material is not admissible in court, except in limited circumstances which are not relevant to this debate. That is undesirable. In nearly all the countries where there are serious terrorist problems or organised crime, what we can call wire-tap evidence is admissible.

A clear example is to be found in the United States. That country, having decided to undertake its war against organised crime, introduced the RICO—racketeer-influenced corrupt organisations—legislation in 1970. We were told that this was the basis of amendments to the Northern Ireland (Emergency Provisions) Act 1991. When the RICO code was introduced the United States also provided for wire-tap evidence to be admissible in court. Indeed, intercepted material has been the core of the prosecution evidence in many major cases against the Mafia and others engaged in organised crime.

I suggest that there is a clear parallel between organised crime, including Mafia-type activity, and terrorism. In any case, as there is organised crime relating to the drug problem in the rest of the United Kingdom, these provisions would be appropriate.

Hon. Members may recall a story in the *Sunday Times* of last weekend about the bombing of the Baltic Exchange —the St. Mary Axe incident. It appears that the prosecution case has collapsed as a result of witness intimidation. Where witness intimidation is rife, as in terrorist and drug situations, one has to consider what else can be done.

We have already changed the legislation concerning the admissibility of confessions. This has provided some scope, but there is still the problem that, because witnesses will not come forward, evidence is not forthcoming. One has to consider other opportunities for the production of evidence. Material intercepted as a result of electronic surveillance is an obvious example.

It is no secret that this new clause, together with the others that I shall propose, would make changes in the law that are currently being sought by the Royal Ulster Constabulary, and I know that they are being considered by the Government. Part of the objective in bringing the provision forward is to ensure that the debate takes place in a public arena and to enable the Government to give us a report, if not a decision—I should like a decision—on the course and extent of their thinking.

Indeed, in recent weeks this matter has been dealt with to a considerable extent in the media. The Irish edition of *The Sunday Times* of 20 March contained an article from which, as it did not appear in the edition that circulates in England and Wales, I should like to quote a paragraph referring to various initiatives being promoted by the police with a view to dealing with the terrorist situation.

The paragraph says:

"A second initiative is to allow Government prosecutors to use recordings from telephone tapping as evidence in court. MI5 and the RUC say senior IRA and Sinn Fein members could have been prosecuted if police had been allowed to use tapes against them. They cite one double murder last year, in which they knew who planned the killings but were unable to act because the phone tap evidence was not admissible in court. Dozens of other terrorist prosecutions have also been dropped because intelligence material is not admissible in court."

I do not know whether that report is factually accurate. It is good that the Minister of State, Northern Ireland Office, who is responsible for these matters is present. Perhaps he will take the opportunity to comment on the story's accuracy.

If it is correct, dozens of cases where prosecutions might have been brought successfully had this provision been in force are having to be dropped, and terrorists are given a further lease of liberty and opportunity to commit crimes—to kill and injure people and destroy property. For that reason alone, this matter deserves serious consideration. It applies not just to terrorism but to all organised crime, especially in drugs.

According to the report from which I have quoted, both the RUC and the Security Service—MI5—want this provision. Other press reports—I refer to a *Sunday Times* story of 27 March—say that the Association of Chief Police Officers, the customs people and the Home Office oppose it.

I think that we are entitled to know why that is. I do not know why, although I can think of some possible reasons. There may be fear or concern about whether the tapes could be doctored or interfered with. That is a possibility, but we have the technology to enable us to tell whether that has occurred to a certain extent. The court can decide whether the evidence is sufficiently reliable to proceed.

Another reason given for fearing that it might not be wise to admit such evidence—it is said that this reason has been put forward by the customs and the Association of Chief Police Officers, and the Minister can say whether that is accurate—is that it might disclose to criminals the extent to which the interception of communications is taking place. It has been suggested that interception is now extremely widespread, and if the material were admissible in court it would alert the criminals.

I think that that argument is quite misconceived. It is silly to suggest that those involved in organised crime and terrorism are not aware of that possibility. They are of course aware of it. They know that the interception of communications is possible and—I dare say—they may have a better idea than any of us on the Back Benches of the extent to which interception takes place. They are probably more familiar with the technology for the interception of communications. I do not think that the argument holds water.

In any event, the new clause imposes no obligation to disclose material. We are not saying that those involved must use wire-tap evidence in all cases, and it can be used as it is at present. Wire taps are used to intercept criminals, and other evidence which is obtained can be used. Those involved in organised crime are well aware of the extent of wire tapping.

Members of my party—and I personally—have reason to know that it is quite extensive. I remember several years ago when the telephone exchange at our party headquarters in Glengall street suddenly went on fire. Some persons were for some reason pumping so much extra energy into the telephone wires that the exchange went on fire.

I also remember one occasion in 1986 when my telephone blew up at the wall socket. There was a bang and a wisp of smoke, and I got a telephone engineer out to examine and repair it. I asked what had happened to my

telephone, and was told that there must have been a sudden surge of power on the line. I asked what could have caused that, and I was told that it could have been something like a lightning strike. Does that mean, I asked, that it was a special lightning strike which hit only my telephone wire and nobody else's? The telephone engineer shrugged, smiled and walked on.

It was probably an attempt by the Northern Ireland Office to discover what my party was doing with regard to our opposition to the Anglo-Irish Agreement in 1986. That, of course, would not have been within the terms of the Interception of Communications Act 1985. Any bugging of the Ulster Unionist party's telephone exchange would not have been within the terms of the Act, either. That is a mystery which we will leave to another day.

Those two incidents merely show that people know that the practice is widespread. The argument that making such evidence admissible in court would alert people to the possibility simply does not hold water.

Another factor which makes it necessary to consider such a clause stems from the House of Lords decision which I mentioned earlier in the case of the Queen *v.* Stephen Preston, on which their Lordships delivered judgment on 4 November. That case showed that there is a serious dilemma in the matter. In recent years, the law on the disclosure of information to the defence has developed considerably. There are considerable obligations on the Crown to make sure that any unused material which might assist the defence is disclosed.

Many of the laws have been developed with particular regard to the Ward case, and to the other cases in which miscarriages of justice have occurred recently. A tension between those laws and the provision in the Interception of Communications Act preventing disclosure came to light interestingly in the Preston case.

In that case, it was clear that the authorities became aware of the drug smuggling operation as a result of electronic surveillance. On the basis of the surveillance, they intercepted the consignment of drugs—or the money involved—and persons dealing with it. The accused, Preston, argued that he was acting under duress, and that the telephone conversations that had been intercepted would have proved that. Relying on the Ward case, among others, he tried to compel disclosure of the intercepted communications to assist his defence. The Attorney-General instructed prosecuting counsel that they were not to disclose the material concerned, and were not even to inquire into it.

11.15 pm

In an interesting passage in their judgment—it is only a couple of sentences, Madam Deputy Speaker—referring to the Attorney-General's argument that there could be no disclosure of the wire-tap evidence even if it would assist the defence, their Lordships said:

"If the Attorney-General is right, it must follow that, even if the contents of the intercept would clearly demonstrate to prosecuting counsel that the accused person is innocent, he must be kept in ignorance of it, and in the interests of secrecy left to press unwittingly for an unjust conviction. My Lords, this is raison d'état indeed, and I would not hold it to be the law of England unless compelled to do so. I find no such compulsion in the Attorney-General's advice, for even if it gave a sound reason for refusing disclosure to the defence . . . the logic cannot be transferred to the supply of material, admissible or otherwise, to prosecuting counsel. If this too is to be withheld, a justification must be found elsewhere."

Some hon. Members might find in that sentence an echo of another inquiry that is taking place, and of other recent cases.

Their Lordships went on to find that, because of the express terms of the Interception of Communications Act, there was a justification elsewhere.

I find the tenor of the earlier part of the quotation interesting, as it shows that their Lordships consider that withholding that information, where it might assist the defence, is in principle objectionable. I should have thought that, for that reason alone, and quite apart from the advantages that it might give the prosecution, the Government must consider carefully whether intercepted material should be made available and be admissible in proceedings.

I am prepared to concede that the drafting of the new clause may not be ideal, but an important issue is involved. It will greatly strengthen the security forces in Northern Ireland when dealing with terrorist operations, as well as those in England and Wales—perhaps I should say, especially those in England and Wales, because terrorist operations there must depend to some extent on communications with the bases in Northern Ireland and the Republic of Ireland, so the interception of communications would be especially useful, and might enable the prosecution of terrorists.

The interception of communications would also be useful when dealing with organised crime and drugs, and I hope that the Government will seriously consider the matter.

New clause 61 would increase the penalties for membership of proscribed organisations. That offence has been on the statute book for a long time, but it is rarely used. Why is that the case? Very often, it is used as a back-up offence—after someone has been charged with a series of specific offences, the sweeper of membership is added. I am told that, during the past three years, there have been no summary charges, and only four on indictment, where membership is the only charge laid. In those four cases, one was acquitted and three were convicted but received suspended sentences. That cannot be right.

Membership of a proscribed organisation must be a serious offence. It cannot be caused accidentally. Joining is a very deliberate act and cannot be done inadvertently. I understand that proscribed organisations all have elaborate induction ceremonies for members—swearing in and all the rest—so joining is a very deliberate act; and because of the crimes and offences that terrorist organisations have committed, joining such an organisation should not be treated lightly.

I cannot imagine how it is possible, or how a court could consider it appropriate, for this to be a matter for which there should only be a suspended sentence. That is why, in this new clause, the minimum sentence is prescribed within the terms, and the existing maximum retained. It would be worth the authorities looking more seriously at this offence. I am sure that there are cases in which it may be difficult to prove that a person has committed a specific offence, a particular shooting or a particular bombing, yet it would be possible to assemble material to show that such a person was a member of a proscribed organisation.

We can think, perhaps, of some of the godfathers who are particularly well known, of whose membership of a proscribed organisation nobody in his right mind has any doubt. Let us consider, for example, the case of Mr. Martin

McGuinness. For many years, Mr. McGuinness was quite happy to have newspapers refer to him as chief of staff of the IRA and as a member of the IRA's army council.

He is now a little bit reluctant about it, because my hon. Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis) has taken to naming him repeatedly in this respect, and Mr. McGuinness is now pretending that he is not such a member; but, in view of his past conduct, the statements that he has made and the statements that he has allowed to be made about his membership, I would have thought that there would be no difficulty in laying the charge of membership and prosecuting it successfully.

I am amazed that it has not been done. When we consider the material that was disclosed in the television programmes "The Cook Report" about that individual, it is amazing that nothing has happened. It is scarcely surprising that rumours abound in Northern Ireland that the Northern Ireland Office has intervened to prevent police action against Mr. McGuinness and that this is the only reason why action has not been taken. But that is perhaps an individual case that it would be inappropriate to pursue at any length at this stage. My point is that membership offences should be taken more seriously and carry more effective penalties.

New clause 62 deals with what is called "first hand hearsay". When we discussed this in Committee, the Minister of State, Home Office referred, quite rightly, to the fact that the Royal Commission had recommended that this issue be looked at by the Law Commission, and this recommendation is itself a recognition that in many respects the hearsay rules are outmoded.

They have been largely discarded in civil cases, but I do not think that the reference by the Royal Commission to a reconsideration of the matter is a good enough reason for not proceeding with new clause 62. New clause 62 applies only to the Diplock courts—in other words, the non-jury courts dealing with scheduled offences in Northern Ireland. For that there is no need to wait for a Law Commission recommendation. How long will the Law Commission take? It is not a body noted for its speed of action. This is something that we could deal with now.

It is particularly appropriate to deal with it in Diplock courts, because there is no jury there, just as in civil cases there is no jury. Because of the absence of a jury in civil cases, Governments have felt quite happy to modify considerably the hearsay rule so that first-hand hearsay is admissible. I think that there is an argument for introducing it into the non-jury Diplock courts too.

It is important that this provision be passed, so that first-hand hearsay would be admissible. I understand that there is a large number of cases in which persons being questioned by the police are happy to name, while being questioned, other persons involved in a terrorist incident —their accomplices or whatever—but will not give evidence to that effect in court, with the result that the accomplices cannot then be proceeded against in court.

However, if first-hand hearsay were admissible, the police officers who conducted the questioning could themselves give evidence to the effect that X, when questioned, named A, B and C as his accomplices—or, as is so often the case, as the persons who instructed him to carry out the offences or the persons who planned them.

The people who are escaping from justice because we do not admit first-hand hearsay are very often the organisers and planners of terrorist offences, the commanders, whereas it is the foot soldiers who are being caught. It should be the other way round.

That brings me to new clause 63, which is specifically directed to the godfathers—the commanders who are going free, whom we know are involved in directing terrorist organisations, who have been doing so for decades and who remain at liberty. The law currently does not touch them.

Lady Olga Maitland (Sutton and Cheam): I congratulate the hon. Gentleman on instigating and moving those important clauses. Will he, however, confirm that the clauses were drawn together in consultation with the Royal Ulster Constabulary? It is to be hoped that the Government will therefore pay extra attention to his remarks.

Mr. Trimble: I am happy to confirm what the hon. Lady has said. She is right to remind me that new clauses 61, 62 and 63 were tabled as a result of consultation with the RUC, and that they embody the changes in the present form that the RUC desires.

New clause 63 is directed especially at the commanders of terrorist organisations—the persons who direct them. I was interested to note that, when we discussed the subject in Committee, the Minister of State said:

"the increasing ability of a category of offenders, or a criminal organisation, to exploit the relevant aspect of the law to its own ends and to cause intense public suffering and hardship without fear of punishment can justify exceptional measures to rectify the balance in the interests of justice."—[*Official Report, Standing Committee B*, 1 March 1994; c. 1092.]

I focus on the phrase

"can justify exceptional measures to rectify the balance".

New clause 63 is one such measure. What the Minister said in Committee is an argument in favour of the new clause.

I should like hon. Members to appreciate that the new clause builds on existing provisions of the Emergency Provisions Act 1991. Under that Act, authorised investigators can be appointed to inquire into the funds of a proscribed organisation and the proceeds of the commission of terrorist acts. Those authorised investigators can require persons to answer questions or to furnish information.

As the law stands under the 1991 Act, failure to answer those questions and failure to supply that information is an offence carrying with it a sentence of up to five years imprisonment, so we already have on the statute book provisions which direct that failure to answer questions or to supply information is an offence. That has made serious inroads into what is called the right of silence with respect to the financial aspects of terrorism.

New clause 63 would extend the effect of those existing provisions to cover the more serious offence of directing terrorist organisations. It would bring the godfathers of terrorism into focus so far as the legislation is concerned. It does not create a new exception; it takes an existing exception which is on the statute book, and extends it.

It is not a dangerous extension or a new fundamental provision, as was said in Committee; it is an existing provision, which the Government themselves have put on the statute book, and which the Government are currently using. Authorised investigators are being appointed. They are requiring people to furnish information, and that requirement carries with it the penalty of five years imprisonment if they fail to do so.

I cannot see the justification for saying that it is all right to require people to answer questions under pain of imprisonment about terrorist funding without requiring them, under the same penalty, to answer questions about directing terrorist organisations.

This issue was referred to in an article by Patrick Wintour which appeared in the *Guardian* on, I think, 11 March. I do not know whether the information is accurate, and perhaps the Minister will confirm it. The article states:

"So far, the Government has rejected outright the proposal that it should be an offence to refuse to talk during an interview, but ministers have said that they are still consulting with the RUC about giving greater powers to the authorised investigators and to the admissibility of their evidence."

I will be interested to hear whether the Minister can confirm the accuracy of that statement.

11.30 pm

Sir Nicholas Fairbairn (Perth and Kinross): I admire the hon. Gentleman's brave speech; it is most courageous. But I ask him to pause on the question of hearsay evidence, because anybody can say that someone said something which they did not say.

Mr. Trimble: I thank the hon. and learned Gentleman for making that point. Indeed, it enables me to draw attention to the fact that the new clause provides that tape recordings of interviews would be admissible in this context, which would provide proof without giving rise to the problems mentioned by the hon. and learned Gentleman. But that point arises in new clause 62, and I want to return to new clause 63.

In Committee, the Minister said, as part of his reason for not proceeding further, that more research had to be carried out and that time was needed to take soundings. I would like to know what further research and soundings are necessary. Are the soundings being confined to those in Northern Ireland who would have to operate such provisions, or are they being taken on a wider scale and involving people outside Norther Ireland?

When we discussed these matters last year—I raised similar provisions in June during debate on last year's Criminal Justice Bill—on 22 June in Committee, the Minister said that the proposals were a bit premature. On Report on 29 June last year, I was assured that "full and urgent consideration" had been given, and on 1 March this year, in Committee, that had become "still under active consideration".

Will the Government place a term on that consideration? As they have extended it now, can they tell us how long that consideration will continue? Or will we be making the same provisions in next year's Criminal Justice Bill? I assure the Minister that I have the persistence—and I know the Royal Ulster Constabulary has the persistence—to pursue this matter further. I think that it is about time that we received a comprehensive answer from the Government on this issue.

As the Minister knows, the issues go back to the press conference called by the Chief Constable of the RUC on 27 May 1993. On that occasion, he listed a number of what he considered to be desirable changes in the law. When I consulted the RUC about these proposals at the end of last year, I was told that the RUC had a shopping list—if I can use that phrase—of eight measures. Of those eight measures, one has been accepted by the Government in response to an amendment I put down in Committee on the Bill, concerning plucked hair samples suitable for DNA analysis. I acknowledge that that was an important move on the part of the Government.

That is just one of the eight measures on the RUC shopping list. Another three are in the new clauses, dealing with authorised investigators, first-hand hearsay, and the admissibility of intercepted communications.

Mr. Roy Beggs (Antrim, East): Is it the opinion of my hon. Friend that it is because of the Government's reluctance to introduce these measures that the Chief Constable has announced that it is most unlikely that there will be any cessation of violence and terrorism in Northern Ireland for at least three years?

Mr. Trimble: I can well believe that. If these are measures which the Chief Constable believes are necessary, if they are not put into effect it must obviously follow that the effectiveness of the Royal Ulster Constabulary in fighting terrorism is thereby diminished and the prospects of success are likewise diminished. It leads inevitably to the conclusion that the prospects of relieving the community of the scourge of terrorism are being diminished by Government's inactivity and their inability to make up their mind about these matters.

One measure on the RUC shopping list has been accepted, three are in the new clauses, and there are four others about which amendments have not been tabled. They concern matters such as proven cases of possession relating to the burden of proof in certain cases, and to previous conviction in others. Although those may not be important matters, the last measure is important. It concerns the need for a statutory scheme to protect and encourage witnesses. The story in last week's *Sunday Times*, to which I referred at the outset, reinforces the need for such a scheme. It is important to proceed with that measure as well.

Action on those matters is needed, particularly in the light of the IRA's clear rejection of the opportunity offered by the Government in the Downing Street declaration. One wonders whether that declaration and the manoeuvres in which the Government have been engaged are part of the reason why only the least important matter on the RUC's shopping list has been accepted while the important matters are being kept on the long finger. Is that why we are still waiting? Is that why Her Majesty's Government are reluctant to take measures that will upset the godfathers of Sinn Fein IRA?

Some of my friends attended the conference of the Friends of the Union in Cambridge on Friday night, when they heard the Minister of State, Northern Ireland Office, the hon. Member for Devizes (Mr. Ancram), boast that the United Kingdom's anti-terrorist legislation was the "envy of the world". I am not sure whether I have quoted him correctly, as my comments on the matter are as a result of hearsay, but there is no doubt that the Minister made that boast.

What a pitiful thing to say. To claim that our anti-terrorist legislation is the envy of the world is rubbish. Look at western Europe—Spain, France, Germany and Italy. Each of those countries has been more successful in dealing with terrorism and organised crime than the United Kingdom. We are not the envy of the rest of Europe. If anything, we are the worst.

It is a bitter pill to have to stand here and say that we should learn from how Italy has handled such matters, but

[Mr. Trimble]

we should. New clause 63, with its provision for authorised investigators, would reproduce something similar to the examining magistrates who have been so successful in dealing with the Mafia. That is part of the model on which the RUC has based those provisions. It has looked at why European countries have succeeded where we have failed, and the Government should be big enough to follow that example.

Mr. Maclean: I am pleased to respond to new clauses 60 and 61. The Minister of State, Northern Ireland Office, my right hon. Friend the Member for Westminster, North (Sir J. Wheeler), will be keen to respond to new clauses 62 and 63, which relate specifically to Northern Ireland.

I am mindful of the wish of the hon. Member for Upper Bann (Mr. Trimble) to ensure that all possible steps are taken to prosecute criminals, including those guilty of terrorist offences. However, I am not persuaded that a case has been made that a significant number of prosecutions are being lost because of the inadmissibility of intercepted material as evidence.

The Interception of Communications Commissioner has cited statistics to demonstrate that interception has been successfully used covertly to lay the ground for the gathering of material that can be used in evidence. It has enabled the police or customs to be in the right place to catch criminals red handed. For example, in his report for 1989, he says:

"just under 50 per cent. of all warrants issued at the request of the police have resulted directly or indirectly in arrests. On any view, this must be regarded as a satisfactory success rate for interception as a means of combating serious crime."

Were the current protection afforded by sections 6 and 9 to the product and techniques of interception to be removed, there would be no certainty that that record could be maintained. If the value of that source of intelligence were diminished by disclosure of techniques in the courts, the number of successful prosecutions could even fall.

I assure the hon. Gentleman that the Government keep that matter under review, recognising, not least, the special circumstances that apply in Northern Ireland. But the new clause, like the Act itself, extends to the whole of the United Kingdom. In that context, I am not persuaded that the case for change has been made. I have listened carefully to the points made by the hon. Gentleman and hope that he will not put the new clause to the vote.

Mr. Trimble: Does the figure of 50 per cent. of intercepts leading to successful prosecutions relate only to events in England and Wales or does it also include intercepts in Northern Ireland? What is the percentage there? Does the House of Lords decision in the Preston case have any implications for the legislation?

Mr. Maclean: On the number of cases, I hope that the hon. Gentleman will find it acceptable if I write to him with the details.

The reasoned judgment of the House of Lords on Regina *v.* Preston has endorsed both the Crown's interpretation of the Interception of Communications Act 1985 and its practice under it in relation to warrants used for the prevention or detection of serious crime. I hope that the hon. Gentleman finds that response helpful.

On new clause 61, except in the case of murder—where the mandatory life sentence reflects the unique wickedness of deliberately taking another person's life—the Government are not in favour of introducing minimum sentences. We do not think that minimum sentences would help the courts to sentence justly in the wide variety of cases that come before them.

A minimum sentence must be low enough to allow the courts to make allowance for cases where there are exceptional mitigating circumstances. But setting a low minimum sentence is not only fairly pointless; it can also give the public a false impression of how seriously the authorities view the offence. If the minimum sentence were set too high, there would be a risk that some offenders would be acquitted. That could happen either because the punishment appears excessive when extenuating circumstances are taken into account or, as can and has happened, because a jury is unwilling to convict for a particular offence as it believes that the punishment prescribed by law is too severe, even in the absence of extenuating circumstances.

For those reasons, it would be wrong to depart from our long-established policy on the subject, even where, as in this instance, we, too, regard the offence as serious. I hope that, in view of those comments, the hon. Gentleman will not wish to push new clause 61 to a Division. I hope that my right hon. Friend the Minister of State, Northern Ireland Office will be able to respond to new clauses 62 and 63.

The Minister of State, Northern Ireland Office (Sir John Wheeler): The hon. Member for Upper Bann (Mr. Trimble) has already sought to amend the Northern Ireland (Emergency Provisions) Act 1991 by tabling similar new clauses in Committee. Those new clauses were ably dealt with by my hon. Friend the Minister of State, Home Office. I shall not, therefore, seek to give all those explanations in detail, but shall deal with them as swiftly as I can.

New clause 62 would allow hearsay evidence to be admissible in the trial of terrorist-related crimes in Northern Ireland. There must be a sound basis on which the court can satisfy itself that such evidence is reliable. There are a number of fundamental principles at stake.

First, there would be no recourse to cross-examination or any opportunity for the court to assess the demeanour of the maker of the statement in the witness box. Secondly, the evidence contained in the statement would not have been given on oath. Further, in the case of statements made by accomplices or by others involved in criminal activity, there are added grounds for excluding their untested and unsworn testimony. It is not hard to imagine the motives that such persons would have for implicating others maliciously. There is always the danger that mistakes might be made, either innocently or deliberately, by the person recording the statement.

It is not an easy issue. It requires careful consideration, with is precisely what has taken place. My right hon. and learned Friend the Secretary of State for Northern Ireland is utterly committed to keeping the criminal law as effective as possible against terrorism by a process of continuing and careful review. We have concluded that the proposed change to the law in Northern Ireland would not be appropriate. It is obviously very important that the justice system should be seen to maintain its reputation for fairness.

Having looked long and hard at the Chief Constable's proposal, we have had to conclude that it does not conform to the minimum standards of fairness essential for any

system of justice. It is vital that the criminal justice system in Northern Ireland should not be tarnished by unfair procedures. We naturally consulted the Northern Ireland judiciary, and their views are consistent with the Government's approach. In those circumstances, I must ask for that new clause not to be pressed. The House has also debated new clause 63 more than once, and the hon. Gentleman said that he might bring it forward again. It would further limit the right of silence of those suspected of terrorist offences in Northern Ireland. As with the other new clause, fundamental principles must be taken into account.

The general right not to be prejudiced by refusing to answer questions about involvement in a criminal offence derives from the basic principle that in our system of justice, the burden of proof in a criminal case is placed firmly on the prosecution.

That points to the overriding need to treat any changes to that part of the law with great care and much seriousness. That matter is under detailed and careful consideration as part of a package of measures proposed by the Chief Constable of Northern Ireland last year. It would be in the best interests of the Northern Ireland criminal justice system and of the whole Northern Ireland community not to legislate in haste only to repent at leisure. It is a sensitive issue and achieving a balance is both vital and difficult. I therefore ask that new clause 63 should not be pressed.

11.45 pm

Mr. Roger Stott (Wigan): I find myself in a unique situation, in that I agree with the comments of both Ministers in respect of new clauses 61, 62 and 63 and the arguments that they advanced for rejecting them. The briefings that the Ministers were given by their civil servants are almost as good as those that I received, so I need not deploy further argument.

New clause 60, however, merits brief examination. Before I entered the House 21 years ago, I worked as a telephone engineer for what was then the Post Office and is now BT. Members of my union and my colleagues had to institute telephone tapping when the appropriate authority was given, so I am familiar with the technicalities.

Tapping a person's telephone or intercepting their mail should be done only in extreme circumstances, because it infringes the individual's civil liberties. A fine line should be drawn between action against potential terrorism and the corrosive effect on civil liberties of telephone tapping or mail interception.

I was interested to hear the comments of the hon. Member for Upper Bann (Mr. Trimble), and I could be persuaded that in certain circumstances, there might be reasons for tapping or interception. However, consistent with our arguments in respect of prevention of terrorism Act renewal orders and emergency provisions Acts, it is important that if evidence is gathered in a correct and proper manner, a warrant should be issued by a magistrate or another member of the judiciary. Ministers should not be given the power to tap a person's telephone on the basis suggested by the hon. Member for Upper Bann.

I do not know whether the Government are prepared to look at the matter again in another place in the light of what has been said. Provided that there are the safeguards that I have just described—for example, where there is sufficient evidence—a magistrate or other judicial authority can give the authority for that telephone to be tapped. Extreme circumstances involving terrorism might well be a reason for so doing, but I stress that it must be done not by a Minister but by a judicial authority. If that is the case, I am prepared to listen to the arguments.

Mr. Trimble: I am interested in what the hon. Member for Wigan (Mr. Stott), responding for the Opposition, said about regard to the new clause, but I suggest that he has misunderstood its extent. What he said was an acceptance that the interception of communications might be permissible in certain circumstances. The new clause was not relating to when the interception might take place. I can understand the safeguards that be mentioned about when it might.

The new clause was directed only towards the admissibility in evidence of interception that is taking place under existing legislation. The hon. Gentleman did not address that issue. I wish to underline that issue, because my argument was simply that if the interception is taking place, the material should be admissible. I am sorry to say that I do not agree with the views expressed by the Minister, but will not press the new clause on this occasion.

I now refer to the points that were made by the Minister of State, Northern Ireland Office. I welcome him to the Dispatch Box while we are debating the Criminal Justice and Public Order Bill, which is usually a Home Office matter. That reflects accurately the fact that it is not a parochial English Bill, but a United Kingdom Bill. It is appropriate that he should attend. If some hon. Members in Committee who were complaining about the absence of Scottish Ministers on appropriate occasions were here this evening, they would be quick to draw the parallel. I am told they will be here tomorrow and may well plead this welcome precedent.

I am disappointed with what the Minister said about new clause 62. It seemed to be a clear rejection of the proposal. I was surprised at the terms on which he rejected it when one considers that the royal commission said that the issue should be looked at again, and when the clear implication of the royal commission's discussion is moving towards the admissibility of such evidence.

The terms on which the Minister rejected the new clause seemed to suggest that his mind is closed on the issue. Before reading out the brief that was given to him, he should have looked again at what the royal commission said and addressed clearly my point that we are dealing in a case of a non-jury trial. That issue is appropriate and should have been taken into consideration.

I am glad that new clause 63 is still under consideration and hope that its consideration will be completed before we come to next year's criminal justice Bill. Having said that, I have no desire to push these matters to a vote, because I do not wish the Government to vote against sensible measures that they will eventually have to adopt.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 66

TOUTING

"[ ].—(1) A person commits an offence if he—

(a) loiters or solicits in a street or public place, or

(b) solicits from a motor vehicle in a street or public place for the purpose of procuring a passenger for a hire and reward vehicle.

(2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(3) In section 24(2) of the Police and Criminal Evidence Act 1984 (Arrestable Offence) at the end of that subsection there shall be inserted—

"(h) an offence under section [ ] of the Criminal Justice and Public Order Act 1994 (Touting from or for a vehicle)."

(4) For the purposes of this section—

"hire and reward vehicle" means a vehicle used or intended to be used for the carriage of passengers for hire or reward, whether or not licensed as such, other than a licensed taxi or public service vehicle;

"licensed taxi" means—

(i) in relation to the City of London and Metropolitan Police District, a vehicle licensed under section 6 of the Metropolitan Public Carriage Act 1869, and

(ii) in relation to any other district in England and Wales, a vehicle licensed by the local authority for that district under section 37 of the Town Police Clauses Act or any similar enactment; and

"public service vehicle" has the meaning given in section 1 of the Public Passenger Vehicle Act 1981.'.—*[Mr. Bendall.]*

Brought up, and read the First time.

Mr. Vivian Bendall (Ilford, North): I beg to move, That the clause be read a Second time.

I declare that I represent the Licensed Taxi Drivers Association in the House; that interest is recorded in the Register of Members' interests.

For the first time tonight, we have the opportunity of putting right an injustice—something that I believe has been wrong for a very long time. Let me deal first with the reasons behind the new clause. First, it is true to say that it has received all-party support. There have been more than 70 signatures in support of it.

New clause 66 would do away with the injustice that has existed for a long time with regard to touting. Touting is illegal but it is a civil, not a criminal, offence. Following my discussions with the Minister for Transport in London, who is here tonight, I believe I can say that he is not unhappy with the new clause. From other discussions, I understand that the Home Office is also not unhappy with it.

There has been tremendous support for the new clause from various elements of the cab trade and elsewhere. For example, the graded private hire companies, the Metropolitan police, in the form of the Public Carriage Office, and the Consumers Association have all supported it with a view to seeing an end to the injustice and even abuse that often befalls people travelling in certain vehicles. Most important, the British Transport police have also been extremely concerned that they do not have the necessary powers to deal with the increasing violence and aggression against tourists of those plying for hire. Many of the problems occur outside stations and clubs where innocent people are often preyed on by those touting illegally for business. New clause 66 would outlaw the problem, just as prostitution and kerb crawling have been dealt with in the past.

In view of the signs that the Home Office and the Department of Transport have given me, I hope that, even if they are not over-happy with the wording of the new clause—I am not wedded to it—they will be able to give a firm undertaking that the principle will be accepted in another place. I should be happy to accept such an undertaking.

We have a unique opportunity to close the door against three major problems. First, we have the opportunity to make women safer in hired vehicles. Many women have been raped or abused in such vehicles. Secondly, we have the opportunity to make hired vehicles safer. Many people do not realise that when they travel in them they are uninsured, which is a major worry. We also have the opportunity to help the black cab system, which is recognised as the finest in the world.

My right hon. Friend the Minister of State, Home Office is looking at me; I am coming to the end of my remarks. Finally, we also have the opportunity to end the abuse of the social security system. Raids on stations have led to the discovery that many people who work in the mini-cab trade are claiming social security. Such people would be caught, which would save the taxpayer and the Exchequer a considerable amount of money. For those reasons, I hope that the House will accept new clause 66.

Mr. Gerald Bermingham (St. Helens, South): My friend who moved the new clause has my complete support. Twenty years ago, when I was a member of Sheffield city council, I began to move in the same direction. It seemed wrong that people could pick up passengers without being insured, thereby putting those passengers at risk. One could not be sure about the quality of the vehicle or the driver or his safety as a person. I understand from what I have been told by the Minister that the new clause finds favour with the Government and, 20 years on, I feel satisfied that a wrong is about to be righted. If the Minister says that it is fine and that he will change the wording, I shall go to bed a much happier man. It is not very often that one makes a dream come true, but tonight we may well do just that. If the Minister nods his head now, I shall shut up and sit down.

Mr. Maclean *indicated assent.*

Mr. Bermingham: He has nodded; we have done it; I thank my hon. Friends.

12 midnight

Mr. Maclean: The purpose of the new clause is the laudable one of getting rid of the problem of people touting for passengers in cars not licensed as taxis. It is a serious problem and one that my hon. Friend the Minister for Transport in London has seen for himself on the streets of some of our provincial cities as well as London.

There are two aspects to the problem. The most serious is the tout who preys on strangers and tourists, especially at our important stations and international airports. These men set out to fleece their victims. If they protest, passengers are likely to lose their luggage—if not worse. The police at London stations and at Heathrow struggle to deal with the problem in the present legal context.

Mr. Derek Enright (Hemsworth): Will the Minister give way?

Mr. Maclean: Very briefly.

Mr. Enright: Will the Minister make it clear that, in talking about tourists, he is talking not merely about people from foreign countries but about people from my constituency who have been done by the very drivers to whom he refers when they have come to London?

Mr. Maclean: Clearly, a tourist is everyone else except ourselves when we are travelling.

The other aspect is in relation to circumstances in which touts who do not own the cars concerned offer the services

of minicabs or private hire vehicles in the street or in which the vehicle drivers offer their services outside pubs and clubs at closing time. The passenger who accepts a ride in those circumstances is at risk. By acting as an unlicensed taxi, the driver has almost certainly abrogated his insurance and if anything goes wrong, the passenger will have to rely on the good will of the insurance company or, failing that, the agreement between the Department of Transport and the Motor Insurers Bureau. The vehicles in which they ride may not be up to the standard of a taxi and the driver may not know where he is going or the best way to get there.

We commend the principles behind the new clause, but before we can advise the House to accept it, my hon. Friend the Minister for Transport in London needs to be sure that it will do all that it seeks to do and no more. My hon. Friend especially wants to ensure that touts at airports and railway stations would be caught and we may need to define the terms "street" and "public place" used in the clause to ensure that we catch them.

Representations have been made to us to the effect that, as drafted, the new clause could have an adverse effect on legitimately licensed private hire vehicles. Outside London, such vehicles usually carry signs identifying themselves for what they are. Their drivers could have problems under the present wording if they were parked at the roadside or were in a public place between jobs, especially if they were sitting in the car. How could they show that they were not loitering for the purposes of procuring a passenger, when they were carrying a sign proclaiming that they were available for hire—even though it is by telephone booking?

To cut out any more debate, I ask my hon. Friend the hon. Member for Ilford, North (Mr. Bendall) if he will withdraw the new clause and discuss its contents with my hon. Friend the Minister for Transport in London with a view to a more satisfactory clause being tabled in the other place, which would win wide support from both Houses of Parliament.

Mr. Bendall: I am happy to do so as long as the new clause is accepted in principle. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Sir Teddy Taylor: On a point of order, Madam Deputy Speaker. As new clause 68 raises complex and difficult issues relating to religious belief, and as the Minister of State has kindly agreed to have a personal meeting with those seeking the protection of the new clause, I invite the House to agree that no hon. Member should seek to move it.

New Clause 69

PROHIBITION ON USE OF CELLS FROM EMBRYOS OR FOETUSES

"(1) The Human Fertilisation and Embryology Act 1990 shall be amended as follows.

(2) After section 3 there shall be inserted the following section—

"Prohibition in connection with germ cells.

3A.—(1) No person shall, for the purpose of providing fertility services for any woman, use female germ cells taken or derived from an embryo or a foetus or use embryos created by using such cells.

(2) In this section—

'female germ cells' means cells of the female germ line and includes such cells at any stage of maturity and accordingly include eggs; and

'fertility services' means medical, surgical or obstetric services provided for the purpose of assisting women to carry children."

(3) In section 41(1)(a) (offences under the Act) after the words "section 3(2)" there shall be inserted ", 3A".'.— *[Dame Jill Knight.]*

Brought up, and read the First time.

Dame Jill Knight: I beg to move, That the clause be read a Second time.

Let me cheer my right hon. and hon. Friends with the news that I do not propose to weary the House with a lengthy speech. On 22 February, I was given leave to introduce a Bill to prohibit the use of eggs from aborted girl babies, eggs which would be fertilised in a test tube and inserted into women who wished to become pregnant. Neither my Bill nor the new clause does more than that.

The new clause would not in any way affect the research that is presently carried out using aborted babies. It has nothing to do with the treatment of Alzheimer's disease, mental handicap or anything else of that nature. It would not affect the usage of organs from cadavers. It is specific, narrow and necessary.

I hasten to explain that the eggs for fertilisation procedure is not yet possible, although I understand that eggs drawn from aborted mice have been used, and that within a reasonable time the process will become possible with human beings.

The very suggestion has profoundly shocked hundreds of thousands of people all over Britain. Probably all hon. Members have had letters from their constituents expressing abhorrence. I have had enough to fill a filing cabinet. The unanimous view is that it is wrong to get rid of an unwanted baby to make a wanted one, and to have to admit to a child that his mother was never allowed even to be born, and that he can never know the first thing about her—how she looked, what her attributes were or what her medical history might have been had she been allowed to live. As a life continues, those factors can become important.

Such activities could herald the start of a lucrative market in aborted foetuses. Becoming pregnant so that the aborted foetus could be used in that way could be a brand new way of making money. All those possibilities are appalling, especially when there are millions of women of childbearing age walking around with perfectly normal, fully formed mature eggs that could be donated.

I want to send a message out—

Mr. Tam Dalyell (Linlithgow): Will the hon. Lady give way?

Dame Jill Knight: I promised to be awfully quick. I shall take only one intervention.

Mr. Dalyell: Has the hon. Lady had any discussions with the Human Fertilisation and Embryology Authority? Some people believe that research would be affected. Is the hon. Lady absolutely sure that it would not?

Dame Jill Knight: Absolutely sure. I have had discussions with the authority. It knows what my intention is, and why.

I want to send a message to scientists that there is no point in spending any more time on research in that area, or in messing about with aborted mouse eggs, rat eggs or anything similar. The end product from using aborted human eggs for fertilisation purposes will simply not be

[Dame Jill Knight]

allowed to be used. There are occasions when the House must assert its authority and make it clear that scientists sometimes go too far.

The new clause would insert after section 3 of the Human Fertilisation and Embryology Act 1990 a new section that would prohibit the use of

"female germ cells"—

that definition includes immature foetal eggs—

"taken or derived from an embryo or a foetus or"

the use of

"embryos created by using such cells",

to achieve a pregnancy.

The wording is most carefully drawn and the prohibition would apply to all current and all expected future techniques for treating infertility, such as in vitro fertilisation and transplants of foetal ovarian tissue—just that narrow point—or the use of early female germ cells from an embryo before the ovaries have developed.

The new clause is a catch-all, intended to stop what I have described as an abhorrent practice, and I am assured that it will do what it is intended to do. I am extremely grateful to my right hon. Friend the Secretary of State for Health, with whom I have talked at length on the subject. She and the officers from her Department have helped and guided me through a river of procedural rocks and currents to reach the shore of my intention, and only that narrow shore. I can assure the hon. Member for Linlithgow (Mr. Dalyell) that there is no intention to do anything more than that. I am glad to have the support of the Government and many hon. Members on the Opposition Benches. I commend new clause 69 to the House.

The Secretary of State for Health (Mrs. Virginia Bottomley): My hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) has spoken about her new clause with characteristic flair and commitment. I pay a warm tribute to her for the strength of feeling with which she addressed the House and her persistence in bringing forward the new clause. My hon. Friend has spoken for a great number of people both inside and outside the House. She expressed with clarity and sensitivity her repugnance at the notion of creating a life from an aborted foetus. Her speech hit a nerve. Like me, many people will recognise and share the feeling of revulsion that she described.

The House must face this important and emotionally charged issue today on a free vote. I shall vote in favour of the new clause. However, I shall take this opportunity briefly to set out some of the background and in particular to give a strong commendation to the Human Fertilisation and Embryology Authority for its consultation document on donated ovarian tissue in embryo research and assisted conception. The Government acknowledge the sorrow and sadness that infertility can cause. Medical science has made great progress, and we can now bring hope to many couples through in vitro fertilisation treatment.

The Human Fertilisation and Embryology Authority was set up under the Act—the first statutory authority in the world—to control and regulate embryo research and new fertility techniques. It has already established an excellent record. Its two annual reports and the consultation documents already under way have led to further improvements and safeguards, which means that public opinion and the concerns widely expressed are properly addressed.

Earlier this year, as a result of media reports of the developments in infertility research using eggs from aborted foetuses, the authority, with the Government's support, brought forward the consultation exercise that was promised in its 1993 annual report.

Mrs. Anne Campbell (Cambridge): Can the Secretary of State tell the House what would be the effect of the new clause, if it is passed tonight, on the consultation process that is being carried out by the Human Fertilisation and Embryology Authority?

Mrs. Bottomley: If I may put tonight's debate in precisely that context, that was exactly the point that I was making when the hon. Lady intervened. Of course, there is a consultation process under way and I shall address that point in a moment.

It was a result of the concern on this matter that led the authority to bring forward its document entitled "Donated Ovarian Tissue in Embryo Research and Assisted Conception". I urge those—as the hon. Lady has obviously done—who are concerned with the moral and ethical questions raised by the medical and scientific advances to seek a copy of that document if they have not already done so and to let the authority have their views. Copies are available in the Vote Office.

When the document was published, I announced that the Government looked forward to receiving advice from the authority on those matters, after which we would consider what further action, if any, was required. As the procedures that the new clause seeks to ban are not yet possible, there are authoritative arguments—I imagine that that is the point that the hon. Member for Cambridge (Mrs. Campbell) was seeking to make—for waiting until the consultation exercise ends before considering legislative controls.

So far, the authority has issued 19,000 copies of the consultation document and received in excess of 3,600 representations. The level of response led the authority to extend the consultation period until mid-July. The House will wish to consider whether we are justified in considering taking action on this issue before the general public and organisations have taken full advantage of the invitation to make their views known. Hon. Members will wish to consider this matter when they are deciding whether to support my hon. Friend's new clause.

The authority's document does, of course, go much wider than the subject of the new clause. For instance, in addition to those aspects relating to eggs from foetuses, the authority is seeking comments on whether ovarian tissue or eggs from live donors or from cadavers should be used in infertility research or treatment. The document also pays special attention to the important area of consent. Informed consent is an essential part of existing egg and sperm donation programmes. However, consent in relation to the donation of ovarian tissue from foetuses or from girls who die in childhood raise altogether different considerations.

12.15 am

Mr. Cash: My right hon. Friend may recall that some years ago she and I discussed this matter in the context of the whole question of embryology. Does she not, while supporting the aim of my hon. Friend's new clause, agree that it would have been far better had we set out a

programme to ensure that research of this sort was not continued? Surely it would be better to impose greater restrictions.

Mrs. Bottomley: On the contrary, I think that the work of the authority has demonstrated precisely why that legislation was so important. In several areas—for example, sex selection and some aspects of cloning—the authority has issued consultation documents and, as a result, has decided not to license centres taking forward work of that sort. I believe that it has been a model of socially enlightened research and legislation, and one that many countries in other parts of the world wish to follow.

Mr. Peter Thurnham (Bolton, North-East): My hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight), in her closing remarks, said that her new clause was supported by the Government. Can my right hon. Friend confirm that we shall have a free vote and that the Government have supported the consultation exercise being carried out by the Human Fertilisation and Embryology Authority?

Mrs. Bottomley: I should like to clarify that point. My hon. Friend received assistance from my Department to ensure that her new clause would achieve the purpose that she intended. So far as the Government are concerned, however, there will be a free vote.

I hope that I have set out clearly the matters that must be considered. Many people feel strongly about this issue, and the authority has a consultation exercise under way. Whatever the outcome of our debate tonight, the other issues to which I have referred need to be considered by the Government. We shall undertake this consideration when we have the benefit of the authority's full advice.

We may recoil at the thought of a life being created in the circumstances that my hon Friend has described. As I said, some people may consider that the right course is to await the outcome of the HFEA's consultation exercise so that the issues can be considered in a wider context. All, I believe, will agree that there are serious ethical, legal and social issues involved. It is entirely appropriate that today's debate will be concluded with a free vote. The Government will abide by the will of Parliament.

Mr. David Blunkett (Sheffield, Brightside): I—like all other hon. Members, I imagine—share the concerns that have been expressed by the hon. Member for Birmingham, Edgbaston (Dame J. Knight). The Secretary of State has just made an admirable case for awaiting completion of the Human Fertilisation and Embryology Authority's consultation process. We should not be debating such an important and sensitive issue in the context of the Criminal Justice and Public Order Bill and at this time of night. It is now 20 minutes past midnight, and hon. Members are not in a position to express the genuine concerns of all sides.

This is the worst way of legislating. It is the worst use of Parliament. It is reactive and emotive, and in some ways the debate is ill-informed. That is why, during a debate on the health service on 20 January, I asked the Secretary of State to consult her colleagues about the provision of adequate Government time to enable us to address the wider issues that had arisen over Christmas and the new year, only one of which we are addressing in the debate on this new clause.

Subsequently, my hon. Friend the Member for Bristol, South (Ms Primarolo) and I met the Human Fertilisation and Embryology Authority and discussed—as the hon. Member for Edgbaston must have done—its concern that a genuine consultation process which was extended to 15 July would be pre-empted on one issue on a Bill which has nothing to do with either health or embryology or with the issues which we debated at length in 1990 simply to satisfy an understandable but nevertheless isolated issue which we are addressing this evening.

The 1990 Act—I spoke in that debate—was carefully considered by Parliament, and gave adequate powers to the embryology authority. It was explained to us that those powers would have been usable in dealing with the concerns of the hon. Member for Edgbaston. In any case, those powers would not need to be used for at least 10 years, and not in the immediate future. Scientific possibility would not make it possible for the fears and nightmares which people have expressed to come about for at least another decade.

Mr. Julian Brazier (Canterbury): On that very point, is the hon. Gentleman aware that a distinguished gathering of physicists and astronomers announced that putting a satellite into orbit would be impossible until the turn of century—just one year before sputnik was put into orbit? The hon. Gentleman is right to say that one issue is being taken in isolation here, but many Government Members feel that the issue should be addressed at the first possible moment, which this Bill provides.

Mr. Blunkett: I share the hon. Gentleman's wish that we should be able to address sensibly, carefully and non-emotively this very important issue, and those issues which were raised during Christmas and new year. Why have not the Secretary of State and her colleagues been prepared to make the time available at a rational and sensible time of day to debate the issues in that spirit?

Given that consent—as the Secretary of State described—cannot be given in this area, there are no fears regarding the issues to which the hon. Gentleman referred in terms of scientific possibility being overturned.

The matter is very simple. Those on the Opposition Front Bench will not press for a vote on the issue tonight. We regret that the Human Fertilisation and Embryology Authority's efforts to provide a rational and sensible discussion and a debate on the issues in a way which enables us to come to much wider conclusions following its consultation period have been simply overridden.

Even at this late stage, I ask the hon. Member for Edgbaston—with the knowledge that she has the House behind her and that the Secretary of State is giving support—to withdraw the new clause to allow the consultation period to be concluded and the embryology authority to come back with a range of recommendations following that consultation period, and to allow the House to debate the matter at a rational time of day in a rational fashion. That surely is the way in which Parliament should work—consequent on it having established the authority, consequent on asking it to deliberate on the issues and consequent on it agreeing to extend its consultation period.

The Secretary of State made a clear and, I thought, sensible case for allowing that consultation period to conclude. We do not object to the intention of the new clause, but we sincerely worry about the process of Parliament which turns a Bill into a hybrid measure by

[Mr. Blunkett]

tagging on to it things which have not been debated in a way which we feel to be appropriate. We ask the hon. Member for Edgbaston to consider the issues in that light.

Mr. Thurnham: It is unfortunate that the House is being asked at this late hour to consider this issue in this Bill. It is inappropriate that we should be considering it now. It is wrong, and it would be a mistake for the House to pass new clause 69.

Many people oppose the new clause, such as PROGRESS—the Campaign for Research into Human Reproduction—and the Royal College of Nursing, which has pointed out that it would be rash and that Parliament would lack credibility if it rushed a decision through now, pre-empting the consultation process that the Government set up. It seems totally wrong for the Government to allow a decision to be taken now when they have only just set up that process.

My hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) recently introduced a ten-minute Bill and I am sorry that I was not able to be present. She advanced a number of arguments and I shall take a few minutes of the House's time to consider them. She said that she felt that it was repugnant to use foetal tissue in such a way, but surely it cannot be worse to use a miscarried foetus to create life than to incinerate it. That is the choice.

My hon. Friend the Member for Edgbaston went on to say that there was a shortage of donors, but that millions of people could donate. They do not do so. Professor Brian Lieberman in Manchester set up the National Egg and Embryo Donation Society because of the shortage that exists. Only a handful of donors are able to provide eggs for research and treatment, which is why it is so important for us to consider any other possibilities.

My hon. Friend warned the House that women might be bribed to have late abortions. As I shall explain, there is no danger of that happening because, if it were possible to use foetal tissue, as many as 7 million eggs are available in one foetus, which would resolve all the present shortage problems. The full process is not understood, but it is known that, at the fifth month of pregnancy, about 7 million eggs are present. The number falls to 1 million at birth and 400,000 at puberty and only about 400 eggs go on to reach maturity, which is why there is the present shortage. It could be alleviated if new processes were discovered.

My hon. Friend the Member for Edgbaston went on to discuss a market in other organs, but that was considered by the Polkinghorne report, which sensibly advised that hospital ethical committees could consider the issues case by case and decide what was sensible and what should be done in the best interests of patients—for instance, by using foetal tissue to treat Parkinson's disease and so forth.

My hon. Friend also said that it would be wrong for a child to be born if the genetic mother had died, but it is not uncommon for a child to be born when the father has died. There is also evidence to show that, if DNA tests were taken, they would prove that one fifth of the population do not have the father shown on the birth certificate.

My hon. Friend also said that consent would not be given in the way in which it has been laid down by Parliament and I agree. That is a valid argument, which is why very little use would be made of the treatment if it were available. She queried the legality of using foetuses, but if it were illegal the Government would not support a consultation process. Clearly, it is legal as the law stands.

She also queried whether foetal eggs could be used for fertilisation. The Royal College of Nursing has said that it thought that it would take about 10 or 20 years, and Peter Brinsden of Bourn Hall thought that it might be five or ten years. Clearly, it is a long way away and there is no need for the House to rush into any hasty legislation tonight.

My hon. Friend the Member for Edgbaston finished introducing her ten-minute Bill by asking:

"how can it be right that a matter of life and death . . . should be decided by a committee?"—[*Official Report*, 22 February 1994; Vol. 238, c. 152.]

The right place for such matters to be considered is case by case, by the ethics committees in each hospital.

Mr. David Wilshire (Spelthorne): My hon. Friend will recall that I did my level best to help him to get the Human Fertilisation and Embryology Act 1990 on the statute book. He says that there is time, but does he not accept that we ought to make it crystal clear that no research should be done in such a way, whether in five or 20 years? We should make it clear now that that is one step too far.

Mr. Thurnham: My hon. Friend the Member for Edgbaston said that her clause would not stop research. The House can come to a decision about what might happen in this country, but it cannot decide matters in other countries, and all that this would mean is that the United Kingdom would lose its current lead. Louise Brown was the first test tube baby in the world to be born because this country has the lead; it would be very wrong of the House to approve legislation which would mean that our lead passed to other countries and, in extreme cases, people might have to go abroad for treatment that is unobtainable in this country.

For these reasons I urge my hon. Friend to withdraw the new clause and not put it before the House at this late hour. If she persists in putting it before the House, I urge hon. Members to oppose it.

12.30 am

Mrs. Anne Campbell: I would like to take up a little of the House's time tonight in flying the flag for that excellent organisation the Human Fertilisation and Embryology Authority. It was established in 1990 to look into the regulation of all treatment and research centres involved in infertility treatment with donated eggs or sperm, storage of eggs, sperm or embryos and research on human embryos up to the limit of 14 days. The authority is doing an excellent job, and should be allowed to continue with the work that it has been asked to do.

Over the years, a great deal of work has been done on in vitro fertilisation, and we have seen a great improvement in the techniques being used. In 1987, fewer than one in 10 IVF attempts led to a live birth; today, the figure is nearer one in seven. Over 10,000 children have been born through IVF in the United Kingdom. That is 10,000 children who are wanted and loved, and who are growing into healthy and happy individuals. The problem is that IVF has proved so popular that there is a great shortage of eggs relative to the demand, and the HFEA has issued a consultation paper with three possible sources of ovarian tissue to keep up with the demand. *[Interruption.]*

One of them is the possibility which has sparked such a chorus of indignation: to use foetal ovaries from abortions, stillbirths or miscarriages. *[Interruption.]*

The Second Deputy Chairman of Ways and Means (Dame Janet Fookes): Order. Too many private conversations are going on. Nobody is obliged to be in the Chamber. If hon. Members are here, I expect them to listen to the hon. Member who has the floor.

Mrs. Campbell: I have had a great many letters on this, and many of the people who have written to me appear to believe, mistakenly, that it is a treatment which is available and which is being carried out now. We have heard already tonight that nothing could be further from the truth.

It is true that foetal ovaries have been transplanted to restore the fertility of sterile mice, but this technique is not remotely possible in human beings at present. The research required to solve all the potential problems would take at least 10 years to produce a technique which was both effective and acceptable in human beings. So even if research started today, another 10 years would elapse before we could use such a technique. No research is currently going on in the United Kingdom on this issue.

So I must ask: why the hurry? Why the rush to make new legislation now, immediately, about something which is at least 10 years away? Why not wait until the excellent HFEA has finished its public consultation in mid-July and published its report a month later? When we set up a body to consider the issues, why do we find it necessary to rush in and prevent it from completing its job?

Like many other right hon. and hon. Members on both sides of the Chamber, I very much hope that the conclusion of the HFEA will be to recommend a ban on the use of foetal eggs. The very idea causes me some revulsion, but I think that it is important that the subject is properly considered—not simply debated for one hour very late at night, with tired Members on both sides of the House, who are ill informed and perhaps have a great many other issues on their minds on that subject.

I shall consider one further and final point. What is the effect of not allowing the Human Fertilisation and Embryology Authority to finish its job? I know that, if I were a member of that authority, I would be very upset if, after I had been asked to consult on what is obviously a very controversial issue, and as soon as the general public were being consulted on that issue, the hon. Member for Birmingham, Edgbaston (Dame J. Knight) had jumped in and tried to pass premature legislation.

I believe that the effect on that organisation will be that it will not in future wish to consult about anything that is remotely controversial. It will be forced to lie low, play safe and not test public opinion on those very important moral issues, as the HFEA was intended to do.

This is one of the few occasions when, through another organisation, we are asking the general public their views about what is acceptable to them. Do we not trust them to arrive at the right conclusion? Why do we want to interfere with the natural course of public consultation and debate? This is the wrong time to debate the subject, and in the Lobby tonight I shall vote against the new clause.

Mr. John Gunnell (Morley and Leeds, South): When the Secretary of State has told us that about 3,000 people have responded to the consultation document, does my hon. Friend consider that the House is showing contempt for those 3,000 people if it takes a decision before their views are heard and analysed?

Mrs. Campbell: My hon. Friend makes an extremely valid point. We have to consider the effect on those members of the public who bothered to write down their opinions and send them to the HFEA. It means that the House is, of necessity, riding over those opinions that have been expressed, and not allowing proper consideration of those issues.

Mr. Alton: Does the hon. Lady accept that the vast majority of those people who have written to the authority have registered their opposition to those repulsive procedures, and that therefore they will be delighted with the new clause that the hon. Lady has moved and would wish us to pass it tonight, and that there is therefore no need to delay on the grounds that she is advancing? Does she also consider it strange that the HFEA needed to consult on that issue at all?

Mrs. Campbell: I do not find it strange that the HFEA found it necessary to consult. I think that there is a problem, and the HFEA has named the option as one of a number for consideration, debate and consultation. I think that the argument of the hon. Member for Liverpool, Mossley Hill (Mr. Alton) is not valid, because it is important for us to know the result of the public consultation. In taking the step tonight, in trying to pre-empt the results of the public consultation process, we are prejudging the issue.

I have already said that my sympathies are with those people who wish the use of foetal eggs to be banned, and I have no doubts about that, but I want the issue to be properly discussed, I want it to be properly considered by an authority that has the resources, the information and the expertise to consider it, and I do not want it to be decided very late at night in the House of Commons at this point, before that consultation period is finished.

I reiterate that it will be at least 10 years before the treatment becomes even a remote possibility, so let us wait only a few more months to find out what public opinion and the HFEA advise us, instead of pushing headlong into a premature and hasty decision.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): With the indulgence of the House, this will be an extremely short contribution.

If we debate this measure, and indeed consult until the cows come home—as they say in the farming community—we should still reach the conclusion that it can never be right for a child to be born to a mother who herself was never born. It cannot be right for a child never to know what that mother looked like; for a child never to know what that mother's disposition would have been; or, in the event of medical complications later, never to know what that mother's medical condition would have been had that mother been born.

That is all we are discussing tonight. We do not need to wait for the completion of the consultation period; the broader issues can be debated and voted on at a later date. Tonight we are debating a simple narrow issue: should the House permit a child to be born to a mother who has never been born? The answer must be no. The vote must be yes in favour of the proposer, our hon. Friend the Member for

[Mr. Geoffrey Dickens]

Birmingham, Edgbaston (Dame J. Knight). It can never be right for a foetus to produce a child. I ask the House to support our hon. Friend on this side.

Dame Jill Knight: I will speak for only one or two moments. I will not concern myself with answering the arguments which hon. Members opposite have put forward; they are easy to answer, but it would take time. If the hon. Member for Cambridge (Mrs. Campbell) imagines that we in this House are not capable of discussing anything after 10 o'clock at night, she will have to learn better, because most hon. Members are well aware that we discuss and decide many things at this time of night.

I make one most important point. It is important for us to pass this new clause and say, here and now, that those who are spending time and a great deal of money on research in this field may as well stop right now and spend the money on far more important things to do with the well-being of women and children.

My hon. Friend the Member for Bolton, North-East (Mr. Thurnham) said many things which surprised and saddened me. But he ought to be ashamed—perhaps he will be ashamed in the morning—of saying that the House is only a committee. The House of Commons is a great deal more than a committee. If we think that we are merely members of a committee, we are not worthy of being here. I do not have the slightest intention of withdrawing the new clause.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Criminal Justice and Public Order Bill

New Clause 70

EXTENSION OF SEXUAL OFFENCES ACT 1967 TO THE ARMED FORCES AND MERCHANT NAVY (No. 2)

' .—(1) Section 1(5) of the Sexual Offences Act 1967 (Homosexual acts in the Armed Forces) is repealed.

(2) In section 80 of the Criminal Justice (Scotland) Act 1980, subsection (5) (Homosexual acts in the Armed Forces) is repealed.

(3) Section 2 of the Sexual Offences Act 1967 (Homosexual acts on merchant ships) is repealed.

(4) In section 80 of the Criminal Justice (Scotland) Act 1980 (homosexual offences), subsection (7)(d) and the word "or" preceding it, and subsection (8), (which together make provision about homosexual acts on merchant ships) are repealed.

(4) This section shall come into force on the date this Act is passed.'.—*[Mr. Maclennan.]*

Brought up, and read the First time.

12.45 am

Mr. Maclennan: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this it will be convenient to discuss also the following: New clause 82—*Homosexuality on merchant ships and in the armed forces: Northern Ireland—*

'—(1) In the Homosexual Offences (Northern Ireland) Order 1982, the following are revoked—

(a) in article 3(1) (homosexual acts in private), the words "and Article 5 (merchant seamen)"; and

(b) article 5 (homosexual acts on merchant ships).

(2) Article 3(4) of the Homosexual Offences (Northern Ireland) Order 1982 (homosexual acts in the armed forces) is revoked.

(3) This section, and the associated entry relating to the 1982 Order in Schedule 11, shall come into force on the date this Act is passed.'.

Amendment No. 35, in clause 131, page 103, line 19, at end insert—

'In Article 3 of the Homosexual Offences (Northern Ireland) Order 1982 (homosexual acts in private), for "21" in both places where it occurs there is substituted "18".'.

Amendment No. 36, in clause 142, page 110, line 32, after '125,' insert '131,'.

Government amendment No. 184.

Amendment No. 122, in page 111, line 1, leave out 'Section 44 extends' and insert

'Sections 44 and *(Homosexuality on merchant ships and in the armed forces: Northern Ireland)* extend'.

Amendment No. 123, in schedule 11, page 157, line 49, at end insert—

'S.I. 1982/1536 (N.I. 19).	The Homosexual Offences (Northern Ireland) Order 1982.	In Article 3, in paragraph (1), the words "and Article 5 (merchant seamen)", and paragraph (4). Article 5.'.

Government amendment No. 133.

Mr. Maclennan: The new clause provides the Government with an opportunity to fulfil the undertaking that they gave in 1992 to decriminalise homosexuality in the armed forces and Merchant Navy.

Mr. Peter L. Pike (Burnley): On a point of order, Mr. Deputy Speaker. I am finding it extremely difficult to hear what the hon. Gentleman is saying because of the noise. I know that you would want the House to be orderly so that we can hear what the hon. Gentleman has to say.

Mr. Deputy Speaker: I am grateful to the hon. Gentleman. So that the House is clear about what is happening, the hon. Member for Caithness and Sutherland (Mr. Maclennan) has now moved new clause 70 and has the Floor.

Mr. Maclennan: I am obliged to you, Mr. Deputy Speaker.

The Sexual Offences Act 1967 decriminalised private homosexual acts between consenting adults over the age of 21 in England and Wales, but did not extend to the armed forces or the Merchant Navy. Further Acts decriminalising homosexuality in Northern Ireland and Scotland repeated that omission.

The Select Committee on the Armed Forces recommended in 1992 that the criminal law be the same for members of the armed forces and Merchant Navy as it is for civilians. It did not, however, recommend lifting the ban on homosexuals serving in the military. In the debate to which I have referred, in June 1992, the then Minister of State said:

"the Select Committee on the Armed Forces did recommend that homosexual activity of a kind that is legal in civilian law should no longer constitute an offence under service law. That recommendation has been considered very carefully by the service personnel authorities, and they and Ministers have concluded that the Select Committee's recommendation should be accepted . . . It is now the Government's view, following the advice of the Select Committee, that such criminal proceedings should no longer be brought. My Department has therefore accepted that the special provisions of section 1(5) of the Sexual Offences Act"—*[Interruption.]*

Mr. Michael: Further to the earlier point of order, Mr. Deputy Speaker. It is immensely difficult to hear the hon. Gentleman, as it was the last time you expressed concern on the issue.

Mr. Deputy Speaker: Order. Will those hon. Members beyond the Bar, who are not technically in the Chamber, carry on their conversations elsewhere?

Mr. Maclennan: The former Minister of State said:

"My Department has therefore accepted that the special provisions of section 1(5) of the Sexual Offences Act 1967 should not apply in future. My right hon. and learned Friend the Home Secretary has been asked to implement the repeal of this part of the Act as soon as the legislative programme allows . . . I should like to make it clear that this is a sensible measure of decriminalisation, whose purpose is to tidy up the differences between military and civilian law. It is not intended to alter the present disciplinary climate of service life."

New clause 70 has been tabled to enable the Government to fulfil that undertaking. It does not seek to prevent the Army from disciplining individuals for conduct that may be a threat to discipline or good order relating to homosexual activity. Criminal prosecutions for gross misconduct of an indecent kind will still be possible under other armed forces legislation, as in civilian life. I commend the new clause to the House.

The Minister of State for the Armed Forces (Mr. Jeremy Hanley): All four Ministers at the Ministry of Defence support new clauses 70 and 82. Their purpose is to align with civilian law the legality or otherwise of actions by members of the armed forces and the Merchant Navy. Under current law, those engaging in homosexual activity that is legal in civilian law could be prosecuted

[Mr. Jeremy Hanley]

under service law. Clearly, that would be unfair, and my hon. Friend the Minister of State for Defence Procurement informed the House in June 1992 that the Government had accepted the recommendation of the Select Committee on the Armed Forces Bill of 1991 that homosexual activity of a kind that is legal in civilian law should not be prosecuted under service law.

Since then, we have not been prosecuting in such circumstances. It remains our policy, however, that homosexual activity is not compatible with the special conditions under which service personnel live and work. Service personnel found to be homosexual or who engage in homosexual activity will continue to be discharged from the services. It would clearly be anomalous for the situation in the Merchant Navy to be different from that in the armed forces. There is general consensus in the shipping industry that section 2 of the Sexual Offences Act 1967 should be repealed, and the decision to do so was announced by my hon. Friend the Parliamentary Under-Secretary of State for Transport, the hon. Member for Epping Forest (Mr. Norris), on 16 December 1993.

The code of conduct for the Merchant Navy is being amended in consultation with the unions and employers. Now is an appropriate opportunity to enshrine in law our acceptance of the position and repeal the special provisions of section 1(5) of the Sexual Offences Act 1967. It is also appropriate to amend the relevant section in article 3(4) of the Homosexual Offences (Northern Ireland) Order 1982 in relation to the law in Northern Ireland. I commend the new clauses to the House.

Ms Kate Hoey (Vauxhall): I wish to speak to amendment No. 35, standing in my name and those of a large number of other hon. Members. Although we cannot take a decision on it tonight, I hope that the House will support amendment No. 35, which will bring Northern Ireland legislation into line with the decision taken by the House a short time ago to reduce the age of consent for homosexuals to 18. At present, under the law in Northern Ireland, the age is still 21. In the Republic of Ireland the age of consent is 17. I am sure that the House would not want homosexual people in Northern Ireland to suffer inequality under the law.

The amendment is a simple measure of equality that would bring the age of consent in Northern Ireland to 18 as in the rest of the United Kingdom. It would give young people, and people generally in Northern Ireland, the same rights as people in the rest of the UK. Will the Minister give his view on the matter? I hope that he will accept the amendment. If not, I hope that the House will vote on it tomorrow.

Mr. Peter Bottomley (Eltham): Will the hon. Lady give way?

Ms Hoey: Yes, I give way to one of the supporters of my amendment.

Mr. Peter Bottomley: If there is opposition to the amendment, I think that the House will want to vote on it. I hope that those hon. Members who feel as the hon. Lady and I do—that everyone in the UK should be treated in the same way—will try to ensure that there is an opportunity to vote on the matter on another day such as tomorrow.

Mr. Bill Walker: Can my hon. Friend the Minister give an assurance that if existing law is changed as a result of these amendments, anyone dismissed from the service under the existing legislation will not be able to appeal to the European Court and receive large sums of public money?

Mrs. Roche: I welcome the Minister's acceptance of new clause 82 in my name, but we continue to be disappointed that homosexual activity can still lead to dismissal. Anyone who saw the "Cutting Edge" television programme about able seaman Brett Bernell will know how disgraceful was his dismissal and treatment. In more enlightened times, and perhaps under a different Government, there may be a change of attitude.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 71

EXTENSION OF DEFINITION OF RAPE TO COVER MALE RAPE, ETC.

'.—(1) The Sexual Offences Act 1956 is amended as follows—

(a) in section 1(1) (rape), for "rape a woman" there is substituted "commit rape"; and

(b) in section 12 (buggery), after subsection (1) there is inserted—

"(1A) This section does not apply where a man has anal intercourse with a woman or with another man who (in either case) at the time of the act does not consent to it.".

(2) Section 1 of the Sexual Offences (Amendment) Act 1976 (meaning of "rape" etc.) is amended as follows—

(a) in subsection (1)(a), after "consent to it" there is inserted "or has anal intercourse with a woman or with another man who (in either case) at the time of the act does not consent to it";

(b) in subsection (1)(b), after "she", in both places, there is inserted "or he";

(c) in subsection (2), for "a woman was consenting to sexual intercourse" there is substituted "a woman or a man was consenting to the act in question"; and

(d) after subsection (2) there is inserted—

"(2A) In the following provisions of this Act, references to a woman include references to a man."

(3) This section, and the associated repeals in Schedule 11, shall come into force on the date this Act is passed.'.—*[Mrs. Roche.]*

Brought up, and read the First time.

Mrs. Roche: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this we may discuss the following: Amendment (a), before subsection (3), insert

'(2A) In subsection (3) of section 2 of the 1976 Act (restrictions on evidence at trials for rape, etc.) after the word "woman" there shall be inserted the words "or a man".

(2B) In subsection (1) of section 4 of the 1976 Act (anonymity of complainants in rape etc. cases) after the word "woman" there shall be inserted the words "or a man".'.

New clause 78—*Marital rape*—

'.—(1) For section 1 of the Sexual Offences Act 1956 (Rape) there shall be substituted the following section—

Rape.

1.—(1) It is an offence for a man to commit rape.

(2) A man commits rape if—

(a) he has sexual intercourse with a woman who at the time of the intercourse does not consent to it; and

(b) at that time he knows she does not consent to the intercourse or is reckless as to whether she consents to it.

(3) A man who induces a married woman to have sexual intercourse with him by impersonating her husband commits rape.

(4) Subsection (2) above applies for the purpose of any enactment."

(2) In sections 2(1) and 3(1) of the Sexual Offences Act 1956 (Procuration of women to have unlawful sexual intercourse) the word "unlawful" shall be omitted.

(3) Section 1(1) of the Sexual Offences (Amendment) Act 1976 (which is superseded by this section) shall cease to have effect.

(4) The Sexual Offences (Amendment) Act 1976 shall be amended in accordance with subsections (5), (6), (7) and (8) below.

(5) In section 4(1) (Anonymity of complainants in rape etc. cases), at the beginning, there shall be inserted the words "Subject, in the case of marital rape offence, to the modifications of this section made by section 4A of this Act,".

(6) After section 4, there shall be inserted the following section—

Anonymity of complainant and defendant in marital rape etc. cases.

4A.—(1) Section 4 of this Act shall have effect in the case of a marital rape offence with the following modifications.

(2) The prohibition in subsection (1) of the publication or other disclosure (except as authorised by a direction) of—

(a) the woman's name or address or a picture of her; and

(b) matter likely to lead members of the public to identify the woman;

shall apply in relation to the person against whom the allegation or accusation of the rape offence is made ('the man') as it applies to the woman, but shall continue in force for the duration of the woman's life only.

(3) Any direction in pursuance of that section may disapply the prohibition either in relation to the man and the woman or in relation to the man only (but not in relation to the woman only) and, where given in pursuance of an application, whether or not the application sought that form of direction.

(4) Subject to subsection (5) below, the defence conferred by subsection (5A) on proof of the written consent of the woman to the appearance of matter of the description in question shall only be available on proof of the written consent of the woman and the man; and the exception in subsection (5B) on proof of unreasonable interference with the woman's peace or comfort applies also on proof of unreasonable interference with the man's peace or comfort.

(5) Where the man is convicted of the rape offence subsection (4) above does not apply as respects any time after the conviction."

(7) In section 7(2) (Definition of rape offence, etc. for purposes of the Act), in that definition—

(a) after the words "attempted rape", where they first occur, there shall be inserted the words "assault with intent to rape,"; and

(b) for the words "or attempted rape" there shall be substituted the words ", attempted rape or assault with intent to rape".

(8) In section 7(2), after the definition of "a rape offence" there shall be inserted the following—

" 'a marital rape offence' means any of the following, namely, rape, attempted rape, assault with intent to rape and burglary with intent to rape where, at the time of the alleged offence, the victim and the person accused of the offence are married to each other;".

(9) In consequence of the foregoing amendments—

(a) in section 5 of the Sexual Offences (Amendment) Act 1976—

(i) for the words "the preceding section" (wherever they occur) there shall be substituted the words "section 4 of this Act"; and

(ii) in subsection (5), for the words "of such matter as is mentioned in" there shall be substituted the words "such as to contravene";

(b) in section 6(5) of the Magistrates' Courts Act 1980 for the words from "section" to the end there shall be substituted the words "sections 4 and 4A of the Sexual Offences (Amendment) Act 1976 (Anonymity in rape cases of complainant and, in marital rape cases, of complainant and defendant)"; and

(c) paragraph 66 of Schedule 15 to the Criminal Justice Act 1988 shall cease to have effect.

(10) In section 80(3) of the Police and Criminal Evidence Act 1984 (Exceptional compellability of accused's spouse) after paragraph (a), there shall be inserted the following paragraph—

"(aa) the offence charged is a sexual offence against the wife of the accused; or"

(a) in consequence of the amendment made by subsection (1) above in subsection (3) of that section—

(i) in subsection (3)(c), at the end, there shall be inserted the words "or of attempting to commit any offence falling within paragraph (aa) above.".

(ii) in subsection (7), for the words "subsection (3)(b)" there shall be substituted the words "subsections (3)(aa) and (b)".

(11) Subject to subsection (12) below subsections (4) to (8) above shall not apply in relation to an allegation or accusation of an offence which is made before the commencement of this Act and subsection (10) above shall not apply in relation to any trial, or any proceedings before a magistrates' court as examining justices, which began before the commencement of this Act.

(12) Subsection (7) above shall not, in its application to sections 1(2), 2 and 3 of the Act of 1976, apply in relation to any trial, or any proceedings before a magistrates' court, which began before the commencement of this Act and shall not, in its application to sections 4 and 5 of the Act of 1976, apply in relation to an allegation or accusation of an offence which is made before the commencement of this Act.'.

New clause 83—*Aggravated sexual offences*—

'.—(1) A person who commits an offence under section 1(1) of the Sexual Offence Act 1985 or section 22(1) or 30(1) of the Sexual Offences Act 1956 shall be guilty of an aggravated offence if the person against whom that offence is committed is under the age of 16 years.

(2) A person who commits an aggravated offence under subsection (1) of this section shall be liable to double the penalty provided for such an offence if it had not been an aggravated offence.'.

New clause 84—*Living on the earnings of prostitution of a person*—

'In section 30 of the Sexual Offences Act 1956 for subsection (1) there is substituted the following subsection—

"(1) It is an offence for a person knowingly to live wholly or in part on the earnings of prostitution".'.

New clause 85—*Procuration of a person to become a prostitute abroad*—

'For section 22(1) of the Sexual Offences Act 1956 there is substituted the following section—

"(1) It is an offence for a person—

(a) to procure a person to become, in any part of the world, a common prostitute; or,

(b) to procure a person to leave the United Kingdom, intending him or her to become an inmate of or frequent a brothel elsewhere; or,

(c) to procure a person to leave his or her usual place of abode in the United Kingdom intending him or her to become an inmate of or frequent a brothel in any part of the world for the purposes of prostitution."'.

New clause 93—*Meaning of rape*—

'.—(1) In section 1(1)(a) of the Sexual Offences (Amendment) Act 1976 ("the 1976 Act")—

(a) the word "unlawful" is omitted; and

(b) the word "person" is substituted for the word "woman".

(2) In section 1(1)(b) of the 1976 Act—

the words "that person" are substituted for the word "she" in both places where it occurs; and

(3) The following subsection is inserted after section 1(1)—

"Notwithstanding section 44 of the Sexual Offences Act 1956, for the purposes of this Act, 'sexual intercourse' shall mean vaginal or anal penetration to any degree by any part of the assailant's body, or any object, and shall include non-consensual oral sex."'.

Government amendments Nos. 43, 44 and amendments Nos. 49 to 51.

Mrs. Roche: This new clause is about equality and treating victims of crime equally. The maximum penalty for raping a woman is life imprisonment. Given the appalling nature of that crime and the trauma that it causes women, no one would argue that that is wrong. Yet male rape is not recognised in law. It is called buggery without consent, and carries a maximum penalty of only 10 years' imprisonment. If we want to act properly for victims of crime, we should do something about that legislative discrepancy.

Other countries, such as Canada and Ireland, have already amended their legislation. In Ireland, the Criminal Law (Rape) (Amendment) Act 1990 extended the definition of rape to include male victims.

In this country, the Criminal Law Revision Committee recommended as long ago as 1984 that the penalty for buggery without consent should be increased to life imprisonment. New clause 71 would achieve the same end as the CLRC hoped to achieve—but by changing the definition of rape rather than increasing the penalty for buggery. After all, men who are victims of rape know that that is exactly what they are—rape victims, and the victims of an appalling crime.

A change in the law would also reassure male rape victims that their plight is taken seriously. A breakdown of 62 men who were the victims of sexual abuse and who have attended the Wharfside clinic at St Mary's hospital in Paddington so far in 1994 showed that only seven of them —11 per cent.—had reported their assault to the police. A change in the law might encourage more men to report such crimes, so that the police can thoroughly investigate them.

The new clause will enable the law to take account of the needs of victims of crime, and I shall listen carefully to the Minister's remarks. I commend the new clause to the House.

Mr. Maclean: In law, sexual assault—by whatever name it is called—is abhorrent. The fact that the word "rape" is reserved for a particular act should not belittle the suffering of the victims of other sexual offences, whether male or female.

New clauses 71 and 93 would raise the maximum penalty for certain sexual offences to life imprisonment. Because the penalty for indecent assault on a woman was increased from two to 10 years in 1985 and because we have now extended the power of the Attorney-General to refer unduly lenient sentences on indecent assault, I do not believe that, in the overwhelming majority of cases, there will be any difficulty in ensuring that offenders are properly punished. The same goes for non-consensual buggery of a man.

In short, the subject of new clauses 71 and 93 is too big and sensitive to embark on during the Report stage of a Bill which, as my right hon. and learned Friend the Home Secretary pointed out during the debate on the age of consent, is not a sexual offences Bill, but a criminal justice Bill.

I am

I accept that there is an anomaly in the maximum sentences that are available. If there were to be a future sexual offences Bill, where these and other matters could be carefully considered—there would be knock-on consequences if we were to do what the hon. Lady suggested, for example, on the problem of attempted buggery—the Government would be sympathetic in looking to iron out those anomalies and may increase the penalties.

I have listened carefully to what the hon. Lady has said, but this Bill is not the vehicle in which to attempt to change such a large subject. With those assurances, I hope that the hon. Lady will not press her new clause tonight.

Mr. Gerrard: New clause 78, which is grouped with new clause 71, stands in the name of my hon. Friend the Member for Leyton (Mr. Cohen) and myself and deals with a simple issue. The purpose of the new clause is to bring into the law the offence of marital rape. It might be thought that that is not necessary in view of the ruling of October 1991 in another place that sex without a woman's consent is rape irrespective of the relationship between the attacker and the woman. I point out that, in January 1992, the Law Commission, as a main recommendation, said that legislation should confirm the law and that the husband who raped his wife could be prosecuted just like anyone else. Although it could be argued that the law is now clear as a result of the 1991 judgment, the Law Commission clearly believed that a change was needed to remove any element that could suggest a marital exemption.

The Government have stated a commitment to tackling the issue. I shall quote briefly from a letter from the Minister to my hon. Friend the Member for Leyton on precisely this issue. It reads:

"We welcomed the . . . ruling in 1991 on rape in marriage. It is right that a woman should not be denied the protection of the criminal law simply because she is married to the assailant. The Government has pledged to enshrine the rape in marriage recommendation in statute when a convenient opportunity arises".

I believe that this is a convenient opportunity. I hope that the Minister will not repeat the argument that he has just used in response to my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche). The Bill covers a huge range of topics. If the Government wish to make changes in the law in that respect, it is not satisfactory to say that we must wait for another Bill. The Bill is here now. It is wide enough already. These changes, which the Government said that they accept, could be included. I hope that the Minister will think again and, at the very least, say that if he cannot agree to the new clauses tonight, he will consider what can be done when the Bill goes to another place.

Mr. Alan Howarth: I am disappointed at the response of my hon. Friend the Minister on new clause 71. It deals with an anomaly and an injustice which enable an odious crime to persist all too readily and which means that, if offenders are caught and found guilty, they are punished too lightly.

As the hon. Member for Hornsey and Wood Green (Mrs. Roche) said, there is currently no such offence as male rape, or the rape of males. The charge in such cases is buggery without consent or indecent assault. Buggery without consent carries a maximum penalty of only 10 years compared with a maximum penalty of life imprisonment for the rape of a woman.

Why is this important? Why is new clause 71 needed? It is needed because the present situation is plainly inequitable. By attaching a smaller maximum penalty to buggery without consent, we imply that, even if we do not condone it, we take a more indulgent view of it. All the

evidence shows that male victims of rape experience a trauma that should be understood as comparable to that suffered by female victims. In both cases, the suffering can be expected to be terrible and long lasting. That is certainly what the Royal College of Nursing tells us and what any of us can readily imagine.

Writing in the *British Medical Journal* of 15 December 1990, Dr. Michael King said:

"The rape trauma syndrome, in which phobic anxiety, depression, somatic complaints, and behavioural changes follow from an assault, occurs in both men and women".

Because male rape is not recognised as a crime, it is often not reported, or, if it is, is reported only a long time after the event. That means that the victim does not receive support and care. The Kafkaesque effect of the offence not being recognised is that the victim, as one victim put it, feels isolated, unrecognised by society and without a context in which to understand his experience.

Suzanne Adler's research shows that the reasons for not reporting male rape are similar to those for not reporting female rape. They include shock, embarrassment, fear, blame and a high degree of stigma. The establishment of a crime of male rape, as proposed in new clause 71, would make it more likely that the needs of male victims of sexual assault would be constructively considered through the provision of counselling and other support.

In today's climate of greater openness and willingness to discuss matters such as rape and child abuse, the dimensions of the problem of male rape, while remaining far from clear, are becoming more apparent. Reports to the police of crimes of buggery without consent and indecent assault rose sharply between 1984 and 1989. Offences of buggery are recorded as increasing by 90 per cent. in that period and offences of indecent assault by 24 per cent. Dr. Gillian Mezey of St. George's hospital in London believes, however, that the figures are

"the tip of an iceberg".

By 1992, the admirable charity Survivors, to which the hon. Member for Hornsey and Wood Green referred, was receiving 800 calls a year during its twice-weekly two-hour helpline.

Let us be clear about the fact that male rape is not, as public prejudice may suppose, typically a feature of homosexual activity. First, Home Office figures show that 85 per cent. of victims of indecent assault were under 15 years of age. Secondly, research published in 1990 in the *British Journal of General Practice* found that in 72 per cent. of the cases studied the assailant was perceived as having a heterosexual orientation. As in 72 per cent. of cases the assailant was also personally known to the victim, there is no reason not to accept that the estimate is fairly accurate.

The point is that male and female rape is not primarily about sex but about power and its abuse. Rape is violence in which sex is the weapon. Mr. Ernest Woollett of Survivors, who was cited by the hon. Member for Hornsey and Wood Green, reports that of those calling the helpline in 1993—the hon. Lady dealt with the 1994 statistics—44 per cent. had been under 10 at the time of the first assault and a further 22 per cent. were aged 11 to 15. Thirty per cent. of the alleged abusers were members of the victim's family and 13 per cent. of abusers were women. Where the information was obtained, in 45 per cent. of cases the sexual orientation of the victim was heterosexual and in 47 per cent. gay.

We are talking about an evil and an injustice on which we should act. We would not be alone in doing so: in Germany, the Netherlands and Canada, as well as in the majority of the states in the United States of America, rape is a non gender-specific offence. Expert legal opinion in Britain favours reform in this sphere, as the hon. Member for Hornsey and Wood Green said. In 1984—

Mr. Pike: Do not the statistics that the hon. Gentleman has just given show that it would be totally wrong for the Minister to say that we should wait for a sexual offences Bill to come before the House before we take action to protect the type of people that the new clause seeks to protect?

Mr. Howarth: I am grateful that the hon. Gentleman makes that point because it is very much the one to which I was coming. First, I wanted to stress that expert legal opinion favours reform in the area. In 1984, the Criminal Law Revision Committee recommended increasing the penalty for buggery without consent. In 1992, in Doncaster Crown court, Mr. Justice Crabtree said:

"When it comes to punishment I do not see that it makes any difference whether it was a man or a woman who has been violated and degraded."

It will not do for us simply to wait for some putative sexual offences Bill which may receive parliamentary time at some uncertain and possibly distant date. We are dealing with a crime and with suffering of which there is evidence that the incidence is mounting. The new clause provides a vehicle which would enable us to act to address the problem. I am sorry that my hon. Friend the Minister has felt unable to offer any hope that in the later stages of the passage of the Bill the Government will look again constructively at the problem, but I hope that he may reconsider the position at this inconvenient hour. I hope that, after all, the Government will be prepared to bring forward a new clause of their own in another place to address an urgent and important evil.

Ms Mildred Gordon (Bow and Poplar): The Minister has said that the Criminal Justice and Public Order Bill is not the place to accept new clauses on sexual offences. On the contrary, I believe that it is a good opportunity to amend the law. New clause 93 concerns the definition of rape. Until now, legislation has excluded many horrific assaults which are technically not rape, but which are experienced as rape by the victims. The Sexual Offences (Amendment) Act 1976 defines in statute the offence of rape as unlawful sexual intercourse with a woman who did not consent.

The first point of new clause 93 is about rape in marriage, where legislation is long overdue. Secondly, it would extend the definition of rape to cover rape attacks on men and boys and, thirdly, it includes as rape non-consensual buggery and some of the offences which are now known as indecent assault which carry a lesser penalty.

The effect of the word "unlawful" in the Sexual Offences (Amendment) Act was to make husbands immune from the charge of raping their wives. The implication of it was that some rape, such as that within marriage, was lawful and many husbands took that right. Even those who did not take that right knew that they had it.

[Ms Mildred Gordon]

As my hon. Friend the Member for Walthamstow (Mr. Gerrard) said, in March 1991, after years of protest by women and women's organisations, the Appeal Court declared:

"a rapist remains a rapist subject to the criminal law irrespective of any relationship"

In 1991, the Law Lords said:

"in modern times the supposed marital exception in rape forms no part of the law of England."

That decision is being appealed against in the European Court and therefore it is vital that Parliament, which has never taken a stand in supporting the right of wives to say no to their husbands, takes a stand now.

Parliament has done nothing, despite the fact that a Women Against Rape survey showed that rape in marriage is the most common rape of all and that one in seven married women have been raped by their husbands. In considering what the Law Lords have done, the Law Commission has said that rape in marriage should be made a crime on exactly the same basis as any other rape and that that should be achieved by deleting from the 1976 Act the word "unlawful". By adopting new clause 93, I believe that Parliament should delete that word today.

On the basis of my case work, I feel strongly that Parliament should ensure that immigrant wives are no longer forced to submit to rape as a condition of their right to stay in Britain. I have known of several women who have fled brutal rapist husbands and then been faced with deportation orders because they were no longer living with the rapist. That must be put right. Women should be given legal help to fight their cases and financial help to enable them to escape from rapist husbands.

As it is so late in the day I shall try to be as brief as possible. But I must say that it is absurd that in 1994 British law still does not recognise the rape of men and boys. It is clear that the distinction between buggery that is really consensual anal sex and buggery that is really rape must be clarified in law. That legal distinction is long overdue, both for women and for men. Consensual sex of whatever nature is not the business of the law, but it is the law's job to protect women, men and children from anal rape.

1.15 am

Men and boys, like women and girls, are raped by strangers, by members of their families, by their partners in gay relationships, by casual acquaintances or dates, and, especially when they are young, by men in positions of power and authority over them. Male rape is especially common in prison. It is time that the law addressed that problem, which could easily be done by changing the word in the Sexual Offences (Amendment) Act from "she" to "person".

My last argument is that the law must cover other forms of rape. The present definition of rape is confined to what is commonly known as "sexual intercourse". That definition artificially excludes many assaults that women experience and suffer as rape, such as forced oral or anal intercourse. Unfortunately, many children are sexually abused by means of forced oral intercourse.

Also excluded is the use of objects such as bottles, broom handles, knives and men's hands. There was a famous case involving a Queen's guardsman, Thomas Holdsworth, who was freed by the court on the grounds that a gaol sentence would ruin his Army career. In legal terms he had not raped the woman involved, although he had used his fist, full of rings, which tore her internally.

The distinction made by the law and by many men between penile penetration and other sexual assault has nothing to do with the trauma that women suffer, or with women's perceptions. As the law stands, extremely violent and serious assaults are categorised only as indecent assault, and thus receive a far lesser penalty. The maximum sentence for indecent assault is 10 years, whereas for rape the maximum is life. The new criminal compensation scheme gives compensation of £3,000 for indecent assault, but gives £7,500 for rape.

The present legal definition of the offence of rape is outdated and indefensible and creates gross miscarriages of justice. There can be no excuse for Parliament's perpetuating that situation for one more day.

Mrs. Roche: With the leave of the House, Mr. Deputy Speaker, may I welcome the contributions made by my hon. Friends the Members for Walthamstow (Mr. Gerrard) and for Bow and Poplar (Ms Gordon). I am pleased that the new clause has had all-party support and I congratulate the hon. Member for Stratford-on-Avon (Mr. Howarth) on his excellent speech highlighting rape trauma syndrome.

Although I welcome the Minister's expression of the Government's sympathy over the discrepancy, I am disappointed that in such a wide-ranging Bill time could not have been found to deal with that area of the law. I hope that as the Bill makes progress, perhaps in another place, it may be possible to give the issue further consideration and to deal with it. But in view of what the Minister has said, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Further consideration adjourned.—[*Mr. Andrew Mitchell.*]

Bill to be further considered this day.

PETITION

School Transport

1.19 am

Mrs. Helen Jackson (Sheffield, Hillsborough): I present a petition from 400 residents and parents of students at Bradfield school and other schools in the area about dangerous overcrowding on school transport.

The petition reads:

Wherefore your petitioners pray that your honourable House in the interests of safety enact a change in the law regarding the transportation of school children by bus or coach so that school children may no longer be carried three to a seat. And your petitioners, as in duty bound, will ever pray.

To lie upon the Table.

Iraq and Libya (Sanctions)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Andrew Mitchell.]*

1.20 am

Mr. Tam Dalyell (Linlithgow): On the last occasion that I raised the issue of sanctions against Iraq and Libya, my hon. Friend the Member for Bradford, South (Mr. Cryer) was present. I am sure that it is the wish of hon. Members who are here to extend deepest sympathy to his wife Ann and a feeling of considerable pain and loss on the death of Bob Cryer.

As I told the Prime Minister when, most courteously, he saw me in his room in the House of Commons on Thursday 3 March; as I told the Foreign Secretary when he most courteously saw me in his room in the House on the first parliamentary day after I returned from Baghdad in May 1993; and as I twice explained to Sir Michael Burton when, most courteously, he saw me first in June 1993 and again with Riad El Taher last month, I was indelibly appalled to see the lines of infants in the children's hospital in Baghdad and at the Um Kasr hospital on the Kuwait border, some of whom were expiring in the presence of my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway) and myself.

This summer, unless something is done, the human tragedy is likely to be compounded. That something is the supply of the pharmaceuticals on the list that I handed to the Prime Minister, and the supply of water filters and water pump equipment to process the disease-ridden waters of the Tigris river, supplying the staff of life to a city of 4 million people.

Where there were three pumps in happier times, despite Iraqi technical ingenuity, there is now probably one. If a few pumps seize up in sweltering May, June, July and August, water-borne disease will be rife.

In so far as policy is dictated by the alleged persecution of the Shia and the so-called marsh Arabs, I believe that Her Majesty's Government are plain wrong.

There are more Shia than Sunni in the city of Baghdad. I saw the breathtaking shrine at Kerbala being skilfully rebuilt by specific order of Saddam Hussein, who went there soon after the western bombing.

The supposed evidence of burning marsh Arab villages that was shown to me in the India room of the Foreign Office by Ministry of Defence officials on 23 March, as a result of the courteous initiative by the Minister of State for the Armed Forces, the hon. Member for Richmond and Barnes (Mr. Hanley), seems to be worthless. Those who briefed me simply did not know that reed huts are regularly burnt for reasons of sanitation, and have been burnt at intervals for 5,000 years for the same reasons of hygiene.

I recommend the article in *Middle East International* entitled "Letter from Qurna" by Tim Llewellyn, the veteran middle east correspondent of the BBC, who accompanied me on my visit to Iraq in 1993. Knowing that this debate would start late at night, I gave a copy to the Foreign Office first thing in the morning, which I hope the Minister received from his office. I quote that article:

"Strangely, all seems calm, everyone seems happy. It is true the cheerleaders are from the Ba'th party, but that musky aura of death and fear is not in the air. Dare I say it, these Madan actually like being modernised. A burgeoning drainage and irrigation scheme has brought a man-made river sweeping south east, canals shooting off from it, other similar projects under way or planned. The Marsh Arabs can still live near the water, but out of it now, with electricity, clinics, financial help, government food rations and clean water to drink, the land washed clear of salt and reclaimed for wheat, barley and rice.

They keep their reeds, their hunting, their water buffalo and way of life, and—yes—it has to be said, they are more manageably arranged for Saddam's supervision. Progress disciplines everyone.

This phenomenal water endeavour is not new. The Marshes' drainage was planned in the 1950s, started in the 1970s and written about with tentative approval by Gavin Young, Thesiger's protege, in 1976. It is quite ludicrous to suppose that such a complex project has been designed simply to exterminate an ancient people."

It is against this background that I ask the Government yet again what on earth they intend to do, in this sweltering summer, about a terrible human situation and implore them to think again about whether sanctions should not be lifted.

Turning to Libyan sanctions, I am driven to the conclusion that Her Majesty's Government simply do not want either to find or to stumble on the truth of the Lockerbie crime. The truth, if it were established, would be altogether too awkward, too inconvenient, too embarrassing to Britain and the United States. I have been ever more curious about Lockerbie since those last days of December 1988, when a constituent friend and police officer told me that it was extraordinary how Americans, swarming round the wreckage, were interfering with evidence within hours of the crash.

Extraordinary, too, was the fact that the then Secretary of State for Transport, the right hon. Member for Southend, West (Sir P. Channon), whom I have known in the House since he was the late Rab Butler's Parliamentary Private Secretary, appeared so confident that he knew what had been done, and who had done it, that he was prepared to say as much about the case to selected journalists in January 1989.

The hon. Member for Southend, East (Sir T. Taylor) is in the Chamber. I should like to put on record my belief that his efforts in relation to Libya have been totally sincere, were undertaken in good faith and would have represented the best chance of resolving the problem had he received from a number of authorities in Britain the backing that he deserved. I applaud his efforts.

Extraordinary, too, is the fact that, in more than 800 pages of memoirs, Lady Thatcher should not so much as mention Lockerbie once. But, of course, the fact is that two American Presidents asked Downing street to keep a low profile on Lockerbie. Lady Thatcher does refer to the 1986 bombing of Libya, and she seeks to justify it on the grounds that Libya could no longer back terrorists:

"The 'much-vaunted' Libyan Counter-Attack did not, and could not, take place."

She, of all people in the western world, must have known what intelligence was saying about Lockerbie, and her memoirs cannot be squared with information that blames Libya.

Like the Maltese Government, the Maltese police, Air Malta, the Luqa airport authorities and, indeed, Dr. John Buon Tempo, the former Maltese ambassador to the Arab states, whose mediation efforts are, I hope, being taken seriously by the Foreign Office, I do not believe that a bomb was posted—yes, posted—in Malta to go through the Rhein-Main airport and Heathrow without detection. Nor—bluntly—do I, as the longest-serving Scottish Member of Parliament, with a history of respect for the office of Lord Advocate, believe that the Crown Office has the evidence that it claims to have and pleads that, for legal reasons, it cannot produce.

[Mr. Tam Dalyell]

It was partly that raisons d'etat dictated that with a Gulf war situation looming, it was necessary not to place blame on Syria or Iran and that Libya was a convenient, smaller scapegoat. It was partly to do with some vociferous American relatives of the victims, and their lawyers, led by Lee Kreindler, in order to get their money, and to prove negligence by Pan Am and fix responsibility on Pan Am insurers—a case that depends on the bomb being posted in Malta, as does Vincent Cannistraro's venomous attack on Lestor Coleman and Don Goddard, whom I do not regard as con men and who ought to be taken seriously and ought to be seen by the Scottish police. It was, above all, because of the sheer embarrassment factor for George Bush that the United States Government warned its officials and cancelled places on Pan Am flight 103, while allowing kids, like Flora Swire and the students of Rochester New York, to travel.

If the Minister is angry with me for saying this, he might explain why Mr. Colin McEarchan QC for the Board of Trade at the fatal accident inquiry referred to the existence of public interest immunity certificates in relation to Lockerbie. Though the Minister has no ministerial responsibility, may I be forgiven for curiosity as to why the Department of Defence in Washington took the highly unusual step of claiming state privilege exempting certain documents from perusal by the lawyers of Pan Am insurers.

Just what negotiations have taken place between the State Department and the Foreign Office? Bluntly, I believe that there has been a major conspiracy in Washington and London to obscure the course of justice. I beg the Minister at least to support the suggestion being put by distinguished Scottish lawyers to the Secretary-General of the UN, Mr. Boutros Galli, that a UN tribunal be convened to try the Libyan suspects.

Let me say to the Lord Advocate who, I understand, is on a jurisdictional Scottish legal high horse, that if there were a trial at The Hague of the suspects, the Libyan Government have agreed that it would presided over by Scottish judges, held according to Scottish law and adopting Scottish court proceedings. What the Libyan suspects must do must be up to them and their legal advisers, because a distinction must be made between the suspects and the Libyan Government.

Is the Foreign Office at all attracted—as I am—by the suggestion of Lord Mackay of Clashfern that the Lockerbie incident, which involved 16 nationalities, should be regarded as a crime against the international community, and that serious attempts ought to make at an international level to find an international forum acceptable to a multiplicity of countries?

Sooner rather than later, sanctions against the Libyan people must be lifted. I may have gabbled this, but there is a very great deal more which could be said. I await the Foreign Office reply with interest in the knowledge that it had 16 hours—possibly not enough time—to consider these extremely serious issues.

1.31 am

The Minister of State, Foreign and Commonwealth Office (Mr. Douglas Hogg): The hon. Gentleman knows well that I disagree with a great deal of what he has said, but he has always shown a deep and continuing interest in the issues and I congratulate him on the fact that he has found yet another opportunity in which to raise them.

I thank the hon. Gentleman also for the fact that he sent my office a copy of his speech, and that has given me the opportunity to reflect on what he proposed to say. It would be helpful if I began by reminding the House of the circumstances in which sanctions were first imposed on Iraq.

When Saddam Hussein invaded Kuwait on 2 August 1990, the international community had no choice but to take resolute action. The action that was first taken comprised United Nations Security Council resolution 661, which imposed comprehensive economic sanctions on Iraq, and those were imposed on 6 August 1990.

At that time, there was an exception to those sanctions for strictly medical products. Subsequently, UNSC resolution 687 was passed on 3 April 1991 which laid down requirements that Iraq had to meet in full before sanctions could be lifted. Those requirements have not been met.

Just as it was Saddam Hussein who first caused sanctions to be imposed on Iraq, it is Saddam who is responsible for their remaining in place. However, from the very beginning the UN Security Council has been conscious of the effect of the sanctions on the ordinary people of Iraq. Just as many medicines were also exempt when resolution 687 was passed, the Security Council permitted shipments of foodstuffs and humanitarian goods.

The present position is that food and medicines are still exempt from sanctions, and humanitarian goods are permitted subject to approval by the UN sanctions committee. The role of that committee is to monitor the implementation of the embargo and to act as a point of reference in interpreting humanitarian and essential needs. The sanctions committee considers all applications to ship humanitarian goods to Iraq on a case-by-case basis. Our view is that basic human requirements such as clothing, toiletries, clean water, sanitation, shelter and agriculture fall within that definition and should be met.

We do our best to ensure that humanitarian goods are available to people who need them, but, at the same time, we have to ensure, first, that there is a genuine need and, secondly, that the goods are not diverted or exploited by the regime. For that reason, export licence applications should be supported by a United Nations agency report and each case is judged on its merits.

I accept that the process is sometimes slow, owing to the volume of applications received; however, we think that it is necessary to maintain a careful scrutiny of the applications.

It has not been our intention to punish innocent Iraqi civilians for Saddam's crimes. We take the view that the responsibility for the hardship and suffering of the Iraqi people lies not with the international community but with Saddam Hussein.

One of the problems is that we are unable to make our own assessments of humanitarian needs, as we are repeatedly denied access to many parts of Iraq. However, we receive reports from various sources about the humanitarian situation. We do not underestimate the effect that sanctions are having on the ordinary people of Iraq and, for that reason, the British Government alone have given about £66 million in aid since April 1991.

I regret to say that the regime in Iraq does not make life easy for the agencies involved there. In some cases, they

are simply denied access. In others, they are unable to operate on the terms offered to them by the Iraqis. For example, the World Health Organisation spent months wrangling with the Iraqi authorities over the distribution of essential medical supplies. Aid workers in northern Iraq are under constant threat. There are reports that the Government in Baghdad have offered a reward of $10,000 for the assassination of foreigners on Iraqi soil.

Since 12 March, there have been six security incidents, including two deaths in northern Iraq. Some of the attacks have been deliberately aimed at United Nations guards. So Saddam's regime, which caused the sanctions to be imposed in the first place, has consistently frustrated the international community's attempts to alleviate the suffering of the ordinary people of Iraq.

It is not surprising that Saddam does nothing to alleviate the suffering of his people. In October last year, the Iraqi Government decided not to continue negotiations on the implementation of Security Council resolutions 706 and 712, which were devised to bring relief to Iraqi civilians. Under those provisions, Iraq would have been able to sell up to $1.6 billion worth of oil during a period of six months. The proceeds would have gone into a United Nations escrow account. Some would have been set aside to cover compensation claims arising from the invasion of Kuwait. The rest—an estimated $933.7 million—would have been used for UN operations in Iraq, especially for the provision of food medicines and humanitarian supplies.

Saddam has also been engaged for many years in a sustained campaign of oppression against his own people. In 1991, the humanitarian situation in northern Iraq was so serious that the Security Council adopted resolution 688, which demanded an end to the brutal repression of the civilian population throughout Iraq and insisted that it allow access by humanitarian organisations to all those in need.

In his interim report of 18 November 1993, the UN Special Rapporteur on Human Rights, Mr. Van Der Stoel, confirmed that the Iraqi Government were continuing their policy of repression. The internal blockade against the Kurds was still in place and the electricity supply was still turned off. The arbitrary killing of civilians had become part of daily life. Iraq denies the findings of Mr. Van Der Stoel, but has refused repeatedly to allow human rights monitors to be stationed in Iraq. If Iraq has nothing to hide, it should allow access to impartial observers.

The Shia in the southern marshes have also become a target of vicious oppression. The southern no-fly zone has a deterrent effect, but it cannot solve all the problems. The marsh lands have been drained in some places and flooded in others, causing an ecological imbalance that deprives the marsh Arabs of their homes and agricultural lands.

Recent imagery—I know that the hon. Gentleman has seen some of the film—from aircraft deployed to monitor Iraqi compliance with UNSC resolution 688 shows that the rivers have dried up and the waters have been diverted away from the marshes. We also have evidence to suggest that Iraqi ground troops are systematically burning settlements. We do not believe that those things are the result of some agricultural project; nor do we regard them as having some innocent explanation. Saddam's track record makes it clear that he is engaged in a systematic campaign against the Shia in the marshes.

Our policy is clear. We are determined that Iraq should fulfil all its obligations under the relevant Security Council resolutions. We will continue to do what we can to help the Kurds, the Shia and the others whom Saddam continues to repress. We will continue to do what we can to help the ordinary people of Iraq. But the maintenance of sanctions is in Saddam's hands, not ours, and I hope that when the hon. Member for Linlithgow (Mr. Dalyell) next has occasion to travel to Baghdad he will make that position quite plain to those whom he meets. That is perhaps the greatest service that he can render to the people of Iraq.

I turn now, if I may, to the question of Libya. The Security Council imposed sanctions against Libya following that country's refusal to accede to the demands of the international community contained in UNSC resolution 731 which was adopted unanimously in January 1992. It called on the Libyan Government to provide a full and effective response to the requests by the United Kingdom, United States and French Governments to co-operate fully in establishing responsibility for the terrorist attacks against Pan Am flight 103 and UTA flight 772.

Our position, together with that of the French and United States Governments, has been that the Libyan Government must surrender the two Libyan officials accused of involvement in the Lockerbie bombing for trial in Scotland or the United States, satisfy the French judicial authorities over the bombing of UTA 772, pay appropriate compensation and demonstrate by concrete actions their renunciation of terrorism.

When the Libyan Government failed to respond satisfactorily to these demands, the Security Council adopted a mandatory resolution, 748, requiring the demands to be met and introducing, in April 1992, an arms embargo, a ban on air links and on certain aviation-related trade, and a reduction in Libyan diplomatic representation. Continuing Libyan refusal to comply with UNSC resolutions 731 and 748 led to the adoption on 11 November 1993 of resolution 883 which introduced, from 1 December 1993, further sanctions, including a ban on exports of certain oil-related equipment, tightening of the aviation embargo and a freeze on Libyan assets. Libya is allowed free access to the proceeds of sales of oil and agricultural products, provided the proceeds are placed in separate accounts.

The intention behind the sanctions is not to punish the Libyan people but to increase the pressure on the Libyan regime to comply with the earlier resolutions and, in particular, to obtain justice for the victims of the Lockerbie and UTA atrocities. To this end, the new resolution adopts a carefully balanced approach. Thus, in addition to the stick of further sanctions, there is also a carrot: if the Secretary-General reports to the Security Council that the Libyan Government have ensured the appearance of those charged with the Lockerbie bombing before the appropriate US or Scottish court and have satisfied the French judicial authorities with respect to the bombing of UTA 772, the Security Council will review the sanctions with a view to suspending them immediately.

We see the suspension of sanctions as a preliminary to their being lifted immediately Libya has complied fully with UNSC resolutions 731 and 748. This new element, which was not present in resolution 748, is designed to make it clear that sanctions are not intended to punish but to bring Libya to compliance, and no more than that. Responsibility for the continuance of sanctions therefore rests squarely with the Libyan regime. The Government have repeatedly stressed that they have no interest in maintaining sanctions for their own sake.

Mr. Dalyell: I thank the Minister for being here so late at night, but I want to press him on two aspects of the matter. First, what is the objection to some kind of trial taking place under Scottish court rules and Scottish court procedures before Scottish judges at The Hague? This, as I understand it, is an offer from the Libyan Government in so far as they can say what will happen, because I am told by the legal advisers that one cannot equate the Libyan Government with the two suspects.

I ask the Minister this. Is it because, as I put it in my opening speech, it is the Lord Advocate rather on a Scottish legal high horse, of pure jurisdictional law—incidentally, he may be right in that and I am not challenging his integrity as a lawyer—but taking a very narrow, legal position, or is it the will of the Foreign and Commonwealth Office and the British Government that there should not be any type of change in the jurisdiction?

Secondly, on Iraq, is it understood how a whole generation will grow up simply hating us if these sanctions go on? People do not ask whose fault it was; they ask who is imposing the sanctions here and now. As one with a deep interest in the Arab world, I am dismayed that this should go on and on, in a situation where a generation will grow up, rightly or wrongly, simply hating the west. I do not know whether the hon. Member for Southend, East (Sir T. Taylor) wants to interrupt me or interrupt the Minister, but I very much welcome his presence, exactly because he has taken such an interest in Libya.

Sir Teddy Taylor (Southend, East) *rose—*

Mr. Deputy Speaker (Mr. Michael Morris): Order. Does the hon. Gentleman have permission?

Mr. Dalyell: Yes.

Mr. Deputy Speaker: Of the Minister as well?

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Two o'clock.

House of Commons

Wednesday 13 April 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

DEATH OF A MEMBER

Madam Speaker: I regret to have to inform the House of the death of George Robert Cryer, esquire, Member for Bradford, South, and I desire, on behalf of the House, to express our sense of the loss we have sustained and our sympathy with the relatives of the honourable Member.

NEW WRIT

For Rotherham constituency, in the room of Jimmy Boyce, esquire, deceased.—*[Mr. Derek Foster.]*

Oral Answers to Questions

TRADE AND INDUSTRY

National Consumer Council

1. **Mr. Martyn Jones:** To ask the President of the Board of Trade what further assessment he has made of the impact on consumer advisory services of his reduction in the grant of the National Consumer Council.

The Parliamentary Under-Secretary of State for Technology (Mr. Patrick McLoughlin): I am confident that the National Consumer Council will continue to promote and safeguard the interests of consumers as a whole.

Mr. Jones: How can the Minister justify that statement after making a cut in the grant to the National Consumer Council? When will he restore that cut to protect consumers in this country?

Mr. McLoughlin: The hon. Gentleman will recognise that the National Consumer Council has done well over the years with funding increases, from some £0.32 million in 1975-76 to £2.47 million in 1994-95—an increase of some 80 per cent. in real terms. I think that that shows the Government's commitment to the National Consumer Council.

Mr. Riddick: Does my hon. Friend agree that, while consumer bodies such as the National Consumer Council have a role to play, consumers' interests are best served by maximising competition within free and open markets? Is that not what the Government have been achieving over the past 15 years through the rigorous use of competition policies and, most important, by privatising the old state-owned nationalised industries so that consumers' interests now take top priority?

Mr. McLoughlin: I am grateful to my hon. Friend. He is absolutely right. We have seen time and again that competition reduces prices. Perhaps the most outstanding example of that is telecommunications.

Balance Of Trade

2. **Mr. Grocott:** To ask the President of the Board of Trade what was the balance of trade in manufacturing products in (a) 1979 and (b) the latest year for which figures are available.

The Minister for Trade (Mr. Richard Needham): In 1979, the United Kingdom had a surplus of £2.7 billion in manufactured trade. In 1993, there was a deficit of £7.8 billion. Since 1979, the volume of UK exports of manufactures has grown by 60 per cent.

Mr. Grocott: As the Minister mumbled those disgraceful figures into the Dispatch Box, perhaps I can spell them out a little more clearly. The £2.7 billion surplus in 1979, in real terms, at current prices, would be a £6.8 billion surplus which, after 15 oil-rich years, is now a £7.8 billion deficit. What is the latest Government thinking about a scapegoat for that? Is it the foreigners, the unions, or Labour local authorities? Is it too much to expect the Minister to give us a parliamentary first today and stand at the Dispatch Box and apologise to the country for representing a Government of the most appalling economic and industrial incompetence?

Mr. Needham: If the hon. Gentleman thinks that Labour-controlled local authorities have anything to do with the manufacturing decline of this country, he lives in cloud cuckoo land, as do most of his hon. Friends. If he and his colleagues had been in power, there would have been no reform of the trade unions, no privatisation of public utilities and every business man in the country would have fled because of the tax impositions advocated by Labour Members.

Mr. Nicholas Winterton: As one of those hon. Members who, probably more than many others, recognised the vital role of manufacturing industry, I fully support the Government's new approach to it and their recognition of its importance. Will my hon. Friend ensure that the Government continue to create the right climate for the expansion of manufacturing industry, especially low inflation and low interest rates which are essential to the success of this vital sector?

Mr. Needham: Yes.

Mr. Malcolm Bruce: When does the Minister expect to publish his report on the competitiveness of British manufacturing industry? Will he set out in that report his Department's priorities specifically to rebuild the British manufacturing base so that we can secure the advantages of the post-GATT eighth round? Will he be prepared to build into that incentives for companies that make long-term commitments to research and development and innovation in order to counter the short-termism which so often discourages such enterprise?

Mr. Needham: I am sure that my right hon. Friend the President of the Board of Trade will have noted what the hon. Gentleman has said.

Mr. Robin Cook: The Minister invited the House to imagine what would have happened had there been a Labour Government in power. Why does he not admit that if a Labour Government had transformed a surplus of £7 billion at 1993 prices to a deficit of £7 billion in 1993 he would be demanding that they resign? Why does he not take that message himself? Why does he not admit that the cumulative surplus under Labour was more than £80 billion and that the cumulative deficit under the Conservatives has been more than £80 billion? Is that not the real measure of the appalling damage done to our manufacturing industry by 15 years of Conservative rule?

Mr. Needham: If the hon. Gentleman, with his total lack of understanding and knowledge of industry, had been in power, the deficit would have been £17 billion rather than £7 billion. If he examined the percentages for a moment, he would find that the deficit now is 1¼ per cent. of gross domestic product and the surplus in 1979 was 1½ per cent., so the difference is about 2¾ per cent. That total number in terms of the size of the economy, when compared with the increase in the surplus on services, is almost meaningless.

Mr. Oppenheim: Is it not a fact that our balance of trade in manufacturing was falling very sharply in the 1960s and 1970s and especially in the latter part of the 1970s but that since then our record in manufacturing exports, output and productivity has for the first time since the war been better than the average of our main competitors? Does that not mean that in the past 15 years we have made up much of the ground lost when Labour was implementing its industrial strategy to turn British Steel into the world's largest loss maker and British cars into the butt of international music hall jokes?

Mr. Needham: My hon. Friend is absolutely right. To cite just one statistic, in the three months to the end of February our exports to Asia have risen by 25 per cent. in value. In the same three months last year, they rose by 11 per cent. in value. Britain's success in increasing our manufacturing exports is unrivalled by that of any other country.

National Association of Citizens Advice Bureaux

3. Mr. Turner: To ask the President of the Board of Trade what further assessment he has made of the impact on consumer advisory services of the real-terms reduction in grant to the National Association of Citizens Advice Bureaux.

Mr. McLoughlin: The National Association of Citizens Advice Bureaux plays an important and valuable role in its support of local citizens advice bureaux. We have more than doubled the grant in aid paid to NACAB in real terms since 1979-80, and I am confident that maintaining the grant in 1993-94 will enable it to provide continued support.

Mr. Turner: The Minister did not mention that he has cut the grant to citizens advice bureaux for the current year. Citizens advice bureaux in the west midlands, an area which he knows very well, last year received the largest number of inquiries of any region in the United Kingdom, but they will be unable to provide the same level of service to consumers in the forthcoming year. When does he intend to make good the cuts?

Mr. McLoughlin: As I have explained, there have been no cuts. However, I am glad that the hon. Gentleman referred to the west midlands, as I hope that he will join me in congratulating Conservative-controlled Wolverhampton council on increasing the grant paid to the citizens advice bureaux in his own constituency. When the Conservatives took control, they increased the grant by some 25 per cent. I am glad to hear the hon. Gentleman congratulate them on the excellent job that they are doing.

Maritime Borders

4. Mr. Trimble: To ask the President of the Board of Trade if he will make a statement concerning the representations made by his Department to the European Commission concerning Interreg 2 and maritime borders.

Mr. Needham: Northern Ireland does not qualify for a sea border Interreg programme because it does not have an international sea border with another member state. However, the Government are confident that there will be increased support for Northern Ireland under a successor to its Interreg programme with the Republic of Ireland.

Mr. Trimble: Does the Minister not appreciate that if the Interreg 2 programme remains confined to maritime borders and is not expanded to include maritime regions, as would be consistent with the policy, Northern Ireland and Scotland will suffer in comparison with the southern corridor through north Wales to Dublin? Does he understand our annoyance that when our European representative, Jim Nicholson, went to the European Commission, the Commissioner told him that he was sympathetic but that the Department of Trade and Industry was being unhelpful? Does the Minister not realise that his duty is to represent not only England and Wales but the whole of the United Kingdom, including Northern Ireland and Scotland?

Mr. Needham: I do not need any lessons from the hon. Gentleman about representing the whole of the United Kingdom. The land element in Interreg 2 is much larger than the maritime element. There is no justification for the comments that the hon. Gentleman alleges were made to Mr. Jim Nicholson. It is vital to ensure that Northern Ireland, especially Belfast, gets a reasonable proportion of the land element of Interreg 2, which can be used to ensure that Belfast and other ports in Northern Ireland remain competitive with those of the south. The Government continually tell the Commission that there must be no unfair subsidies that would put the ports of Northern Ireland at a disadvantage.

Dr. Spink: Is my hon. Friend aware of the current deliberations on the Interreg 3 programme, and how important it is that south-east Essex should be successful in its application, so as to develop its infrastructure and therefore improve its manufacturing competitiveness?

Mr. Needham: I am sure that the Department of Trade and Industry will ensure that those arguments are heard loud and clear in the Commission.

Mr. Wigley: Will the Minister give a commitment that the Government's promise to give top priority to the links not only between Holyhead and Dublin but between

Pembroke and south-east Ireland still stands, and that they are working on it? Will he confirm that in Wales the Welsh Office will be in charge of administering the programme?

Mr. Needham: As I understand it, the local Departments will administer the programme. Representations are being made to the Commission and the results, including those relating to the hon. Gentleman's suggestion, will be known in June. I repeat what I said about the need to ensure that all the ports in the United Kingdom are treated fairly.

Competitiveness, Buckinghamshire

5. **Mr. Lidington:** To ask the President of the Board of Trade what steps he is taking to encourage the competitiveness of industries in Buckinghamshire.

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Michael Heseltine): Under the Government, we now have the lowest interest rates for nearly 20 years, manufacturing productivity at an all-time high, and we have the lowest underlying inflation for the past 26 years. Investment in plant and machinery is up nearly 50 per cent. since 1979.

I am pleased to announce that a new business link in Aylesbury is expected to open in June. We shall announce our further policies on competitiveness in a White Paper to be published soon.

Mr. Lidington: Does my right hon. Friend agree that in a competitive world economy it is important not only for large British companies but for small and medium-sized companies, which form the majority of employers in places such as Aylesbury, to get used to exporting as part of their regular business planning? Will he ensure that the welcome new business link office in Aylesbury, and other measures adopted by the Department, will provide advice to enable small and medium-sized employers to go out and break into overseas markets?

Mr. Heseltine: I am extremely grateful to my hon. Friend. Like many people, I believe that job creation in the future will come from the small and medium-sized business sector. We in the Department of Trade and Industry are determined to reinforce the efforts of that vital part of the British economy by providing a first-class advisory service through the business link movement. We are also determined to push on with the export promoter initiative, which has now attracted about 75 secondees from the private sector to my Department to help and advise the small companies that we wish to see pioneer export markets.

Fuel Bills (Early Payment)

6. **Mr. Kevin Hughes:** To ask the President of the Board of Trade when he will be meeting the gas and electricity regulators to discuss the effect of the early payment of fuel bills.

The Minister for Energy (Mr. Tim Eggar): I meet the gas and electricity regulators from time to time. They are responsible for monitoring the performance of the gas and electricity companies on their regulated business.

Mr. Hughes: At those meetings, will the Minister put pressure on the regulators to ensure that any profits made by the power companies from advance payments will be returned to the customers in terms of reduced bills, especially for those who could not afford to go through the loophole, as the wealthy did, and make advance payments? Will the Minister put pressure on so that those least able to afford the bills will have a reduction?

Mr. Eggar: That is a matter for the companies—[HON. MEMBERS: "Why?"] I have noticed that Midlands Electricity has announced that £500,000 of income derived from interest from pre-payments will be donated to the Neighbourhood Energy Action Trust. I very much congratulate Midlands Electricity on that initiative.

Mr. Congdon: Will my hon. Friend draw to the attention of the regulators the fact that consumers are pleased by the substantial reductions, in real terms, in their energy bills since the privatisation of the once state-owned monopolies?

Mr. Eggar: I absolutely agree with my hon. Friend. The position is in stark contrast to Labour's record when in power, when electricity prices rose by 22 per cent. between 1974 and 1979.

Mr. O'Neill: Is the Minister aware that a number of the regional electricity companies have misled their consumers? East Midlands Electricity has on its form:

"VAT on electricity—There is no need to make an additional payment and East Midlands Electricity does not encourage you to do so."

Yet in the next sentence, the company says:

"Additional payments can be made using the payment slip below."

Those contradictory statements were designed to mislead consumers. Surely the least that the Government can do is to point out to the regulator the misleading statements, and the way in which the companies are fleecing people and making vast profits. Neighbourhood energy schemes are just a drop in the ocean compared with people's suffering as a consequence of the 8.5 per cent. increase.

Mr. Eggar: As I understand it from what the hon. Gentleman said, the company was telling consumers about the choice available to them. The nature of the hon. Gentleman's question reveals all. If he were Minister for Energy, which God forbid, he would be saying exactly what must be done in terms of billing and what consumers must do, depriving consumers of all choice.

Mr. Brazier: With regard to the early payment of bills, will my hon. Friend join me in congratulating my constituent, Mrs. Scott, whose home I was privileged to visit on Monday? She has come up with a far more effective way to reduce her fuel bills, using the Government's splendid new home insulation grants which are now available to all pensioners.

Mr. Eggar: I will, of course, congratulate Mrs. Scott and my hon. Friend. I dare say that the scheme will go particularly well in Midlands Electricity areas as I suspect that it has been funded with the help of the Neighbourhood Energy Action Trust.

Utility Regulators

7. **Mr. Battle:** To ask the President of the Board of Trade if he will review the power of the utility regulators over high charges and preferential boardroom share options.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. Neil Hamilton): The utility regulators have sufficient powers to protect consumers' interests over a range of issues, including prices. The remuneration of company directors is a matter for the company concerned and its shareholders.

Mr. Battle: Is the Minister aware that the chairman of Yorkshire Water, Sir Gordon Jones, stands to make £260,000 profit on his share option deal, but is giving many of my constituents the single option of accepting expensive, unaffordable metering? All other water consumers have no option but to pay unacceptable and extortionate charges. When will the Minister give real power to the regulators and redress that injustice?

Mr. Hamilton: If the hon. Gentleman is so concerned about the arrangement, I suggest that he buys some shares in the company, attends the annual general meeting and speaks out there. In general, the position is substantially improved compared with that under the Labour Government, when such individuals were paid large sums for turning in large losses, which were ultimately subsidised by taxpayers. Now, at least, profits are being divided, part among employees and part among directors. That seems a significant improvement.

Mr. Ian Taylor: Is it not typical of the Opposition to show envy about the success of companies and the share option schemes, which are valuable only because the companies have done very well? Is it not a fact that many of the executive share option schemes about which the Opposition complain are linked to employee share option schemes, which are also valuable if the company has done well?

Mr. Hamilton: I agree entirely with my hon. Friend. That is an important element in providing incentives to companies to become more efficient, which is in the general interest of consumers. As the answer to the question of the hon. Member for Leeds, West (Mr. Battle) shows, never has the difference between the two parties in the House been so amply demonstrated. As defined by Winston Churchill, while capitalism involves the unequal sharing of blessings, socialism means the equal sharing of misery.

Mrs. Helen Jackson: Is the Minister aware of the extreme public anger and fury in Yorkshire about the actions of the water regulator, who has extended his power through the President of the Board of Trade despite numerous letters from Members of Parliament on both sides of the House, thus allowing the chairman of Ofwat's Yorkshire customer services committee to be sacked by the regulator? Does that not smack of power, patronage and preference, which is out of place in a public service such as the water industry?

Mr. Hamilton: It is a bit of a cheek for a Labour Member of Parliament to accuse the Government or any organisation such as Ofwat of nepotism or partiality. It was, after all, the last Labour Prime Minister who appointed his son-in-law as Her Majesty's ambassador in Washington. The director general of Ofwat gave evidence this morning to the Select Committee on the Environment and I am sure that he is capable of defending himself. Ofwat has rejected claims that the director general has acted in any way improperly in making appointments to the customer services committee. Of course, a balance must be drawn between experience and turnover.

Trade Missions

8. **Mr. Gallie:** To ask the President of the Board of Trade if he will list the countries in the far east to which it is planned to send trade missions supported by his Department.

Mr. Needham: There are currently plans for six ministerial visits to the far east, including trade missions, in the remainder of the year. On present plans, I hope that on those missions I will visit Malaysia, Indonesia, Japan, Thailand, Taiwan, South Korea, Vietnam, the Philippines and China.

Mr. Gallie: Will my hon. Friend accept my appreciation of the recent support that he has given to the Jetstream aircraft in my constituency? Is he aware that Jetstream has recently established a spares department in Singapore to service an increasing fleet? Will he ensure that on future trade missions Jetstream aircraft will be promoted as first-class aircraft and that the back-up services will also be promoted as first-class services?

Mr. Needham: I am only too delighted—I am sure that I also speak for my right hon. and hon. Friends—that any mission that we take to the far east should include companies from my hon. Friend's constituency. I also extend that invitation an all hon. Members. If there are companies in their constituencies which they think can export successfully to the far east, we should be only too delighted to include them. As a result of the missions that we have undertaken over the past two years, sales to Singapore were up some 30 per cent. in 1993 on 1992 and some 30 per cent. in the first three months of this year. That is true throughout the whole of the far east and I am sure that that will continue to be the case.

Mr. Bell: With due respect, the House welcomes the Minister's globe-trotting activities, but in response to the question of my hon. Friend the Member for The Wrekin (Mr. Grocott) is it not a fact that our world trade has steadied while that of France has increased? On his missions abroad, does the Minister think that our embassy and high commission staff are sufficient for the job or do we need more? Are we sure that the dead hand of the Treasury is not lying across our exports? What can the Minister do to ensure that there is a level playing field for the British when dealing with the French, the Germans and the Americans and not a tilted playing field?

Mr. Needham: Our strategy, which has developed over the past two years, gives us a business plan in each of the major markets of the world and these are supported by the posts overseas. We discuss staffing levels through the joint export promotion directorate, and at present I have no indication from it that we are below strength or below the plans that we have set out. We are showing British industry —I am glad that we have its support—that we are giving it as good a service as that received by any company in any country anywhere in the developed world.

Business Confidence

9. **Mr. Peter Ainsworth:** To ask the President of the Board of Trade if he will make a statement on business confidence.

Mr. Heseltine: All the major business surveys show that British industry is increasingly confident about the future.

Mr. Ainsworth: Does my right hon. Friend agree that that confidence is rooted in the fact that Britain is now a low interest rate, low inflation and growing economy—*[Interruption.]*—attributes which Labour Members appear to find derisory—and that we also have a relative competitive edge in Europe and the world which Opposition party policies would jeopardise, probably at the cost of millions of jobs, through their socialist and strikers' charters?

Madam Speaker: Order. I need hardly remind hon. Members yet again that it is the Executive who are being brought to account during Question Time. It is not an Opposition party which must have its policies questioned but the Executive.

Mr. Heseltine: I agree with my hon. Friend. The fact is that since 1981, the volume of United Kingdom manufactured exports has grown faster than in France, Germany, Italy and Japan.

Mr. Mandelson: Does the Minister accept that business confidence in the northern region was greatly knocked by the Government's decision to cut the grant to the Northern Development Company? In view of the continuing success of that company—of course, local authorities and the private sector are maintaining their commitment to the NDC—and as the northern region is crying out for jobs and investment, what possible sense could there have been in the Government's decision?

Mr. Heseltine: The confidence of the business sector in the north will be affected by the state of the order book and the effectiveness of its ability to compete. That is what matters to industrialists. We will do our best to continue to support them within the resources available to my Department.

Sir David Madel: In relation to business confidence in Bedfordshire, my right hon. Friend is aware of the situation of Lancer Boss Trucks in Leighton Buzzard. Can he assure me that his Department will do all that it can to help the receiver to sell the company as a going concern so that manufacturing jobs in the fork-lift truck industry in Leighton Buzzard, Bedfordshire, can be retained?

Mr. Heseltine: I am extremely grateful to my hon. Friend. *[Interruption.]* I should have thought that the House would want to hear about this extremely important matter. It is extraordinary that when jobs and investment in manufacturing industry are at stake, Labour Members seek to turn it into a national joke. The fact is that Ministers and officials have already been in touch with both the company and the receivers. My Department will do all that it can to assist, but it cannot become involved in the receivers' administration of the case. However, there seems to be a good prospect of an offer being made for the Lancer Boss group as a whole.

Mr. Fatchett: For a Government who claimed that business confidence depended on the level of taxation, how does the President of the Board of Trade explain to business people the fact that the Government have increased taxes to a record level and imposed a savage increase in taxation on every family in the country? Is not that another example of the Government's economic incompetence damaging Britain's business interests?

Mr. Heseltine: The hon. Gentleman cannot have heard what I said. All the latest business surveys show growing confidence. The reason for that growing confidence is that British industry wants a competitive exchange rate, rising productivity, low inflation and low interest rates. Under this Government, it is getting all four.

Jobs And Exports

10. **Mr. Paice:** To ask the President of the Board of Trade what assessment his Department has made of the average numbers of United Kingdom jobs created or maintained for every £1 billion earned by United Kingdom exports.

Mr. Needham: The best available estimate is that £1 billion of visible exports is likely to be associated with around 30,000 jobs.

Mr. Paice: Does my hon. Friend accept that that clearly demonstrates what many of us have known for a long time: Britain has and always will be a trading nation and we must export to provide jobs and the wealth of the country? Does not last week's announcement that British car exports to Japan increased by 30 per cent. demonstrate that we are now in a competitive situation? Is not it time that we recognised that competitiveness and a flexible labour market go together, and those who would impose regulations on our labour force and load burdens on our employers would destroy competitiveness, destroy exports and destroy jobs?

Mr. Needham: I agree with my hon. Friend. We have a competitive industry. We must do everything that we can to ensure that it stays that way, and the most important thing is to deny power to the Labour party.

Mr. Winnick: If all is so well, as the President of the Board of Trade and the Minister have repeatedly said this afternoon, why is there such a lobby on the Tory Benches for the President of the Board of Trade to replace the Prime Minister? Is not it a fact that many Tory Members find the present situation in the country so appalling that they want to replace the Prime Minister with the President?

Madam Speaker: Order. As I said earlier, this an opportunity to question Government policy, not to question individuals or Opposition policies. I suggest that the Minister replies to the first part of the question.

Mr. Needham: The second part of the question made me so cross that I have forgotten the first part.

Madam Speaker: I call Mrs. Lait. Let us have a sensible question from a woman.

Mrs. Lait: I will try to restrain my anger. When does my hon. Friend expect accurate statistics from the European Union about trade within member states?

Mr. Needham: I cannot give my hon. Friend an exact estimate. I have no reason to believe that the way in which the statistics are collected here means that they are any less competently done or accurate than they are in other European states. There is a bedding-down period and it will affect the balance of trade figures in all the countries of Europe for some time yet.

Gas Consumer Council

11. **Mr. Berry:** To ask the President of the Board of Trade if he will assess the impact of the reduction in the Gas Consumer Council's budget on the availability of advice to the public on gas safety.

Mr. Eggar: The Gas Consumer Council has indicated that it expects to be able to carry out all its functions within the budget allocated for 1994-95.

Mr. Berry: In that case, can the Minister say why only this morning the Gas Consumer Council told me that the impact of the cuts would be borne by leaflets and the provision of information? Does he ask me to believe his account of the impact on safety campaigns in the gas industry, or to believe the Gas Consumer Council's account?

Mr. Eggar: My understanding is that the Gas Consumer Council is confident of being able to carry out its current functions. It will have to absorb a small reduction in its budget, in accordance with the necessary restrictions on public expenditure as a whole, but it is absolutely typical of the Opposition parties that they fail to recognise that the alternative to reductions in public expenditure is increases in taxation.

Sir Michael Grylls: Why do we need a Gas Consumer Council?

Mr. Eggar: It was generally felt when the gas industry was privatised that there was a need for consumer protection and that the best way to achieve it was through the operation of Ofgas and the Gas Consumer Council. The Gas Consumer Council, together with other similar consumer bodies, must be able to show that it is working hard in the interests of consumers in order to justify its continued existence.

Insolvency Service Agency

12. **Mr. Jon Owen Jones:** To ask the President of the Board of Trade what recent increase there has been in the staff of the Insolvency Service agency's disqualification unit.

Mr. Neil Hamilton: The Insolvency Service's disqualification unit has recently been increased by four staff on loan from other Government Departments and by two fully qualified staff seconded from the private sector. In 1994-95, we propose to provide further resources to enable up to 15 extra staff, including secondees from the private sector, to be added to the complement of the unit. Official receivers will be committing more of their resources to disqualification and prosecution work. As a result, disqualification proceedings against unfit directors are expected to increase substantially within 12 months of completion of training of the new staff.

Mr. Jones: The Minister's announcement of a total of 15 extra staff is welcome, but it is hardly likely to make much of a dent in the increased demand on the Insolvency Service from the increase of over 400 per cent. in bankruptcies since 1987. What does the Minister say to the National Audit Office's report on the Insolvency Service last year, which stated that up to 50 per cent. of directors who merited disqualification would not be disqualified because the resources were inadequate, or to the admission—

Madam Speaker: Order. This is Question Time. I must have brisk questions and brisk answers.

Mr. Hamilton: Since 1989-90 the number of staff employed in the Insolvency Service has increased from 1,400 to 1,800. There has been, as a result of the recession, a significant increase in the workload of the service with which it has coped extremely well. We are aware of the problems that were identified by the National Audit Office's report. We are considering methods of addressing those difficulties and I am waiting now for the report of the Public Accounts Committee, following which I shall, I hope, be in a position to make an announcement.

Mr. Page rose—

Madam Speaker: I call Mr. Malcolm Moss.

Mr. Page: There is a resemblance, Madam Speaker, although my hon. Friend is not quite as good-looking.

In contrast to the carping question from the hon. Member for Cardiff, Central (Mr. Jones), does not the increase in manpower reflect to the credit of both the agency and the Government? Is not it a positive reaction to the National Audit Office report and the Public Accounts Committee inquiry in January this year? Will not the improvement allow closer co-operation between the Insolvency Service and the agencies, and make company directors more aware of their responsibilities, thus giving greater protection to the public, which we all want?

Mr. Hamilton: I agree with my hon. Friend and I pay a warm tribute to the staff employed by the Insolvency Service for the way in which they have coped with the dramatic upturn in work in recent years. We must try to find more flexible means of taking on staff to cope with such peaks as well as troughs in the work. The consultancy studies presently being undertaken will help to do that and we want to be able to contract and expand the service according to the work available. Thus, we shall not have to take staff permanently on to the books who will be under-utilised at times when there is not enough work for them.

Research And Development

13. **Mr. Alan W. Williams:** To ask the President of the Board of Trade how much was invested in research and development by British industry during 1992-93; and what percentage this represents of gross domestic product.

Mr. McLoughlin: In 1992, the latest year for which figures are available, UK businesses undertook £7,930 million of research and development, equivalent to 1.3 per cent. of gross domestic product.

Mr. Williams: Investment in research and development by British industry is about one third less than that of our

industrial competitors. Does the Minister agree that as a society we should be devoting something like 1 per cent. more of our GDP to research and development? What proposals do the Government have to achieve that?

Mr. McLoughlin: Investment in research and development is a matter for companies to take into consideration when they come to formulate their plans. I was encouraged by the CBI innovation trends survey which showed that 50 per cent. of companies had plans to increase their expenditure on research and development in 1993.

Mr. Cash: Will my hon. Friend consider the relative position of our research and development in comparison with Japan, the United States, Germany and all the other countries in the EC? Have we done well enough in relation to those countries? If not, we will go down the tubes.

Mr. McLoughlin: I agree with my hon. Friend. If one compares our figures with those for Japan and Germany, the UK is behind. However, we are above the other countries in the European Union.

Mrs. Anne Campbell: Does the Minister agree that it is important for our international competitiveness to improve our business expenditure on civil research and development? Has not the time come for Government incentives to ensure that companies invest in research and development? Does he consider tax incentives to be a good way forward?

Mr. McLoughlin: We will always look at any representations that are made. The Government have a good record on rates of taxation for companies and it is for companies to decide how they wish to invest. There have been huge investments in this country.

Small Business Directives

14. **Mr. Steen:** To ask the President of the Board of Trade when he hopes to meet his European counterparts to discuss reducing the number of general directives affecting small businesses emanating from Brussels.

Mr. Neil Hamilton: As my hon. Friend will realise, my right hon. Friend the President of the Board of Trade has no exact counterpart in Europe—he is unique.

We frequently have meetings with other Ministers in the Council of Ministers and high on our agenda for discussion is deregulation and the need to reduce the regulatory burdens on business which threaten to destroy so many jobs on our continent.

Mr. Steen: The problem is the over-zealous interpretation of general directives by Whitehall officials on which other countries take a relaxed view. Is my hon. Friend aware that in Spain there are 63 fisheries officials based in Madrid—1,000 miles from the coast? That is just like running the Wembley cup final with the referee in Aberdeen. In this country, there are more than 300 fisheries officials looking after fisheries business who are based in ports. In the future, we should make sure that we pursue general directives only when other countries pursue them as rigorously as we do.

Mr. Hamilton: As my hon. Friend will know, I am responsible for the single market compliance unit, so I am always interested in the sort of stories that he brings to the House. It is vital that Britain does not impose differential burdens on its employers and businesses. We must apply the lightest possible regulatory touch, learn from the experience of other member states and take a more imaginative approach to some of the European Union directives.

Mr. Hain: Is the Minister aware of the widespread concern among those offering bed-and-breakfast facilities and holiday cottages that a forthcoming European directive may prevent them from taking deposits for holidays? That would have a devastating impact on those small businesses. What are the Government doing to prevent that devastation?

Mr. Hamilton: I welcome the hon. Gentleman's interest in deregulation—he is usually on the other side of the argument. I well appreciate the problems, as reported to the hon. Gentleman, that confront bed-and-breakfast establishments and I assure him that they do not lack for an advocate in the Department of Trade and Industry.

Balance Of Trade

15. **Sir Teddy Taylor:** To ask the President of the Board of Trade what has been the total balance of trade with the European Union over the most recent five-year period for which figures are available; and what was the balance for manufactures only in the same period.

Mr. Heseltine: In the five years to 1992, the UK had a cumulative trade deficit with the rest of the European Union of 1.8 per cent. of GDP. The deficit in manufactures over the same period was 1.6 per cent. of GDP.

Sir Teddy Taylor: The figures show that our cumulative trade deficit with the European Community has now broken through £100,000 million, which is equivalent to £8,000 per British family. Is not there a case for an inquiry into why there is such a huge deficit compared with the profit that Britain used to have on its trade with Europe before it joined that ridiculous socialist organisation—especially as the Government recently changed the statistical basis for calculation, which makes matters look better?

Mr. Heseltine: I would hope that, without such an inquiry being set up, my hon. Friend would know the answer. The explanation is simple—it is that we have not been sufficiently competitive in selling our goods in the European market in the way that Europe has been successful in selling its goods in Britain. Until the hard lessons of that fact bear upon the industrial, commercial and political world, we will continue to have a deficit.

There is another, important side to the argument. We attracted more than 40 per cent. of the stock of Japanese and almost 40 per cent. of the stock of United States inward investment into the European Community in 1992. That would be at risk if were to question our membership of the European Union.

Export Promoter Initiative

17. **Mr. Jacques Arnold:** To ask the President of the Board of Trade if he will make a statement on current progress with the export promoter initiative.

Mr. Heseltine: Excellent progress has been made with this initiative and 75 high-quality export promoters have now been recruited.

Mr. Arnold: May I welcome the considerable progress now being made? We have long needed an effective link between the high-quality commercial sections in our overseas missions and our high-quality exporters in Britain, especially the potential exporters in our constituencies.

Mr. Heseltine: I am grateful to my hon. Friend. I shall take this opportunity to say a word of thanks to the many companies—rather less than 75—that have seconded high-quality staff to my Department. They are having a profound effect and are working extremely well with the 80 officers that the Department has seconded to survey and report on the 80 senior markets to which we export.

Mrs. Clwyd: How many people in the right hon. Gentleman's Department are involved in promoting the export of coal, so that pits such as the Tower colliery in my constituency will not, through sheer vindictiveness, be forced to close on Friday because of the incompetence of both the Government and British Coal?

Mr. Heseltine: The hon. Lady can go on making such remarks for as long as she likes, but the reason why British Coal's pits have been closed is that they could not produce a product for which there was a market at a price that people were prepared to pay. If anyone has the slightest doubt about that, he should reflect on why the private sector is negotiating to take over pits that have been closed by British Coal—it is because the private sector believes that it can make a success of them.

Mr. Dickens: Does my right hon. Friend agree that the greatest export promoter for British industry is for it to design and manufacture products that the rest of the world wants to buy, produce them at competitive prices and of excellent quality, deliver them on time and give good after-sales service? That is the great export promoter for Britain and that is what Britain is doing at the moment.

Mr. Heseltine: My hon. Friend is proving himself a great export promoter, by articulately putting over the only message on which industrial export success can be based.

Telecommunications Industry

18. **Ms Hoey:** To ask the President of the Board of Trade what support he is giving to the British telecommunications industry.

Mr. McLoughlin: The Government's policies of liberalisation and encouraging competition have created a world-class telecommunications sector and we have seen a 30 per cent. reduction in British Telecom's charges to the consumer in real terms since privatisation. My Department is working closely with all parts of the United Kingdom telecommunications industry, including the manufacturing sector.

Ms Hoey: Does the Minister understand that his obsession with competition is undermining British Telecom's ability to compete as one of the big four or five international telecommunications companies? Why is he not doing something to allow British Telecom to get into the American market instead of giving favoured treatment to cable operators and other international telecommunications companies to enable them to operate here, without having reciprocal agreements for BT?

Mr. McLoughlin: That was—*[Interruption.]*

Madam Speaker: Order. Do I understand that there is a disturbance in the House? [HON. MEMBERS: "Yes."] Then let us end it.

Mr. McLoughlin: That was an extraordinary outburst from the hon. Member for Vauxhall (Ms Hoey). Competition in telecommunications has resulted in a reduction in costs to the consumer. More people have telephones in their homes now than before privatisation. We are keen for British Telecom and the other telecommunications operators to become world-class companies and, by freeing them from the state sector, we have allowed them to do so.

Mr. Dykes: Is the Department fully encouraging the exciting new development of telephones in aeroplanes?

Mr. McLoughlin: I am always interested in any new developments. My hon. Friend, who spends some time on aeroplanes, may take advantage of that service.

Mr. Cousins: Does the Minister know of another exciting experiment—sending video down telephone wires? At long last that is starting in Britain, but the technology comes from France, Canada and the United States. What is he going to do about it?

Mr. McLoughlin: It is being exploited by British Telecom.

Mr. John Marshall: Will my hon. Friend confirm that not only do we have the most liberalised telecommunications market in Europe, but that that liberalisation has led to a dramatic improvement in the quality of service since the industry was privatised and to a massive increase in investment and productivity, all of which the Opposition choose to ignore?

Mr. McLoughlin: My hon. Friend is absolutely right. The quality of services has improved, prices have been reduced and both domestic and business consumers have benefited, as have the taxpayer and the economy.

Fire Safety

19. **Mr. Illsley:** To ask the President of the Board of Trade if he will publish the report of the construction industry task force relating to fire safety.

Mr. Neil Hamilton: The working papers of all seven business task forces—including those of the construction group—were placed in the Library of the House on Wednesday 30 March.

Mr. Illsley: I am grateful to the Minister. Does he believe that there should be much wider publication of those papers, especially the paper relating to the construction industry task force in view of its serious recommendation for the repeal of the Fire Precautions Act 1971? If we repeal that Act, are not fire precautions and safety checks likely to be weakened?

Mr. Hamilton: I do not accept that for a moment. It is vital that we maintain proper regard for safety in any reforms that might take place, and that we will do. The

recommendations of the construction industry task force have since been superseded by a new review of fire legislation and the organisation of fire safety enforcement. Mr. Alf Thompson, the chief officer of the Durham fire service, is one of the five members of the team involved, so I can assure the hon. Gentleman that the concerns of professionals will be taken properly into account.

Trade Missions

20. **Mr. Pawsey:** To ask the President of the Board of Trade if he will list the countries to which it is planned to send trade missions supported by his Department.

Mr. Needham: Worldwide, more than 20 ministerial visits involving trade missions are planned in the remainder of the year.

On present plans, I intend to visit Argentina, Austria, Bahrain, Brazil, China, Colombia, Ghana, India, Indonesia, Japan, Malaysia, Oman, Philippines, Saudi Arabia, Taiwan, Thailand and Venezuela.

Mr. Pawsey: Clearly, my hon. Friend will be a very busy and much-travelled man. May I congratulate the Department on the emphasis placed on overseas trade missions? What is the Department's budget for such missions and what emphasis is placed by it on promoting the export of engineering products?

Mr. Needham: The budget for the provision of support for missions is some £1.7 million a year. But the key point is that, with the support of our 75 export promoters, we now have market plans for each of the major 80 markets in the world. In addition, we have a plan in each sector, which in almost every country includes engineering products. We are determined to provide a peerless and first-class service to our engineering companies exporting overseas—a service that rivals anything available in Japan, Germany, France, Italy, the United States, or anywhere else.

Mr. Campbell-Savours: When Ministers and trade missions are abroad will they let it be known to officials of foreign Governments and to business men that in Workington there is a 500,000 sq ft modern factory site, formerly occupied by Leyland National for the manufacture of buses, but now empty? That site is available for inward investment. Will the hon. Gentleman push the factory's availability? We need a new tenant or acquisition by another company.

Mr. Needham: I should be delighted to do what the hon. Member suggests. I should be even more delighted if he were to accompany me. We could go selling as we used to do 30 years ago.

Mr. Mans: Bearing in mind the fact that many previous trade missions have resulted in billions of pounds' worth of aircraft exports, resulting in the creation of many jobs in this country, will my hon. Friend welcome the first flight of the Eurofighter and will he liaise with the Ministry of Defence with a view to setting up a trade mission to sell this aircraft abroad?

Mr. Needham: I have listened to my hon. Friend, and I am sure that the answer is yes.

Coal Industry

21. **Mr. Hanson:** To ask the President of the Board of Trade when he next expects to meet the chairman of British Coal to discuss the future of the coal industry.

Mr. Eggar: Both my right hon. Friend and I meet the chairman regularly to discuss a range of coal industry matters.

Mr. Hanson: On the day of the publication of the coal prospectus, would not it be appropriate for the Minister to arrange an urgent meeting with the chairman of British Coal to ensure that the scheme of enhanced redundancy payments for miners will continue after 30 April so that workers in the Tower colliery and in many other pits throughout the country do not have to face an agonising choice between losing redundancy payments and fighting for their jobs?

Mr. Eggar: This is a matter for British Coal, which, I understand, has announced that terms will not be available beyond 30 April.

Mr. Robin Cook: Will the Minister confirm that the prospectus for the sale of British Coal, which has been published today, establishes that the Tower colliery will be placed on a care and maintenance basis despite the weekend vote of the work force that it be kept open? Why is the hon. Gentleman determined to close a pit that is in profit? How can he defend a market that closes pits that produce cheap coal, making possible the production of electricity that is cheaper than gas, nuclear energy or French imports? Why are men who have doubled their productivity being rewarded by being made redundant? Will the hon. Gentleman, during the last few months of public ownership of the mines, halt the redundancy among the miners?

Mr. Eggar: Even by his own standards, the hon. Gentleman is being highly irresponsible. Clearly he has not read the document that has been published. It says quite clearly that the Tower colliery is currently operating, but that British Coal has proposed its closure. It could not be a clearer or fairer representation of the actual position.

Motor Car Production

23. **Mr. Spring:** To ask the President of the Board of Trade to what extent the level of United Kingdom motor car production has changed in the past 12 months; and what the equivalent figures are for France and Germany.

Mr. McLoughlin: United Kingdom car production for the year ending January 1994 was 5 per cent. higher than for the year ending January 1993. This compares with falls of 14 per cent. and 22 per cent. in France and Germany respectively.

Mr. Spring: Is my hon. Friend aware that the number of new car registrations is up by about 7 per cent. in the first quarter of this year and that the industry's productivity showed an increase of 7 per cent. in the whole of 1993? Does he agree that the reputation of British cars, once so poor, has been totally transformed in the past 10 years—hence these excellent export performances—and that they are now among the finest in the world?

Mr. McLoughlin: I agree entirely. Ours is truly one of the success stories of the car industry. The United

Kingdom is now securing huge amounts of investment in the motor manufacturing industry, something that was unthought of in the late 1970s.

Mr. Miller: I am sure that the Minister will join me in congratulating Vauxhall Motors at Ellesmere Port on sustaining a massive export effort. Does he share the views expressed by a number of major manufacturers in the area that that export effort would be improved if investment were made in the railway infrastructure, especially the west coast main line and the links into the manufacturing complexes?

Mr. McLoughlin: Investment in the rail industry is important. As the hon. Gentleman says, since 1989 some £200 million has been invested in manufacturing facilities for production of the Astra at Ellesmere Port.

Mr. Fabricant: Is my hon. Friend aware that Toyota, which is sited just between Lichfield and Derby—an area which my hon. Friend knows well—will, when it comes on stream at the end of this year, make Britain a net exporter of cars? Is he further aware that, had it been up to the Opposition, Toyota would not even have looked at Britain because of their introduction of the social chapter?

Mr. McLoughlin: I am grateful to my hon. Friend. As he rightly says, I know the Toyota factory to which he refers, as it is only two miles from where I live. Toyota made the largest single investment ever made in Europe. It chose the United Kingdom because it was confident in how the Government had transformed the economy.

Points of Order

3.30 pm

Mr. David Harris (St. Ives): On a point of order, Madam Speaker. May I seek your help on a matter that concerns all hon. Members? It is the general question of how on earth Members can question Ministers about what they are negotiating in the European Union, and what arrangements and agreements they have reached. In particular, has the Minister of Agriculture given you notice of a statement on what was agreed—

Mr. Nicholas Winterton (Macclesfield): On fishing.

Mr. Harris: Indeed—on fishing in the Fisheries Council in Luxembourg yesterday. That is a matter of prime importance to fishermen in the south-west and all around the coast, yet we have no knowledge whatever of what was agreed. There are conflicting reports in the media.

Will you, Madam Speaker, use your great office to impress on Ministers the need to report regularly and promptly to the House on such matters? Moreover, should we not look at the great gap in our procedures which means that we cannot get at Ministers effectively immediately before or after such crucial negotiations?

Madam Speaker: I have a good deal of sympathy with what the hon. Gentleman has said. I am sure that those on his own Front Bench have heard it. May I refer him to written question 117 today, which may partially answer his point? Perhaps he can take the matter from there and pursue it through parliamentary questions.

Mr. D. N. Campbell-Savours (Workington): On that point of order, Madam Speaker.

Madam Speaker: As I have now dealt with the matter, there is nothing further to say. As far as I am concerned, it is now finished. We do not continue points of order in debate.

Mr. Tony Benn (Chesterfield): I rise on a point of order, Madam Speaker, to ask your assistance on a matter that concerns hon. Members on both sides of the House. At 2.30 today, you announced, in accordance with normal practice, the death of a good friend of ours, Bob Cryer. Members do die from time to time, but there is no opportunity, save for famous Members of the House, for tributes to be paid.

In three weeks' or a month's time, the Chief Whip will move, That Madam Speaker do issue her warrant to the Clerk of the Crown for a by-election in the room of Bob Cryer. The matter concerns not just him, although it occurs to me now as he was a good friend of mine over a long period. But it would be friendly if the House could find an opportunity at 3.30 so that, when our colleagues pass away, Members who knew them well can stand up and say something about them. Will you consider that, because it would be in line with the feeling of hon. Members?

Hon. Members: Hear, hear.

Several hon. Members *rose*—

Madam Speaker: Mr. Skinner—does it relate to this matter?

Mr. Dennis Skinner (Bolsover): Yes. May I raise just one additional point to what my right hon. Friend has just said? Only a few months ago, a statement was made—it was on the agenda—about the retirement of the head Librarian. Various people took part in paying compliments to the head Librarian.

I should have thought that, taking a line through that, it would make a lot of sense, in the case of people like Bob and others, for those who wish to pay him a compliment to be able to do so. Will you also consider, Madam Speaker, the precedent of making a statement regarding somebody's passing away, like Bob's, after Question Time when the House is full?

I do not think that the current procedure is quite appropriate; I have always considered that to be the case. I think that, if you take on board that suggestion and the one advanced by my right hon. Friend, it would suit everybody in the House on future occasions.

Mr. Nicholas Winterton (Macclesfield): On the same point of order, Madam Speaker. I associate myself, from the Government side of the House, with the views expressed by the right hon. Member for Chesterfield (Mr. Benn). I am sure that you are aware that there are too few House of Commons people who are prepared to challenge the establishment and the Executive. Bob Cryer was one of those people, and the House will miss him. I hope that there will be an opportunity to pay tribute to a very distinguished parliamentarian.

Madam Speaker: I am pleased to hear such remarks from both sides of the House. The House will be interested to know that I have been approached privately by a number of hon. Members in the last few hours about this matter. It is a highly sensitive and emotional matter and I hope that the House will allow me to reflect upon it. I think that I have caught the spirit and the feeling of the House in the last five minutes.

Mr. Nigel Spearing (Newham, South): On a point of order, Madam Speaker. You will recall that, on 29 March, the Prime Minister made a statement about various undertakings which had been given by the Commission of the European Communities in respect of the treaty of enlargement. The next day—the 30th—it was reported in the press that Mr. Delors had said, "No, no, no." I took the opportunity of asking the Foreign Secretary—the question appears in column 921—how he reconciled these matters, and he said that the assurances had been "reconfirmed".

I then put down a written question, which was replied to today and appears in column 20 of the current *Hansard*. The hon. Member for Wells (Mr. Heathcoat-Amory), a Minister in the Department, replied to my question concerning these undertakings: how they were written down, where they could be seen and by what means this reconfirmation had been made.

The answer he gave is as follows:

> "The additional confirmation from the Commission to which my right hon. Friend the Foreign Secretary referred in his oral answer on 30 March took the form of contracts between his office and the office of Mr. Delors."

That is strange, because the rest of the answer states:

> "The undertakings in the social field announced by my right hon. Friend . . . were oral assurances and are not recorded in the documents. They will not therefore be incorporated, in whole or in part, in the draft treaty."—[*Official Report*, 12 April 1994; Vol. 241, c. 20.]

I therefore infer, hope and believe that the word "contracts" should have been "contacts"—there may have

[Mr. Nigel Spearing]

been a telephone call. I ask you therefore, Madam Speaker —quite apart from the use of the prerogative which may be involved—whether that was so, in view of the great importance of these matters to the House.

Madam Speaker: The hon. Gentleman has hit the nail on the head. It is just a question of one word. The word that was used was "contracts", whereas the word that should have been used was "contacts". There is a world of difference between the two, and the amendment is now being made.

Mr. Peter Shore (Bethnal Green and Stepney): Further to that point of order, Madam Speaker. You will recall, as I am sure the House does, the great importance that the Prime Minister himself attached to these assurances given by the Commission during his statement to the House on 29 March. We now know that those assurances were given in an entirely oral form. Surely it is right that the House should have a record of those oral contacts so that we can judge for ourselves just how binding, in practice, they may turn out to be.

Madam Speaker: As the right hon. Gentleman will be aware, that is of course a much greater matter than a simple slip of a word. If he wishes to pursue the matter to which he refers, he must do so through the usual channels.

BALLOT FOR NOTICES OF MOTION FOR FRIDAY 29 APRIL

Members successful in the ballot were:
Sir John Hannam
Mr. Michael Clapham
Mr. John Spellar

Fair Treatment for Widowers

3.39 pm

Mr. Hartley Booth (Finchley): I beg to move,

That leave be given to bring in a Bill to ensure fair treatment for widowers.

I say immediately that my Bill deals with widowers with dependent children. Some 10 per cent. of all lone parents are men. If one discounts those who were never married, there are about 60,000 isolated widowers with children, who are a forgotten minority in our country.

The problem is that the treatment that widowers and their children receive is different from that received by widows and their children. The treatment amounts to discrimination, and results in spiralling poverty and hardship; it frequently splits the children from their fathers when they are taken into care.

Why do we have the problem? There are two reasons. The first is the system in this country, and the second is due to history. We have a system that is rigid; it is ordained by Whitehall on nationally made assumptions. It is inflexible, with little ability to deal with minority hard luck cases.

As for the history, the subject was raised by our much-respected colleague, the late Mrs. Judith Chaplin, who died last year. In 1948, a system was introduced on the basis that widows needed more support than widowers. At that time, one woman was employed for every two men, but that is no longer the case. Now, for every 10 women employed, 11 men are employed. It is no longer possible to assume that, when a woman dies, the children will suffer financially as a result.

That was the unhappy position of discrimination and inequality in which Mr. John Kao, who sits in the Public Gallery with one of his children—

Madam Speaker: Order. Perhaps the hon. Gentleman is unaware of the fact that we do not refer to people outside the Chamber. There are Members and strangers, and we do not refer to a stranger in the House. We refer only to a colleague in the Chamber.

Mr. Booth: I am obliged to you, Madam Speaker. I was not aware of that rule.

The wife of one of my constituents died on 3 November 1990. My constituent was left with six children under the age of 15, the youngest of whom was only five and a half months old, and the oldest is still at school now, aged 17. My constituent has had to bring up his children alone in a position that has been not only disadvantageous, but positively discriminatory.

My constituent was unemployed at the time of his wife's death, and the authorities told him to get a job, as he would then be better off than he was on social security. That was wrong. He would have had to find a job that would give him £400 a week. Of course, such a job was not available. His previous employment a few years earlier had provided only £250 a week. My constituent was being asked to obtain the impossible.

What was my constituent receiving from our system? He was receiving £114 a week. Had he been a widow, he would have received £1,000 on the death of his spouse, and between £198 and £250 per week.

That is not the final twist in this unhappy tale. Had he been fortunate enough to obtain a job earning £400 a week, every penny—apart from child allowance—would have been removed. Had he been a widow, none of it, apart from

the small amount of £10, would have been removed. The benefit would have been ring-fenced and secure had he been a widow, but it was removed because he was a widower. That is further discrimination, and not only my constituent suffered but his children. I went to see Mr. Kao —may I refer to him that way?

Madam Speaker: The hon. Gentleman may refer to his constituent in that general way.

Mr. Booth: I am learning on my feet, Madam Speaker.

I saw Mr. Kao at his house, and found him to be an admirable manager of a difficult situation. After paying for fuel, he had £64 left to spend each week on the seven mouths in that household. After allowing for clothing, only 80p per day each is left for Mr. Kao and his children—an appalling situation.

I was extremely angry that such a thing could happen in this country. It is an indictment of poverty in a civilised nation, of discrimination against men and their children, and of a social security system that has the laudable aim of targeting those most in need but has failed in this case.

The Government cannot use the excuse that there is no money, or produce figures to show that a huge amount would have to be spent if every widower were to be dealt with. The Government have a policy of targeting those most in need. Mr. Kao and his children are most in need, and they are not being helped.

My Bill hopes to address that situation. We must help Mr. Kao and other widowers and their children. I hope that my Bill will do so.

Question put and agreed to.

Bill ordered to be brought in by Mr. Hartley Booth, Sir John Hannam, Mr. Michael Alison, Dame Elaine Kellett-Bowman, Mr. Alan Williams, Mr. Michael Bates, Mr. Patrick Thompson, Mr. Gary Streeter, Mrs. Edwina Currie, Mr. David Lidington and Mr. Malcolm Bruce.

FAIR TREATMENT FOR WIDOWERS

Mr. Hartley Booth accordingly presented a Bill to ensure fair treatment for widowers: And the same was read the First time; and ordered to be read a Second time upon Friday 6 May, and to be printed. [Bill 90.]

Orders of the Day

Criminal Justice and Public Order Bill

As amended (in Committee and in the Standing Committee), considered.

New clause 77

PUBLIC CONSUMPTION OF ALCOHOLIC LIQUOR

'.—(1) It shall be an offence for any person to consume any alcoholic liquor in any public place and a constable may arrest without warrant any person committing such an offence.

(2) In this section—

"alcoholic liquor" has the same meaning as in the Licensing (Scotland) Act 1976.

"public place" means any place to which the public do or may have access which is not licensed premises in terms of the Licensing (Scotland) Act 1976.'.—*[Mr. Bill Walker.]*

—Brought up, and read the First time.

3.47 pm

Mr. Bill Walker (Tayside, North): I beg to move, That the clause be read a Second time.

Madam Speaker: I understand that with this it will be convenient to discuss also new clause 81—*Public consumption of alcoholic liquor by persons under the age of eighteen*—

'.—(1) It shall be an offence for any person under the age of eighteen years to consume any alcoholic liquor in any public place and a constable may arrest without warrant any person committing such an offence.

(2) In this section—

"alcoholic liquor" has the same meaning as in the Licensing (Scotland) Act 1976.

"public place" means any place to which the public do or may have access which is not licensed premises in terms of the Licensing (Scotland) Act 1976.'.

Mr. Walker: I welcome the fact that present in the Chamber are the hon. Members for Kilmarnock and Loudoun (Mr. McKelvey), for Greenock and Port Glasgow (Dr. Godman) and for Dundee, East (Mr. McAllion). I must also declare an interest, as vice-chairman of the all-party Scotch whisky group. Other officers and members of that group are present in the Chamber, and they support the measures that I have before the House.

Neither I nor any of my supporters oppose the consumption of alcoholic liquor. How could we, when we are members of the all-party Scotch whisky group? However, we oppose the drinking of liquor in public places, where its consumption creates a nuisance to others.

Legislation currently passing through the House seems likely to provide the opportunity for off-licences, supermarkets and distillery shops to open on Sunday. I support Sunday opening, particularly that of distillery shops. Mine is a large rural constituency, where tourism is a vital aspect of my constituents' well-being. It seems nonsense to us that people can go around and view our distillery shops on a Sunday, yet cannot buy the products on display. We should change the legislation.

We must face the fact that the enlightened legislation could be at risk. It might not be well received. If individuals take the opportunity to shop on Sunday and purchase the alcoholic drink, then immediately go outside and consume it outside the door of the shop, supermarket,

[Mr. Walker]

off-licence or wherever, that would create the kind of nuisance that would bring the enlightened legislation into distrepute.

As every hon. Member knows, in every city and town, and in many villages, there are public areas—parks, civic squares and other places where the public congregate—where groups of people drink alcohol and create a public nuisance. The experiment conducted in my home town of Dundee demonstrated that, with adequate local supervision and policing, it is possible to prevent that nuisance.

Sadly, it also showed that such action can drive the nuisance into other parts of the community. Consequently —I hope that my hon. Friend on the Front Bench is listening—a statutory measure seems to be the only way to address that problem. I suggest that my new clauses are the logical way to do so, particularly, as I have mentioned, with the other legislation that is going through the House.

Another matter of great concern to all of us in our constituencies is under-age drinking. We have seen the problem increase over the years. It is particularly sad to see under-age drinking in public places, and it is an ever-increasing problem. New clause 81 sets out to address that unique problem. Consequently, if my hon. Friend is to tell me that, for technical reasons, he cannot accept new clause 77, he might consider that the under-age aspect of new clause 81 merits much more consideration. I am sure that he will realise and recognise the importance of addressing that nuisance and social problem.

It will not be good enough for us to wring our hands and try to wish the matter away. All of us who take an interest in the well-being and welfare of the Scotch whisky industry recognise that it is awfully easy to blame it for the failings of individuals. I have to be careful because, as the House knows, I am teetotal. I do not want be looked on as the "unco' guid". That is the last type of image that I would wish to project.

I believe that social drinking is a huge asset in a community. I must make that quite clear. I believe that alcoholic drink—however and wherever it is consumed, if it is done properly and does not create a nuisance for others —can be beneficial to the well-being of the community atmosphere.

However, there will always be people who will ignore and put at risk the well-being of others, and will abuse the system. The Bill gave me and my hon. Friends the opportunity to do something about that. I hope that the Minister will say that he recognises that the problem cannot and will not be wished away, and that he recognises that it will have to be legislated away.

We cannot expect that people whom we wish to change will change simply because we ask them to. Sadly, one of the great problems is that people who are subjected to the ghastly problem of an alcoholic disease are not the kind that one can chat to. Therefore, we must give powers to the local constabulary to remove those people if they are creating a nuisance in a public place.

I recognise that the Minister might ask what would happen in the case of someone sitting outside a pub. If there were a table and four chairs outside a pub in Paris, everyone would know that they were part of the pub or café, but, if one sees a table and four chairs outside a pub in Scotland, one knows that a warrant sale is taking place —our pubs do not have tables and chairs outside. I therefore believe that there is no risk of the public place, as defined in new clause 81, being mistaken for anything other than what was intended.

New clause 81 has been deliberately worded to fit exactly what I call the Scottish domain:

"'public place' means any place to which the public do or may have access which is not licensed premises in terms of the Licensing (Scotland) Act 1976."

If a country pub has a large garden, that garden will be recognised as part of the pub, which would not be the case with a park or any open space that the public use for recreational activities.

Mr. George Kynoch (Kincardine and Deeside): I have listened with great interest to my hon. Friend's argument. He mentioned tourism and its importance to his constituency, and he will be aware that many overseas visitors come to our part of Scotland. They sometimes eat picnics on the way, and it is often the continental custom to have a bottle of wine with lunch. How would my hon. Friend deal with a tourist—not the driver of a car, but a passenger—having a glass of wine with a picnic lunch in a public place?

Mr. Walker: I thank my hon. Friend for that intervention, but I have to tell him that such a case could covered with no difficulty. If he examines the new clauses, he will find that they would give policemen the appropriate power.

However, I do not believe that any policemen in Scotland's tourist areas would do anything to upset the tourist industry. More than any other group, the police help tourism in my area by being very helpful to visitors. I do not anticipate any problems in this respect. Indeed, I examined many such issues when considering how to word the new clauses, and it is why I had them worded as concisely and as clearly as I could.

I am assured by the legal brains who know much more about such matters than I do that the new clauses are technically satisfactory. However, I accept that my hon. Friend the Minister must, on behalf of the Government, consider how to fit them in with the legislation as a whole. He may come back to me and suggest that, for some reason, the new clauses do not quite measure up, in which case I hope that he will be positive and say that the Government have something in mind to deal with the problem. I believe that the new clauses would deal with the problem, but I would understand if my hon. Friend the Minister were to tell me that, for technical reasons, he would like to travel another route.

I again thank my hon. Friend the Member for Kincardine and Deeside (Mr. Kynoch) for his helpful intervention. That is all I have to say at this stage, other than that I hope that the Minister will be able to make a constructive and positive reply.

Mr. William McKelvey (Kilmarnock and Loudoun): Perhaps I, too, should declare an interest, as we have just heard the hon. Member for Tayside, North (Mr. Walker) disclose his interest as vice-chairman of the Scotch whisky group. I, for my sins, chair the all-party Scotch whisky group, and we promote the industry wherever we can. Unlike my colleague, I have to confess that from time to time, and in moderation, I consume some of our national product, so I am not taking an anti-alcohol stance; I wish merely to highlight the problems in most of our city and town centres.

It has already been mentioned that the councils in Aberdeen and Dundee experimented by designating certain areas in which it would be an offence to drink in public. It was successful in those areas, but, as a by-product, it drove the people who had abused alcohol in the streets in those areas into the back streets and the housing schemes. So the inhabitants, especially those who live in housing schemes, have been lumbered with what we removed from the city centres and tourist spots.

It is expected that, in other legislation to come before the House shortly, the laws on opening hours in Scotland on Sundays will be brought more into line with those in England, especially so that off-sales can open on Sundays during certain periods to sell liquor. That means that, in areas in which people are demented for six days of the week, they might well soon be demented for the seventh day, too, so some hon. Members are already expressing opposition to the measure.

4 pm

We had hoped that, if the Government took the provisions of the new clauses seriously on board, perhaps we could placate at least those hon. Members who fear the nuisance caused by people drinking alcohol in the housing schemes, and especially by under-age drinkers, because they could be controlled and the problem alleviated.

The hon. Member for Tayside, North said that he did not wish to be thought unco' guid—to use the term that Burns would use. As the two of us bear the same christian name, that reminds me of "Holy Willie's Prayer". Not only has a Conservative Member introduced the new clause, but now another hon. Member who is interested in the alcohol trade and who confesses to consuming alcohol in moderation, but who understands the problems, especially for householders who have to put up with the menace week after week, day in and day out, is speaking in favour. I understand why such people resist the idea of the off-licence in their housing scheme being allowed to open more.

I hope that Ministers will be able to conceive of a way of giving licensing authorities more extensive powers to designate areas—perhaps areas of particular nuisance—where opening should not be allowed on Sundays. In a former life, I was chairman of a licensing committee, and I had the dubious distinction of having managed to award the first licence to a pavement public house, in as much as the owner of the public house also owned part of the pavement and could put out tables and chairs on it. At the time, that caused an uproar in Dundee, because people thought that it would be the ultimate in degradation.

Mr. John McAllion (Dundee, East): The weather?

Mr. McKelvey: Not only the weather. But I recall that, one bright summer, there were only three days on which anyone was prepared to sit outside to sip their lager. Anyway, what happened was not the horror story that people feared.

If we dignify and humanise the activities of people who consume alcohol, that will assist the areas of the trade that the hon. Member for Tayside, North described as the reasonable and interested bodies that prepare and sell alcohol. They, too, are concerned about alcohol abuse, and supply not only information but funds to ensure that the information reaches the public.

I hope that the Minister will consider the matter seriously and that, if the new clauses are not acceptable in their present form, he will at least accept the spirit—perhaps I should not use that word, so I shall say that I hope that he will accept their intention. The intention is to solve a problem and to ease the passage of a forthcoming piece of legislation, for the sake of those who wish, mainly honourably, for access to alcohol through off-licences and supermarkets on Sundays in Scotland.

Mr. McAllion: May I make a hat trick of hon. Members declaring their interest? You have heard, Madam Speaker, from the chairman and the vice-chairman of the all-party Scotch whisky group. You are now hearing from the secretary of the group. I probably tend towards the chairman's position in relation to the consumption of alcohol, rather than to the vice-chairman's position.

Hon. Members should understand that we are not trying by means of the new clause to ban social drinking in public places. We are not against people having a drink when they attend a fete, go to the highland games or have a picnic in a park, when they may want a glass of wine with their meal.

We are trying to address the problem of those who cause a nuisance to other people by drinking, whether on the street in the centre of towns or in housing schemes in Scotland, especially in the peripheral housing estates which surround most cities in Scotland. There is a problem there of people drinking outside off-licences and causing a severe nuisance to people who live adjacent to the off-licence.

I have always believed that it is nonsense that, in Scotland, it should be an offence for someone under 18 to go into an off-licence to purchase liquor and an offence for an adult to go into an off-licence to purchase liquor on behalf of someone who is under 18, but that it is not an offence for someone under 18 to stand outside the off-licence and consume alcoholic liquor. If some of the neighbours called the police and said that there were youngsters drinking wine—fortified wine, not the French variety—nothing could be done. The police would say that the youngsters were not committing an offence, and that there was nothing that they could do.

Years ago, I brought the problem to the attention of the Under-Secretary of State for Scotland, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton). He responded by saying that the Government had pilot projects in Scotland, one of which was in Dundee, under which it was an offence for anyone to consume liquor in certain areas. He said that the Scottish Office would see how the pilot schemes worked out and would then make a decision about what changes to the law would be made.

The Minister has peddled that line for a number of years. It is time that we stopped waiting for the outcome of the pilot projects. The Government should get off their backside and start to do something about the problem, which is serious for many people living in cities.

I know that such schemes are not the perfect solution, because I know what happened in Dundee. We were able to clear away from the centre of the city the people who sat drinking strong lagers and fortified wines. However, they went to the top of Hilltown and sat on the benches that were meant for mothers whose toddlers were using the swings. They sat there drinking, and mothers and toddlers were frightened to go into the parks. It is not a solution simply to say that we should extend the area to cover the whole city.

[Mr. McAllion]

We know that people who have drink problems—who suffer from alcoholism—will not be cured simply because we make it an offence to drink alcohol in public places. All we shall do is drive those people into areas where they think that they will not be discovered. They will go under bridges and into parks. They will find derelict sites and they may go into subways which take people under busy roads. They will sit and drink there, in the hope that they will not be suspected.

Although I hope that the Minister pays attention to the points in the new clauses, I also hope that he will realise that they are not a solution, and that they may simply create a different kind of problem in a different area of Scottish cities.

I am especially concerned about new clause 81, which specifically makes it an offence for anyone under the age of 18 to consume alcoholic liquor in a public place in Scotland. During the Easter recess, I was asked by one of the detached youth workers who work in my constituency to visit an area of Dundee called Mid Craigie, and to speak to about a dozen youngsters in the area about the problems facing people under 21 who live in schemes in which there are high levels of unemployment and poverty.

I spoke to the youngsters, and it immediately became obvious that one of the major reasons why they turned to drink—and to drugs, in some cases—was that there was nothing for them to do in their area. No facilities were available in their area specifically for young people.

The hon. Member for Tayside, North (Mr. Walker) knows Dundee well, so he knows that Mid Craigie is adjacent to Whitfield. He knows that there is a community centre there, and he may say, "Why do the youngsters from Mid Craigie not go to the community centre in Whitfield and get involved in a useful pursuit there?"

Such matters are very territorial when people are young. People living in Mid Craigie would never go to Whitfield to attend a function, because they would be frightened that they would be attacked by the local youths; the same is true of the idea that people from Whitfield would go to Mid Craigie. That is true of any area of any Scottish city. Kids need facilities in their own areas if they are to be attracted away from drugs, drinking and other illegal activities.

The same goes for the city centre. It is okay to provide discos and youth centres in the centre of Dundee, but many youngsters do not have the price of a bus fare to get into the centre. If they cannot afford the entrance fees to the discos, they will try to do something else in their own area.

Unfortunately, in Scotland today, a number of off-licences, especially in the peripheral housing schemes in our cities, are stocking up on the kind of drinks which get people drunk quickly and which are targeted directly at the young. Drinks such as Diamond White and Diamond Blush—fortified types of drink which are meant to get people drunk quickly—are being stocked in the hope that under-age people will go into the off-licences to buy them.

Even the very suggestion, which is often made, that people should drink from the neck of the bottle rather than out of a glass, and that it is meant to be a designer way in which to drink, as seen in all the advertisements in the alcohol industry, is meant to get people drunk faster. If one drinks directly from the bottle, the alcohol gets into one's bloodstream more quickly.

There is a serious problem, so we must tackle the root cause of young people turning to drink or drugs. One of the main reasons is the way in which the House has treated young people for a considerable number of years. There is rampant youth unemployment in all our cities.

I know that the Minister will say that there is a youth training place available for every youngster who wants one between the ages of 16 and 18. He should come to Dundee and speak to the youngsters that I spoke to, some of whom are 19 and have gone through that age bracket without ever being offered any youth training place. They have never been given a place or the chance to make a mark in the economy.

As a result, those youngsters had to apply for severe hardship allowances, which many were denied because of the strict criteria set to qualify for them. As a result, they did not receive housing benefit or income support, and many felt that there was no alternative but to turn to crime, or to take to drink or drugs, and the only place they could do that was outside off-licences in the city.

While I support the idea of cracking down on those people who cause a social nuisance in our society, especially in Scotland, I support even more the Government beginning to draw attention to the problems facing young people in the cities in Scotland, to those youngsters' lack of opportunity, to the poverty that affects young people in Scotland, and to the fact that they have few rights. It is high time the Government began to treat young people as equal members of our society. If they did, we might not need such debates in the House.

Dr. Norman A. Godman (Greenock and Port Glasgow): May I begin by apologising to the hon. Member for Tayside, North (Mr. Walker)? I was in another meeting, and I literally had to gallop to get here. Given my advanced age, that is not perhaps the wisest thing to do.

I happily added my name to the new clauses, because in my constituency there are three localities where a great deal of public drinking takes place. The Minister visited one of the those areas—not for the purpose of public drinking, but to look at the poor housing and some of the fine housing renovation which is taking place. I am referring to the east end of Greenock, where my constituents were pleased that the Minister made time to come along.

Many of the people who indulge in such public drinking suffer from alcohol abuse. May I catch the Minister's attention for a moment, if the Whip, the hon. Member for Sheffield, Hallam (Mr. Patnick), could keep quiet for a second?

What guidance is given to the police to deal with that public drinking, which is a terrible nuisance to ordinary, decent people who are out shopping or are in the streets for lawful and legitimate purposes? Those drinkers, who are often heavy drinkers, can become extremely aggressive and abusive when in drink. I am grateful to the Whip for looking after me in that redcap style of his.

Mr. Keith Vaz (Leicester, East): Redcoat.

Dr. Godman: Yes, a red coat would be more appropriate with that sun tan. May I return to more serious matters? I only wish that the Whip would stop clowning about.

In dealing with the problems related to public drinking, not only by youngsters but by men and women of all ages, what is the Government's current proposal for designated

places? In terms of dealing with public drinking by people suffering from alcohol abuse and misuse, designated places play an important role.

I also ask the Minister what financial assistance the Scottish Office is giving to Inverclyde council, and, indeed, other councils, with regard to alcoholism. They do fine work in dealing with those who suffer the terrible plight of alcohol misuse and abuse. If the Minister cannot accept the new clauses, his officials and representatives from the police forces in such areas where drinking in public takes place need to get together to tackle much more effectively than hitherto that terrible public nuisance, while at the same time protecting those who suffer from the terrible illness of alcohol abuse and misuse.

4.15 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): As a former military policeman, the hon. Member for Greenock and Port Glasgow (Dr. Godman) will appreciate that many of these matters are for the operational discretion of police officers on the spot. Of course, the chief constable of Strathclyde will be aware of that. We have not given him specific guidance on these matters, but we take seriously the issues involved with the health and education of young people.

Obviously, I am very much against drinking to excess in any form. We are concerned about health, and the consequences of drinking to excess. We must influence young people positively about the use of alcohol, and highlight the health and other consequences associated with its misuse.

At present, many Scottish schools tackle alcohol issues within the context of comprehensive health and social education programmes. The Scottish Office, the Health Education Board for Scotland, the Scottish Council on Alcohol and health boards are also involved, and parents have a fundamental role in the education of their children.

Mr. McAllion *rose—*

Lord James Douglas-Hamilton: The hon. Gentleman will be pleased to learn that we have given an increased allocation of £138,000 this year to the Scottish Council on Alcohol. The council will be assisting with these matters with particular reference to young people.

Mr. McAllion: The Minister mentioned education about alcohol in our schools. Can he tell the House when that education programme begins in schools in Scotland? Representatives of the alcohol project that is currently working in Whitfield, Mid Craigie and Linlathen in my constituency told me recently that they have evidence that children as young as eight and nine are beginning to drink or to experiment with drink. Will such an education programme go into primary schools as well as secondary schools?

Lord James Douglas-Hamilton: The hon. Gentleman makes the territorial point that, whereas action is being taken in Whitfield, that may not apply with equal strength in Mid Craigie. I shall certainly make inquiries on that point.

I can tell the hon. Gentleman that the byelaws with regard to Dundee, where he is from, have been confirmed by the Scottish Office. Indeed, we are taking action. It is for local authorities to come forward with proposals, and the Scottish Office will process them as quickly as possible. We are already taking action on a large number of fronts. We recognise that the problem of under-age drinking needs to be tackled on several fronts.

Mr. Bill Walker *rose—*

Lord James Douglas-Hamilton: I shall give way when I have developed my argument and explained what we are doing on byelaws.

For example, we have made it an offence for any person to buy alcohol or to sell it to a person under the age of 18, and for a person under the age of 18 to buy alcohol for his or any other person's consumption. We already have powers and penalties to deal with unacceptable behaviour which is, rightly, associated with drinking in public places.

Offences have been introduced relatively recently in the Civic Government (Scotland) Act 1982 and the Criminal Justice (Scotland) Act 1980 covering, first, drunk and incapable behaviour; secondly, obstruction of the lawful passage of another person in a public place; thirdly, acts of vandalism; and fourthly, the banning of alcohol from sporting events.

There have been a number of other law and order measures, such as tightening up the giving of late-night licences. In addition, behaviour likely to cause alarm or annoyance can constitute the common law crime of breach of the peace, and the penalties available to the courts for these offences include sizeable fines and imprisonment.

Mr. Bill Walker: I would not have tabled these new clauses if I had considered that the byelaws were working effectively. The designated places experience in Dundee has demonstrated that, while one can remove the problem from the areas that are designated, there is nothing now in statute that allows Dundee city council to deal with all the other areas that people have gone to. Therein lies the problem.

Lord James Douglas-Hamilton: I am aware of the problem that my hon. Friend mentions—that the successful introduction of a byelaw can displace the problem to a neighbouring area. I can only suggest that, when local authorities consider byelaw applications, they also consider whether they wish to extend the areas concerned to cover displacement. If there is clear justification for such an extension, it may be helpful to do so. Local authorities are free to come forward with proposals in the matter.

As for the proposals that we have put before local authorities about byelaws, we have asked them to consider making byelaws prohibiting the consumption of alcohol in designated public places, and have invited them to put forward proposals.

Such byelaws have been very successful in Motherwell and Dundee, and they have been specifically targeted at particular trouble spots. They offer a useful means of combating the problem of behaviour by people of all ages, and have been widely welcomed. The maximum penalty for breaching the byelaws is £500. I hope that more local authorities throughout Scotland will come forward with proposals, which, as I have already confirmed, we will process quickly.

Dr. Godman: On the question of under-age drinking, is the Minister trying to tell the House that he is satisfied with the measures employed by his officials and others in dealing with the activities of unscrupulous off-licensees

[Dr. Godman]

who will sell booze, if they can get away with it, to kids of any age? I do not believe that the measures currently in force are tough enough to cope with these dealers.

Lord James Douglas-Hamilton: The hon. Gentleman is speaking about offences that are being committed. It is a question of evidence. When the evidence is available, the police are in a position to take it forward. It is exactly the same with glue sniffing. When products that can be misused are sold across the counter illegally, it should be reported to the police and action should be taken.

We have no plans to introduce a general offence prohibiting the consumption of alcohol in public places by people of any age, or specifically by people under 18. The reason is that given by my hon. Friend the Member for Kincardine and Deeside (Mr. Kynoch): an absolute ban on drinking in public places would penalise innocent activities, such as family picnics and other occasions, where public consumption of alcohol is perfectly acceptable.

It would be a draconian measure to introduce a general offence, as not all of Scotland has entirely the same problems or suffers them to the same extent. The way forward is through byelaws. A whole range of legislative penalties is already in place to combat disorderly conduct and behaviour associated with drinking in public places, such as rowdyism.

To mention a very obvious point, I am in the business of encouraging tourism in Scotland. It would discourage tourism to put in place a total ban, as suggested, which could relate to picnics, beach parties, fetes and so on.

Mr. Bill Walker: Nonsense.

Lord James Douglas-Hamilton: My hon. Friend says, "Nonsense," but it would penalise innocent activities such as family picnics, and that is going far too far. Although this is essentially a technical matter, the new clauses are flawed in that they propose offences without associated penalty provisions. In view of the range of measures that have been put forward by the Scottish Office to combat the problems associated with drinking—including under-age drinking in public—I hope that my hon. Friend will withdraw the motion.

Mr. Bill Walker: Some of the things that my hon. Friend said were not terribly helpful. I remind him that we have laws on statute in Scotland where instructions have been given to the police to practise the application of those laws in what is deemed to be a favourable manner to the community. There is nothing odd about the police having such discretion—it happens all the time. In particular, it has given me cause for concern about certain homosexual activities in my constituency with regard to discretion. *[Interruption.]* I say that because I am pointing to the fact that a statute exists, and the police and procurators have been given guidance about not pressing prosecutions.

My hon. Friend suggests to me that, in a tourist area —I yield to no one in the House in the defence of tourist interests—Tayside police would behave in a manner that would upset tourists. That is not living in the real world. I hope that the pedants who wrote my hon. Friend's reply would remember that those of us who are constituency Members live in the real world.

I recognise that byelaws have a part to play. My concern is that in city such as Dundee—I refer to Dundee because experiments have been carried out there—it is difficult constantly to change the designated areas if those involved keep moving. We may be forced into designating the doors and entrances to every off-licence and supermarket, and anywhere else that sells alcoholic liquor. There are real problems.

I hope that my hon. Friend understands that I will not press the new clauses to a Division because I recognise that there are technical reasons why they could not become law. I understand that changes would have been required even if the vote had been won. I hope that the debate has at least brought the problem, as hon. Members see and experience it, to the attention of the Government and their advisers. Those who want enlightened laws on licensing to come into practice also want to deal with the problems with drinking.

I hope that the Scottish Office will realise that the matter will not go away. We will continue to pursue it because, until we find satisfactory answers, our constituents will continually press us to do something about it. Having put that on record, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 82

HOMOSEXUALITY ON MERCHANT SHIPS AND IN THE ARMED FORCES: NORTHERN IRELAND

'.—(1) In the Homosexual Offences (Northern Ireland) Order 1982, the following are revoked—

(a) in article 3(1) (homosexual acts in private), the words "and Article 5 (merchant seamen)"; and

(b) article 5 (homosexual acts on merchant ships).

(2) Article 3(4) of the Homosexual Offences (Northern Ireland) Order 1982 (homosexual acts in the armed forces) is revoked.

(3) This section, and the associated entry relating to the 1982 Order in Schedule 11, shall come into force on the date this Act is passed.'.—*[Mr. Michael.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 96

AMENDMENT OF SECTION 170 OF THE ROAD TRAFFIC ACT 1988

'.-In section 170 of the Road Traffic Act 1988, after subsection (7) there shall be inserted the words—

"(7A) A constable may arrest a person without warrant whom he has reasonable cause to suspect of having committed an offence under this section."'.—*[Mr. Vaz.]*

Brought up, and read the First time.

Mr. Keith Vaz (Leicester, East): I beg to move, That the clause be read a Second time.

I do not wish to detain the House for very long on this matter. I have had discussions with the Minister and I am delighted to say that he has agreed to meet a delegation of my constituents to discuss the issue of hit-and-run drivers, and the power of the police to arrest those responsible for such activities.

I pay tribute to the *Leicester Mercury*, my local newspaper, which launched the Campaign for Justice, and to Mr. Carter, the editor, who took up the issue of the lack of police powers to deal with those responsible for hit-and-run offences. As the law stands, offenders can be brought to justice only by a summons, unless another serious offence is committed at the same time.

I came prepared with many cuttings from the *Leicester Mercury*, describing the huge number of incidents during the past few years. Pregnant women have been knocked down, and hit-and-run drivers have disappeared, and the police have had no powers to deal with such offences. Last year, I introduced the Road Traffic (Amendment) Bill to change the law, but the Government opposed that measure. I hope that the Campaign for Justice will be successful.

4.30pm

My hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) has also been extremely helpful. He and the Minister persuaded me that the matter should be considered in great detail at a later stage, rather than tacked on to this long Bill. I am happy to accept the assurances by both colleagues that they will consider the matter carefully. I therefore do not intend to press the clause to a vote, because I believe that the climate and conditions for a rational discussion of this important matter exist.

Finally, I am grateful to the Police Federation for its support. It wanted an amendment tabled to section 163 of the Road Traffic Act 1988. I was not able to do so, because time has moved on, but I hope that we can have a sensible discussion, and that new measures will be proposed later this year.

Mr. Alun Michael (Cardiff, South and Penarth): I shall be extremely brief. The House and the Minister would be wise to heed such a potent combination as my hon. Friend the Member for Leicester, East (Mr. Vaz), the *Leicester Mercury* and the Police Federation when there is a call for a change in the law.

Surely it is an anomaly that such a serious offence can be dealt with only by summons. I hope that, by dealing with the callousness shown by those involved in hit-and-run offences, this is one of the occasions when we can agree across the Chamber about the need to amend the law swiftly.

I am happy to be able to respond to the comments of my hon. Friend, and to tell the Minister that the Opposition will be happy to assist in the process, and to be as helpful as we can if the Minister is able to find a way to respond positively and quickly to hon. Friend's eloquent plea.

The Minister of State, Home Office (Mr. David Maclean): The Government's view is that the police have adequate powers of arrest for offences related to road accidents. Since I have agreed to meet the hon. Member for Leicester, East (Mr. Vaz) and to discuss the matter in the Home Office, where I hope that I will be able to explain to him and to any of his constituents he wishes to bring why I think that the present powers are adequate, I do not propose to go into them at the Dispatch Box today.

Mr. Vaz: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 101

CERTIFICATION OF PRISONS

"The Secretary of State shall at least once in each year certify in respect of each prison, remand centre and young offender institution—

(a) the certified normal accommodation of the prison, remand centre or young offender institution, that is to say the number of prisoners who can be satisfactorily accommodated in cells and dormitories; and

(b) the certified regime capacity, that is to say the number of prisoners for which the prison can provide an acceptable regime.'.—*[Mr. Michael.]*

Brought up, and read the First time.

Mr. Michael: I beg to move, That the clause be read a Second time.

Through the clause we want to make a positive contribution to resolving the major problem of prison overcrowding. We propose that once each year the Home Secretary shall

"certify in respect of each prison, remand centre and young offender institution"

the normal accommodation of that institution. By that we mean

"the number of prisoners who can be satisfactorily accommodated in cells and dormitories".

Secondly, we want the Home Secretary to state, at least once each year, the certified regime capacity—the number of prisoners for which an acceptable regime can be provided. I emphasise the word "acceptable" as it is crucial to any understanding of the dangers of prisons at present. Governors warn that overcrowding is pushing prisons ever closer to explosion point. The House of Commons should respond to their warnings by finding a mechanism to deal with the problem.

The Minister who responded to the corresponding debate in Committee ridiculed the amendment that we had tabled. He said, basically, that requiring the Home Secretary to come to the House to request permission to go above certified numbers would be too bureaucratic and would cause too much delay. We have been constructive in our response and have come up with a very simple proposal, which would require the Home Secretary merely to look at the situation in each prison every year. He would have to take account not only of the accommodation provided but of the possibility of dealing properly with prisoners. I hope that the right hon. Gentleman who is responding to this debate will be more positive in respect of some of these issues than was his hon. Friend who, replying in Committee, said:

"The aim of the prison service is to house prisoners, without overcrowding, in accommodation close to their home area, but it must find suitably secure accommodation for those committed to custody by the courts. Those aims may be in conflict at times." —*[Official Report, Standing Committee B*, 8 March 1994; c. 1246.]

We understand that there will be conflict between aims. Hence the need for a resolution mechanism and for accountability to Parliament with regard to the way in which the Home Secretary reconciles the different demands. The surprising thing about the response that I have just quoted is that it contains no mention of reform. The Minister did not say anything about the need to provide appropriate psychiatric treatment and education —the type of regime that leads to reform. The hon. Gentleman seemed to regard this as merely an exercise in numbers rather than as an exercise in the reform of prisoners.

Over the past year, prison numbers have shot up. In the first 11 months of 1993, the total increased by 16 per cent. That is an average of nearly 600 a month. The number of remand prisoners rose by 44 per cent. in that period, while the number of prisoners under 21 years of age increased by 22 per cent. I can bring some of that information up to date by saying that on Friday 18 March, there were 48,571 people in prison and 522 in police cells. I warn the House

[Mr. Michael]

that the holding in cells of people who ought to be in prison is another demonstration of the failure of the system to work properly.

Several consequences flow from prisoner numbers. The Director General of the Prison Service, Mr. Derek Lewis, tells us that the atmosphere in the prisons following the recent sharp increase in numbers is more volatile than at any time since the Strangeways riots of 1990. In his submission to the inquiry following those riots, the then director general referred to overcrowding as the single factor that dominated prisoners' lives, produced often intolerable pressure on staff and, as a consequence, soured industrial relations, skewed managerial effort and diverted management away from positive developments. In his report on the riots, Lord Justice Woolf unreservedly endorsed this assessment of the effect of overcrowding. He said:

"Overcrowding is felt most sharply in the Victorian-built city centre prisons, which always bear the brunt of rising numbers."

I pay tribute to the governors and prison officers who have to cope in these establishments. I refer in particular to Cardiff prison, which is on the border of my constituency.

Our amendment would not prevent the Government from squeezing extra prisoners into the gaols, but it would require them to state an upper limit. They would have to give careful thought to the question of the number of people that they could afford to allow to be accommodated in a prison without putting at risk the key role of the reform of offenders.

It is pointless to run a prison service in such a way that, in the long term, prisoners are more likely to offend again when they are released and, in the short term, the safety of prison staff is put at risk. Overcrowding results in cramped and unpleasant physical conditions. It also results in restricted regimes, as overcrowded prisons do not have the space, facilities or resources to provide prisoners with a full range of training, work and educational opportunities.

Judge Stephen Tumim, Chief Inspector of Prisons, commented in his annual report for 1991-92—so this reference relates to the immediate position:

"Local prisons for men do not offer sufficient time out of cell or a satisfactory range of opportunities. Those we visited in 1991/92 remained overcrowded and invariably short of space. The number of inmates held in local prisons should be determined not by the number of beds that can be crammed in but by the facilities available to contain people decently and provide them with out of cell activity."

That is why the new clause deals with both those requirements.

Lord Justice Woolf said in his report on prison disturbances:

"It is also clear from the evidence which the Inquiry has received from prisoners, that the conditions which exist at present in our prisons cause a substantial number of prisoners to leave prison more embittered and hostile to society than when they arrived. They leave prison, therefore, in a state of mind where they are more likely to re-offend."

In an atmosphere in which the Home Secretary has used the one-line slogan "prison works" we should pay more attention to ensuring that prisons work effectively in reforming those sent to them. That is how to ensure that prisons work, not simply by cramming in numbers without thought. Overcrowding is a recipe not only for re-offending on release but for rioting in prisons. Many recent reports have underlined the fact that it increases tension and frustration among those forced to live cheek by jowl in cramped conditions.

We should pay particular attention to the comments of the chairman of the Prison Governors' Association, Mr. Brendan O'Friel. At the association's recent conference, he said:

"We are building up a significant number of prisoners with a justifiable grudge against the Prison Service for moving them so far away from home . . . Steps must be taken to bring this to an end or it will bring trouble within our prisons."

We should heed that warning because of the threat of danger not only within our prisons but back on the streets. He went on to say:

"Overcrowded prisons are unhealthy places, far more likely to turn out embittered, hardened and contaminated individuals. Overcrowding reduces the opportunities for staff to combat contamination. It makes it very difficult for staff to put in place positive programmes to encourage prisoners to face up to offending."

Note the words "to face up"—not to give easy conditions but to force prisoners to face up to what they have done and the harm that they have caused to society. He then said:

"I appeal in the strongest possible terms to those in the rest of the criminal justice system to recognise that if the rise in the prison population continues, the whole criminal justice system could be plunged into chaos."

4.45 pm

He added:

if the population rise continues, the risks we will have to face of further disturbances are fast becoming unacceptable."

The new clause will not solve those problems, but will ensure that Ministers account to Parliament for how they run the Prison Service. It will ensure that Parliament has before it information on the assessment made by Ministers of whether the institutions can cope with numbers and can ensure that prisoners are returned to society less likely to offend and create new victims. That is why it is such an important new clause, and I commend it to the House.

The Minister of State, Home Office (Mr. Peter Lloyd): The new clause would require an annual reassessment of living accommodation and regime capacity across the entire prison service. Currently, reassessment is carried out whenever there are changes in living units, such as after refurbishment. That is a practical and flexible arrangement. Furthermore, Prison Service area managers have a continuing responsibility to satisfy themselves that living accommodation in the prisons in their areas meets the requirements of the Prison Act 1952, so nothing would be gained in practice by accepting the first part of the new clause, other than extra bureaucracy.

The hon. Member for Cardiff, South and Penarth (Mr. Michael) seemed to be unaware of the figure for certified normal accommodation. We know it for each prison. We are responsible to Parliament for it under the Prison Act 1952, which is why I have published regularly, in answers to questions from hon. Members, the CNA figure and the population by total service, individual prisons or prisons in particular regions. So information is readily available if ever the hon. Gentleman cares to ask for it. Indeed, he would find it if he looked back in recent editions of *Hansard*.

The regime capacity is a new concept. It would not, I fear, be an objective measure, but would depend on facilities, type of prison and prisoner, and availability of staff, which can vary heavily with, for example, the demand for court escorts. Despite the recent growth in the

prison population, however, purposeful activity has increased over the past year. Moreover, the new Prison Service operating standards that will be issued to governors shortly will help them to deliver more uniform and higher standards against which they will be individually judged. Each prison governor will have a contract with his area manager on how he will meet those standards during the coming year.

Dr. Godman: Will the Minister confirm that the current arrangements and procedures to which he has just referred will obtain in Scotland? Although our prisoners do not suffer from overcrowding to the same extent as south of the border, overcrowding is a problem.

Mr. Lloyd: I cannot speak with authority on how accommodation available is certificated in Scotland. All that I can do is pass on the hon. Gentleman's inquiry to my colleague at the Scottish Office and ensure that the hon. Gentleman receives a reply. If I endeavour to reply here, I might get it wrong if a difference exists in the methodology in England and Wales and in Scotland.

As I was saying, capacity is a novel concept which it would be hard to measure objectively. Indeed, I am certain that it could not be measured objectively because it varies for a number of reasons, such as resources and availability of staff. It needs to differ from prison to prison, according to the prison's nature, facilities and type of prisoners. However, despite the recent growth in prison population, the regime activities have tended to improve. Last year, the amount of time spent out of cells in purposeful activity increased yet again.

I understand why the clause has been tabled. It is important to ensure that standards of accommodation and regime are kept under close scrutiny. I hope that what I have said persuades the hon. Member for Cardiff, South and Penarth that the arrangements and new operating standards meet that proper objective. He seems to have the impression that overcrowding has been increasing over a long period in the prison service. It has not. The number of prisoners has grown sharply over the past year after a decline. We now have about the same number of prisoners as we had four years ago, but, because of the Government's prison-building programme, they are, on the whole, much less overcrowded than they were. In much of the Prison Service, there is no overcrowding.

The hon. Gentleman spoke particularly of numbers in local prisons where, for many years, most of the pressure has been found. That is because local prisons have little room for expansion in town centres near the courts. They must house those sent to prison by the courts while they are on trial or remand. The only quick way of reducing overcrowding in those prisons is to move the prisoners elsewhere in the system, producing exactly the effect that the hon. Gentleman complained of—prisoners housed in prisons far away from their homes. Our prison building programme is designed to ensure that there is a sufficiency of places throughout the country where they are needed.

I hope that the hon. Gentleman and his hon. Friends will support the Government when we seek to build prisons in places where there is great local resistance—as of course there is at Fazakerley at the moment. In this case, the local population does not want a prison, but prisoners from Merseyside need an extra prison if they are not to be dispersed in large numbers across the rest of the country as happens now. I hope that we can count on the hon. Gentleman's support in the matter. Judging by what he said, he ought to give his support and I hope that he will put his backing where his sentiments appear to lie.

Mr. Michael: With the leave of the House, Mr. Deputy Speaker. The Minister does not seem to realise that there is an increase in the use of police cells to hold prisoners. He does not seem to be heeding the warnings, which are growing louder, being given to the Government from many quarters. We do not need more information from the Minister; we need more accountability.

My hon. Friend the Member for Lewisham, Deptford (Ms Ruddock) has ensured both the availability of information about this issue and an analysis of that information which shows the Government's shortcomings in this area. The Home Secretary needs to concentrate his mind on the regime in prison and the outcome of holding people in prison. The Home Secretary needs to listen to those who are involved in the Prison Service, including prison governors and prison officers. Our new clause will ensure that more listening and thinking takes place and, for that reason, we press it to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 247, Noes 281.

Division No. 198] **[4.51 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Cheyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(Antrim S)*
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce

Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Killoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stratford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'shire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oiner, William
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Trimble, David
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, A. Cecil *(Belfast N)*
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. John Gunnell.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan

Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Richard *(Aldridge)*
Shersby, Michael
Steel, Sir Trevor
Speed, Sir Keith
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Timothy Kirkhope.

Question accordingly negatived.

New Clause 104

CAUTIONING FOR YOUNG OFFENDERS

'(1) Within six months of Royal Assent, the Secretary of State shall publish regulations under which the police may administer a caution to offenders under the age of 18 years, the terms of which may include such arrangements as are considered appropriate for their supervision and support.

(2) The terms of arrangements set out in any caution made under subsection (1) above shall require local arrangements to

(a) be drawn up in consultation with and require the consent of the local authority; and

(b) require the consent of the child or young person and their parent or guardian.

(3) A caution under this clause shall be administered by a police officer of the rank of inspector or above in the presence of a social worker or other appropriate representative of the local authority.

(4) Cautions shall normally be administered under this section only when the child or young person has previously been cautioned under existing arrangements.'.—*[Mr. Michael.]*

Brought up, and read the First time.

Mr. Michael: I beg to move, That the clause be read a Second time.

The initiative contained in the new clause should have been at the heart of the Bill if the Government were really interested in cutting crime. Our proposal would lead to faster intervention when youngsters start to commit crime, instead of what the Government have been doing—waving a big stick and doing far too little, too late. Of course, it is necessary to have punishments available for those who carry on offending and flout the law, but a sensible society intervenes quickly to prevent matters getting out of hand. We need to tackle the causes of bad behaviour as well as the behaviour itself, which is what our proposal would do.

For some time, the Labour party has demanded action to stop inappropriate repeat cautioning. Young people need to know that something will happen when they break the law. But the Home Secretary has simply put a cap on cautioning without putting anything effective in its place. Cautioning usually works—according to Home Office figures, 85 per cent. of those cautioned are not convicted of a further offence within two years, compared with just 19 per cent. of 14-year-olds discharged from custody. We need a fast, firm, fair and effective mode of action to deal with the 13 to 15 per cent. of young offenders who do not respond to a caution.

Most people would agree that when their own children do something wrong, they punish them, correct them or take action immediately—today rather than tomorrow, or even next week. They do not let things drift on for months, which is what happens far too often under our criminal justice system.

We have put forward a three-point plan for dealing with young offenders. First, we propose to speed up the process so that youngsters are given a formal caution by being brought before a senior police officer in days rather than weeks. Secondly, we propose a new "cautioning plus" system, with positive action to divert youngsters away from criminal activity, and to help parents and teachers get a grip on the roots of lawbreaking. Thirdly, we propose to speed up the juvenile justice system so that, where cautioning fails or serious offences are involved, youngsters are brought to court and dealt with in weeks rather than months.

We have pressed the Government on that on a number of occasions. Unfortunately, the Government did not respond positively to that suggestion in Committee.

The new clause would require the Home Secretary to build on best practice and publish regulations that would encourage and develop the process of "cautioning plus". I have seen such schemes in a number of places around the country, including South Glamorgan in my area, and there is evidence of such schemes in Newcastle and East Sussex. Schemes are starting to work well, based on inter-agency co-operation and direct communication between police officers, social workers, schools and youth workers rather than a bureaucratic paper chase.

[Mr. Michael]

We need the Government to recognise the need for that system to be made available everywhere. The Government should agree to a mechanism that can be triggered immediately where the police have evidence of reoffending by a youngster who has already been cautioned once only. Details of the offence and the youngster's own circumstances should be discussed between the police and a senior social worker, as well as with the child and parents. If it is a suitable case for "cautioning plus", a proposed programme should be designed for that individual, taking into account home circumstances, school attendance and any other relevant factors.

The requirements of the programme that follows should be tailored to the individual and, in some circumstances, might involve close monitoring of school attendance, and involvement in leisure-time and weekend activities. There should be treatment or help for problems involving drugs, alcohol or solvent misuse—far too often, solvent misuse is overlooked. As long ago as when the Standing Committee was dealing with what became the Criminal Justice Act 1991, I was pressing the Government to accept the need for action. Solvent misuse is often associated with offending. Special attention should be paid to overcoming lack of achievement at school. A variety of other approaches could also be adopted.

Instead of allowing the youngster to be drawn into the criminal justice system and allowing delay, as soon as a second offence occurs it should trigger action. That action should involve intervention to make the youngster and the family face up to the fact that offending behaviour has started and take a grip on the causes and roots of that behaviour.

In those circumstances, provided that the youngster admits the offence and he and his parents undertake to follow the proposed programme, the caution would be administered by a senior police officer in the presence of parents and the social worker who would oversee the programme. It might be appropriate for other persons, such as somebody from the youngster's school, to be involved. Such flexibility would not be difficult to arrange.

It would be made clear to the youngster and to his parents that they have the right to refuse the programme and/or to deny the offence, in which case prosecution in the youth court would follow in the usual way and nothing would be lost. The advantage of formalising such an approach in the way that the new clause seeks is that there would be far quicker intervention in dealing with the root causes of offending behaviour, instead of waiting until it is too late.

The majority of cautions are given to first-time offenders. Home Office figures indicate that 79 per cent. of cautioned juveniles are first offenders. In some cases—this is where the new clause would help—a second caution can be justifiable when combined with additional action to divert the young person from further crime.

I have worked with youngsters in a number of inner-city and council house areas and specifically with young offenders, so I know from experience that it is possible to divert many youngsters from criminal activity. Many would not offend if something was done early enough to deal with the conditions in which they are growing up and the influences that bear on them. Often, it is not enough to say that it is for parents to deal with the situation. We know the day-to-day pressures on ourselves and our children. I speak as a father of five children, and I know of the pressure that society places on us.

In an inner-city area or on an estate, drugs, glue sniffing or truancy can be the norm rather than the exception. The parents themselves may be inadequate or subject to a variety of pressures. There may be poverty in the family, as happens all too often. In such circumstances, fast and positive intervention is a blessing to society as well as to families. Initiatives could include referring the young person and his family to family support organisations for help and guidance, the encouragement of an apology and, where practicable and desired by the victim, some form of reparation. Help could also be given with accommodation or basic education problems, pre-employment training and alcohol or drug abuse.

Such assistance can make an enormous difference to offending and in helping to avoid the increase in the number of victims that will occur if a youngster's offending behaviour is allowed to blossom in the way that is all too often allowed at present.

The involvement of young people in constructive youth and leisure activities can offer something more attractive than offending behaviour—not as a reward for punishment but as a challenge, to draw youngsters into adopting more positive activities.

The use of befriending by adult volunteers can help to exercise a positive influence on the young person. It is not developed earlier enough or often enough in dealing with offenders.

The new clause does nothing to diminish the alternatives and options available to courts in the punishment of young offenders as they go up the scale. It does nothing to undermine secure accommodation or other forms of institutional treatment, when those are necessary. It will enable those facilities to be targeted more quickly and directly at youngsters who fail to respond to the approach that I propose.

Research shows that 87 per cent. of youngsters respond to a caution by not reoffending. If we could cut from the 13 per cent. who offend a second time and more a further proportion of youngsters, as I believe we could, that would leave fewer young people in society to be punished, which would allow more effective targeting.

Last year, the Home Office said that crime among young people was decreasing, and that evidence was initially put to the Select Committee. It later received evidence confirming Labour's assertions that there is a major problem with offending among young people—particularly in respect of burglary and car crime, which constitute 53 per cent. of offences recorded in this country. Reducing the number of youngsters caught up in those activities is an endeavour worth pursuing. The new clause presents a cost-effective way of approaching the problem, and I strongly commend it to the House.

5.15 pm

Mr. Maclean: There is no doubt that young people who offend can benefit from support of the sort that local authorities, probation and education services and others can offer. The earlier that such support is forthcoming, the better—and it may well be a valuable adjunct to a caution. For that reason, our guidance to the police on the use of

cautioning encourages them to liaise with these agencies as to how they might help young people who are given a caution.

We also asked the police to monitor the effectiveness of existing caution-plus schemes of the sort that the hon. Member for Cardiff, South and Penarth (Mr. Michael) mentioned, under which offenders who are cautioned co-operate with local agencies. Those schemes sometimes involve an element of compensation to the victim or reparation to the community.

We shall examine with interest the outcome of that monitoring exercise. It may show that supported cautions are worth while, but I suspect that the voluntary nature of the existing schemes is an important factor in their apparent success. The caution is not conditional on the offender agreeing to participate. Arrangements that are pressed on young offenders as a condition of their receiving a caution, like those for which the new clause provides, may not attract the same level of commitment. They may be less effective as a result.

One objective of our new guidance is to bring multiple cautioning under control. There will be circumstances in which a second caution may be appropriate. They are defined in the guidance as where the second offence is trivial, or where the lapse of time since the first caution was given suggests that the first one had some effect. As a rule, offenders should not expect to be given more than one chance to avoid prosecution. The new clause would undermine that principle by providing that the supported caution should be given only after an offender has previously received a simple caution.

I am opposed to the development of tiered cautioning, whereby offenders receive a series of extra-judicial penalties before being taken to court. For that and the other reasons that I outlined, I am not minded to accept the new clause.

Mr. Robert Maclennan (Caithness and Sutherland): The Minister gave an extremely disappointing reply to a constructive proposal that merited more detailed response. He simply produced a mechanistic response quite unsuitable for dealing with the problem of young people who do not respond to a first caution. The Minister's idea that the presumption should always be that if one caution has failed, a second will fail and that a different response must come from the criminal justice system is deeply flawed. It corresponds with no evidence from any part of the criminal justice system that such a presumption would lead to a diminution in offending or enable the police to respond as they see fit to particular threats to the public in certain parts of the country.

That is yet another example of the Government seeking to impose from the centre operational guidelines on the police and criminal justice system that are wholly inappropriate. I do not imagine for a moment that the Government considered the consequences for those services, which are bound to try to pick up the pieces, or what pressures would be placed on the custodial system, social work departments, prison officers and others afflicted by the ill-judged, knee-jerk reaction of the Home Office and Home Secretary. But it is too late in the passage of the Bill to expect serious thought to be given to any serious propositions. It is a matter of great regret that this proposal, which has been worked out with some care, should have had such a cursory and scant response.

Mr. Michael: With the leave of the House I wish to speak again. I am grateful to the hon. Member for Caithness and Sutherland (Mr. Maclennan) for his comments. I wish that the Government were equally constructive. The Minister does not need to wait for evidence. If he looks at the evidence that is available to, and produced by, his own Department, he will have information coming out of his ears which shows the value of such approaches. He does not need to be afraid of putting some pressure on young people and their parents, especially if that pressure is positive and effective. I am rather surprised that he is so lax that he feels that these matters should be tackled only if people feel like tackling them. The new clause would place some pressure on youngsters to get out of offending and avoid getting deeper into the criminal justice system.

For God's sake, let this House act to nip things in the bud and stop young people doing damage to themselves, their victims and communities. In view of the totally unsatisfactory response of the Minister, I wish to press the new clause to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 247, Noes 283.

Division No. 198] **[5.20 pm**

AYES

Abbott, Ms Diane	Cook, Robin *(Livingston)*
Adams, Mrs Irene	Corbett, Robin
Ainger, Nick	Corbyn, Jeremy
Ainsworth, Robert *(Cov'try NE)*	Corston, Ms Jean
Allen, Graham	Cousins, Jim
Allon, David	Cox, Tom
Anderson, Donald *(Swansea E)*	Cunningham, Jim *(Covy SE)*
Anderson, Ms Janet *(Ros'dale)*	Cunningham, Rt Hon Dr John
Armstrong, Hilary	Davis, Cynog
Ashton, Joe	Dalyell, Tam
Austin-Walker, John	Darling, Alistair
Barnes, Harry	Davidson, Ian
Barron, Kevin	Davies, Bryan *(Oldham C'tral)*
Battle, John	Davies, Rt Hon Denzil *(Llanelli)*
Bayley, Hugh	Davies, Ron *(Caerphilly)*
Beckett, Rt Hon Margaret	Denham, John
Beith, Rt Hon A. J.	Dewar, Donald
Bell, Stuart	Dixon, Don
Benn, Rt Hon Tony	Dobson, Frank
Benton, Joe	Donohoe, Brian H.
Bermingham, Gerald	Dunnachie, Jimmy
Berry, Roger	Eagle, Ms Angela
Betts, Clive	Enright, Derek
Blair, Tony	Etherington, Bill
Blunkett, David	Evans, John *(St Helens N)*
Bradley, Keith	Ewing, Mrs Margaret
Bray, Dr Jeremy	Faulds, Andrew
Brown, Gordon *(Dunfermline E)*	Field, Frank *(Birkenhead)*
Brown, N. *(N'c'tle upon Tyne E)*	Fisher, Mark
Bruce, Malcolm *(Gordon)*	Flynn, Paul
Burden, Richard	Foster, Rt Hon Derek
Byers, Stephen	Foulkes, George
Caborn, Richard	Fraser, John
Callaghan, Jim	Fyfe, Maria
Campbell, Mrs Anne *(C'bridge)*	Galbraith, Sam
Campbell, Menzies *(Fife NE)*	Galloway, George
Campbell, Ronnie *(Blyth V)*	Gapes, Mike
Campbell-Savours, D. N.	George, Bruce
Cann, Jamie	Gerrard, Neil
Chisholm, Malcolm	Godman, Dr Norman A.
Clapham, Michael	Golding, Mrs Llin
Clark, Dr David *(South Shields)*	Gordon, Mildred
Clarke, Eric *(Midlothian)*	Graham, Thomas
Clarke, Tom *(Monklands W)*	Grant, Bernie *(Tottenham)*
Clelland, David	Griffiths, Win *(Bridgend)*
Clwyd, Mrs Ann	Grocott, Bruce
Coffey, Ann	Gunnell, John
Connarty, Michael	Hain, Peter
Cook, Frank *(Stockton N)*	Hall, Mike

Hanson, David
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Bdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rayneford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Roger Godsiff and
Mr. Gordon McMaster.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & C'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Egger, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*

Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Skeet, Sir Trevor
Speed, Sir Keith
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Andrew MacKay and Mr. Irvine Patnick.

Question accordingly negatived.

New Clause 127

RACIALLY-MOTIVATED VIOLENCE (No. 2)

'.—(1) A person shall be guilty of an offence of—

(a) racially motivated manslaughter,

(b) racially motivated grievous bodily harm,

(c) racially motivated wounding with intent,

(d) racially motivated assault occasioning actual bodily harm or

(e) racially motivated common assault.

if, with racial motivation he commits manslaughter, grievous bodily harm, wounding with intent, assault occasioning actual bodily harm, or common assault respectively.

(2) In this section "racial motivation" shall mean motivation on the grounds of colour, race, nationality (including citizenship) or ethnic or national origins.

(3) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for a term not exceeding five years in addition to, and consecutive to, the sentence applicable for conviction of the offences of common assault, assault occasioning actual bodily harm, or assault occasioning grievous bodily harm respectively.'.— *[Sir Ivan Lawrence.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 254, Noes 283.

Division No. 200] **[5.32 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Allon, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashby, David
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*

Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Bdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Lawrence, Sir Ivan
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sumberg, David
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. John Spellar and
Mr. Dennis Turner.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick

McNair-Wilson, Sir Patrick
Madel, Sir David
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Richard *(Aldridge)*
Shersby, Michael
Skeet, Sir Trevor
Smyth, Rev Martin *(Belfast S)*
Speed, Sir Keith
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Irvine Patnick and
Mr. Andrew MacKay.

Question accordingly negatived.

Clause 1

Secure Training Orders

Mr. Michael: I beg to move amendment No. 3, in page 3 , line 6, at end add—

'(7A) It shall be the duty of every local authority, acting either individually or in association with other local authorities,

(a) to secure that they are in a position to comply with any secure training order which may be imposed under this section and

(b) to provide, or to make arrangements with such persons as seem to them to be appropriate, for the provision by those persons of residential and non-residential facilities designed

(i) to avoid the need for children and young persons to be placed in secure accommodation by providing for the supervision, support, education, treatment and training of children and young persons who have been cautioned for or convicted of offences and

(ii) to ensure the successful rehabilitation into the community of children and young persons who have spent a period in secure accommodation.'.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): With this it will be convenient to take the following amendments: No. 262, in clause 7, page 6, line 25, leave out 'may enter into a contract with another person' and insert

'shall enter into a contract with a social services department of a local authority'.

Government amendments Nos. 55 and 364. No. 268, in clause 8, page 7, leave out lines 5 and 6. Government amendments Nos. 365, 188, 366 and 367. No. 261, in clause 11, page 8, leave out from line 32 to line 5 on page 9. No. 267, in clause 13, page 9, line 21, leave out from

'centre;' to end of line 23.

No. 266, in clause 13, page 9, line 30, leave out from

'centre;' to end of line 32.

No. 265, in clause 14, page 10, leave out lines 1 and 2. Government amendment No. 368. No. 260, in clause 15, page 10, leave out lines 25 and 26. Government amendments Nos. 369, 370 and 297.

Mr. Michael: Our amendments provide that, instead of the Government's secure training order, under which young people would be sent to one of five privately managed secure training centres dotted around the country, many far from their homes, various other arrangements would be made.

First, the courts would be able to make a supervision order with the requirement that for a specified part of the order the young offender would be held in local authority secure accommodation. Secondly, local authorities would be under a statutory duty to provide secure accommodation to fulfil the requirements of that provision—that is an important part of the amendment.

5.45 pm

Thirdly, local authorities would be under a further statutory duty to provide residential and non-residential facilities designed to deal effectively with young offenders in the community at an earlier stage, to prevent them from reaching the point at which they need to be held in secure accommodation.

It will be clear from the amendment that the Opposition seek to ensure not only secure accommodation and the ability to deal with young offenders in a firm and proper way when they fail to respond, but the continuity of care and control that is essential if we want to do something about juvenile and youth crime.

The Government's secure training order was drawn up to fulfil a conference speech commitment rather than because it would really tackle the problem of youth crime. The Association of Chief Police Officers warned of the dangers of sending youngsters many miles from their homes and breaking the links between offenders and the homes and communities to which they will eventually return—not even under the Government's recommendations will we simply lock youngsters up and throw away the key.

The Government propose that there will be five centres with 40 places. The people eligible for secure training orders will be young offenders who have committed three or more imprisonable offences and have reoffended during

or been in breach of, a supervision order. In relation to secure training orders, magistrates and youth courts will have the same sentencing power as judges in Crown courts. For a single offence, they will be able to give a 12 to 14-year-old a secure training order of up to two years, which is four times the length of custodial sentence that magistrates can impose on offenders over 15, for whom they are limited to a maximum sentence of six months for a single offence.

Under the Bill, the new institutions could be managed by public, voluntary or private sector organisations, but clearly it is envisaged that in practice they will be built and operated by the private sector—the explanation of expenses to be incurred under the Bill depends on that interpretation. That is a retrograde and damaging step which will increase rather than reduce offending by juveniles, and will fragment the present system for dealing with young offenders.

Experience shows that all forms of institutional care or custody for young offenders have high reconviction rates. That is well known to be true of Prison Service custody. According to a parliamentary answer to Baroness Faithfull from Earl Ferrers, the Minister of State, Home Office, on 22 March, the latest available figures for 15 to 16-year-olds are for those who were discharged from Prison Service establishments in 1987 and then followed up for two years. The figures show that 83 per cent. of boys—2,270 out of 2,749—and 43 per cent. of girls—15 out of 35—were reconvicted within two years of discharge. That covers 2,285 or 82 per cent. of the 2,784 15 to 16-year-olds.

High reconviction rates are not restricted to Prison Service establishments. They are also common to other forms of institution. That is why it is extremely important that any secure places are not merely produced ad lib, and that we do not repeat the mistake of the short sharp shock. Secure places must be provided where they are needed, and must be integrated into a system of care and control at local level.

The Government have still not done much to redeem their reputation on secure places. It is only this year that the Government have come some way towards meeting the promise, given during the Committee stage of the Criminal Justice Act 1991, to provide secure places for the older age group to end the scandal of young people of 15 and 16 being held in adult prison accommodation. That promise was given as a result of a campaign, including pressure from Labour Members, yet, three years later, not one additional secure place has been provided to meet the commitment given by the then Home Secretary and the then Minister of State, the present Secretary of State for Education.

I do not want to delay the House today by going in depth into issues with which we have dealt in Committee. We have made it clear that there is a need for secure places. There are youngsters, even in the 11 to 15 age group, who need to be held securely and examples cited in the press illustrate the need for those places. That is not what is at issue. What is at issue is where and how the places should be provided. Should they simply be exercises in isolation, as the Government have proposed—flying in the face of the advice from the Association of Chief Police Officers, to which I referred a few moments ago—or should they be provided as part of an integrated programme of provision at local level?

We have emphasised successful rehabilitation into the community of children and young persons who have spent a period in secure accommodation. That is not easy. We have quoted the reconviction rates, which show the likelihood of youngsters reoffending on returning to the community. From my experience of working with youngsters, including young offenders, in local communities, I know that there is often bravado, and encouragement and glorification of a young person who has been away for a time. The prevention of reoffending requires a great deal of hard, integrated work, involving the authorities of the establishment in which the young offender is held and those who will work with him and his family in the community and in the home environment. Creating fresh victims and simply encouraging youngsters to go further up the tariff is a fruitless pursuit and a waste of massive sums.

I plead with the Minister and with the Government to provide the secure places that are needed—there is no difference between us on that—in a way that will enable them to be effective and will enable close work with the young person, his family, his school and his community to ensure that when he returns he is less likely, rather than more likely, to offend. Despite the efforts of probation officers, youth workers and others in the local community, one of the failings of our present system is that re-entry into the local community seems destined to be a self-fulfilling prophecy—that those who have been away in custody will return to reoffend. I do not believe that that is inevitable, but I believe that we do not do the things in our system that are requisite for preventing that from happening.

The way in which the Government intend to set up the secure training units means that those units are likely to be re-visited in a short number of years by further criminal justice legislation which will aim to change them into something more effective. The Government could avoid that by accepting our proposition, which provides a system that would work. It would provide the secure places, the training and the education as part of an integrated system at local level.

Our amendment makes clear the requirements on local authorities. Local authorities should ensure that they can comply with any secure training order that may be imposed under the clause. They should prepare for the successful rehabilitation into the community of those who have spent a period in secure accommodation. That is a balanced approach and an option greatly to be preferred to the Government's proposal. It is, perhaps, the option that the Government might have proposed if they had not rushed so quickly from the Conservative party conference to decide on their drafting of this important clause. I hope that the Minister, even at this late stage, will be persuaded that we are offering a better option and a more effective way in which to approach young offenders.

It is a sad fact that the Bill was introduced with a fanfare of trumpets as something that would demonstrate the Government's commitment to tackling crime, but from all the reports it is clear that it has failed to do that and that it has failed to rescue the Government's reputation. They remain a Government who make noise, but who do not act effectively to deal with the problem of crime and with the problem of offending by young people.

Our amendment seeks to address those problems in a proper and constructive way, in a way that would work and in a way that would integrate the requirement for punishment with the requirement for reform to avoid the creation of future victims. I commend it to the House on those grounds.

Mr. John Gunnell (Morley and Leeds, South): Let me begin by quoting the director of the Howard League for Penal Reform, who said:

"The Home Secretary's plans to send children to jails has been exposed for the risky sham it is. Siting the new jails inside old prisons will mix staff, facilities and ethos. Young frightened children will be locked away, isolated from families, and all in the name of bleak political ambition."

Conservative Members may say that it is an entirely predictable quotation, but I believe that it has elements of truth in it. It is important to analyse the choice before the House—that between the Government's proposals for secure training centres and the Opposition's proposals, as explained by my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), which represent a constructive approach to tackling the issue.

To put the matter in context, we must realise that juvenile crime is of enormous importance and concern to us. Home Office statistics suggest that there has been a 37 per cent. decline in the number of known juvenile offenders since 1985. That is partly due to demographic changes: the juvenile population has fallen by 25 per cent. However, the number of known juvenile offenders per 100,000 of the population also fell, from 3,130 in 1980 to 2,616 in 1990—a drop of 16 per cent. Juveniles commit a high proportion of detected offences, although that proportion also appeared to be declining. In 1980, juvenile crime represented 32 per cent. of all crime. In 1991, that figure had dropped to 20 per cent.

I give those figures as background and not to suggest that we should not take juvenile crime extremely seriously or that I disagree in any way with the view of my hon. Friend the Member for Cardiff, South and Penarth that there are children as young as 12 to 14 who need to be in secure accommodation. The contention that more secure accommodation is needed is not in dispute.

My experience in Leeds, where the National Bed Bureau is located, shows that more secure accommodation is needed. However, we believe that integrated provision at local authority level is a constructive way forward and that the Government's proposals owe a lot to the fact that a party conference pledge was made and put into action far too soon, as my hon. Friend the Member for Cardiff, South and Penarth said. The Government's proposals are wrong-headed.

It is sad that the House faces legislation that it may well accept as drafted, but which can only do harm and can only lead to an increase in juvenile crime. It can only be a mechanism that will be repealed, whoever is in power, because it will be found to be entirely ineffective and to increase the rate of crime.

Mr. Oliver Heald (Hertfordshire, North): The hon. Gentleman will remember that, when we were debating that matter in Committee, one of the criticisms of the Labour proposals was that hardened, persistent young offenders would be put into accommodation with other children who were not in that category. Has he, or his hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), found some way round that problem so that those persistent, hardened criminals will not enter situations where there are other innocent children whom they would corrupt?

6 pm

Mr. Gunnell: I do not find that question at all difficult to address because I am very familiar with the secure unit at Leeds, which houses 27 young people of ages. For the most part, they are older than those in the 12 to 14 bracket, although there are some children there who are younger than 12 years and who have committed especially serious offences. The Minister has been to the same unit and knows that the locking-up arrangements and the placing of children in that unit is such that no child is placed in a position where he could influence other children. Children are divided into groups. Age is one of the factors considered, but there is no reason why the nature of the crime that they have committed should not also be a factor. Therefore, that matter can be taken care of by design.

We should consider the possible criteria for judging and comparing the Government's proposal and the Opposition's alternative. The criteria, which in a sense I have learnt as a result of being appointed by Conservative Members to the Audit Commission for seven years, are the three Es—economy, efficiency and effectiveness. They are good criteria by which to consider what is on offer and to compare the two systems.

Let us begin with effectiveness—how would we judge the effectiveness of the proposed accommodation? In considering accommodation for 12 to 14-year-olds, we must bear in mind that we are dealing with children. They are especially difficult children who, in some cases, have committed dreadful offences or a long series of offences —nevertheless, we are still talking about children. Although the detention and the placing of that person in secure accommodation which removes his freedom is, in itself, punishment, we must recognise that we are dealing with children aged between 12 and 14, so a great portion of their lives is still in front of them. If what we do to them is effective, they are less likely to reoffend when they leave that accommodation than when they enter it. Thus, the major criteria by which we judge the effectiveness of what is on offer are the results.

As my hon. Friend the Member for Cardiff, South and Penarth says, the results from prison-type accommodation show that it is ineffective. The West Yorkshire probation service told me that, in the past year in West Yorkshire, 85 per cent. of supervision orders were successfully completed without further conviction. However, studies in Nottingham and Newcastle suggested that 70 to 80 per cent. of juveniles who received custodial sentences were re-convicted within two years of being released from custody, compared with 45 to 55 per cent. in the same period after supervision.

Let us consider what has happened in Surrey, a county which is not under the political control of the Labour party. I am commenting on an authority which has been under Conservative control for a long time. The people in Surrey tell me that between 1982 and 1992, the court throughput and the number of supervision orders were halved and the number of custodial sentences, because of the way in which the people in the courts there dealt with what was occurring, were reduced from 16 per cent. of those who went through the courts to 4 per cent. In the case of young people below the age of 17, the number was reduced to 0.3 per cent.

That reduction is in part because of the success of the Surrey youth justice centre, which provided tight supervision for young people. Among other things, they

[Mr. Gunnell]

were made to work and were brought face to face with the victims of their crimes, thereby seeing at first hand the damage that they had caused. A study of young people who were referred to that centre showed that, over the first three years of its operation between 1983 and 1986, 40 to 50 per cent. were not re-convicted. That is obviously a different picture from the 70 to 80 per cent. re-offending figure, which I mentioned earlier, for those given custodial sentences. That shows that custodial sentences, especially in national, Home Office institutions, which is where the studies were carried out, are ineffective. Work, both in local authority secure accommodation and certainly with supervision in the community, has proved to be far more effective in preventing re-offending.

The maintenance of the child's personal and educational development is also important. One of the criticisms that we must level at the plan for five national centres is its inability to deal with the educational and personal development of trainees, and, especially the integration of those trainees back into the community. It is clear, as the Home Office has already said, that it will not be possible to provide a standard of education that offers children the national curriculum in the secure training centres. Those children will immediately become out of step with children who are not in training centres, which is bound to cause them a certain amount of difficulty when they return to school. That is already one big disadvantage of the centres.

The other factor was mentioned by my hon. Friend the Member for Cardiff, South and Penarth. If there are five centres, all on the eastern side of the country as those that have been mentioned are, great tracts of the country, such as the whole of Wales and the entire south-west region, will be without a centre. Children from those areas will have to travel well over 100 miles and, in some cases, more than 200 miles to be admitted to a centre. Under those circumstances, how will there be any chance of an active reintegration of those children into the community?

Specifications have gone out to the private sector about the regime that will exist in the centres and what after-care —described as supervision—will be provided. The specifications say—I thank the Minister for releasing them to us:

"On release from the Centre the trainee will undertake a period of statutory supervision."

It is clearly wise to conduct some supervision to try to provide after-care. The specifications continue:

"The duration and format of the supervision and which agency will provide it is unresolved. Contractors are invited to say whether they would wish to provide this service themselves as a continuation of the regime."

The contractors are also asked to suggest whether they will make individual arrangements, perhaps on a sub-contractual basis, with other potential providers. Under those circumstances, it is envisaged that they would go to the probation service, to the social services or to voluntary organisations. Notably, voluntary organisations to date have been unprepared to play any part in that process. Voluntary agencies as a whole see the secure training centres as a political move that does not have any merit in terms of dealing with crime or young people, and they have stayed out of the bidding process.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Does the hon. Gentleman agree that we have for years tried the methods that he suggested to the House? Recently, young children were taken to the continent and to Africa and on sailing holidays in Scotland. They have come back and kicked doors down, burgled homes, driven cars away, stolen car radios and so on. That has not worked. The children who will be placed in the secure units proposed by the Government are evil. In such units, they will be educated, taught right from wrong and given some discipline. We have tried everything else with them. We have tried the methods proposed by the hon. Gentleman for too long. As the party of law and order, we are taking action yet again.

Mr. Gunnell: I am sorry but the hon. Gentleman is not right in what he says. He quoted a few isolated examples —I am sure that the Minister could comment on them. The position is that the local authority secure accommodation that we are talking about can be extremely secure. I assure the hon. Member for Littleborough and Saddleworth (Mr. Dickens) that not one person has got away from the secure unit in Leeds over the past 10 years. The hon. Gentleman is welcome to come with me and have a look around the unit. He will find that it is totally secure. The people who run the unit certainly do not organise jaunts of any sort. The hon. Gentleman cannot extrapolate from the experiences of some local authorities the theory that that is the norm. We are talking about the need to have some secure accommodation—that means, accommodation from which people do not get out.

Two points must be made about that: first, it is what happens to people when they are in such units that matters and, secondly, whatever we plan, at some stage those people will get out because they will be let out. What matters then is what they have experienced inside and the arrangements that are made for them when they come out. It is important for them to be reintegrated into the community. Therefore, the proposal of my hon. Friend the Member for Cardiff, South and Penarth—that all local authorities should have a statutory duty so that everyone is dealt with and accommodated near their community—would mean that they can maintain contact with their families to the extent that that is desirable. It would also mean that when they come out of the accommodation, there will be someone who has known them and worked with them inside the accommodation who will be able to assist them with reintegration in the community.

People who come out of such units must be reintegrated into schools. The difficulty is that when people come out of an institution and go to school, they go in with a reputation and the teachers soon know about it. It is hard under any circumstances for those people to be reintegrated into a school on an equal basis and to be treated the same as others. It is certainly much easier to reintegrate people if someone can work with them inside the accommodation and then work with them in the community.

Contractors will be running the institutions; indeed, a major weakness is that it is prescribed that they will get them. Therefore, there will be no continuity of experience in the way that even the studies suggest is desirable. Amendment No. 3 would introduce efficiency. Without it, we cannot have efficient arrangements of the sort described as necessary by the studies.

In terms of economy, we must examine the large capital sums that will be expended in setting up the capital schemes and the five centres, and what will happen when someone tries to fulfil a contract. If a company is to make a profit from running a secure training centre, it can do so

only by being careful about staff costs. There is a direct conflict between the level of care provided, which depends on staff levels, the profit that may be required by the private sector for running the unit and the size of the fee that is charged. That commonly means that one goes for the local authority model.

I urge the House to abandon the Government's scheme. It cannot work; it will only worsen the situation. Above all the other things in the Bill, it will be seen as a political expedient to fulfil some of the 27 points that the Home Secretary outlined at the Conservative party conference. After there has been some experience of the scheme, it will be shown to be a failure. The alternatives have a much greater chance of success. I urge a rethink of the issue not simply on a party-political basis but because we must have the most effective way to deal with juvenile offenders. The Government's scheme is a mechanism that will ensure that 12 to 14-year-olds are given the basis for a continued life of crime.

6.15 pm

Mr. Maclean: The Government's amendments in this grouping are largely technical and I shall deal with them formally in due course. I shall simply address Labour's amendments.

Amendment No. 3 would place a duty on local authorities to ensure that they comply with secure training orders made by the courts. There is no power in the Bill for courts to require local authorities to comply with secure training orders. Even amendment No. 262, which would require the Home Secretary to contract with local authorities for the provision of secure training centres, would not be the same as placing a duty on local authorities to comply with secure training orders.

On the substance of the amendment, the Government do not believe that local authorities should have the overall responsibility for juveniles detained under secure training orders for two reasons. The first is that local authority secure accommodation accommodates a wide variety of children and young people, not all of whom have problems connected with offending, as my hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens) pointed out in his intervention. Given the wide range of young people, it would not be reasonable to expect the regime to be focused on tackling offending behaviour in the manner that we envisage for the secure training centres.

Secondly, local authority secure accommodation is mostly in small units of up to eight or 16 places. We envisage that, in contrast, the secure training centres will be larger regional centres taking about 40 youngsters in each. Such a size will allow the development of a good range of education and other activities.

The amendment would also place a duty on local authorities to provide a range of other facilities both to prevent children from needing to be placed in secure accommodation and to rehabilitate those who are. Local authorities are already under a duty, as a result of the Children Act 1989, to take reasonable steps to prevent children from committing crime and from needing to be placed in secure accommodation.

Amendment No. 262 would restrict the Secretary of State to making contracts for the provision and running of secure training centres, or parts of those centres, with the social services departments of local authorities. The remaining amendments in the group would remove the provision in the Bill for the Secretary of State to provide directly managed centres but to contract out certain functions in them.

The Government are committed to a process of competitive tendering for the centres, which will help to achieve value for money by driving down costs and encouraging the development of imaginative and innovative ideas both in design and operation.

Mr. Gunnell *rose—*

Mr. Maclean: If the hon. Gentleman will forgive me, I shall conclude my remarks. At the root of the debate is a difference in philosophy about who should run the centres. We see a valuable role for local authorities in their areas. We see a valuable role for private enterprise in the centres. For those reasons, I ask the House not to support Labour's amendments.

Mr. Michael: Regrettably, it is clear that the Minister is determined to go down the path that will do little to solve the problem of offending by young people and to save future victims from being created. It is essential that we make that distinction clear and, therefore, we shall press amendment No. 3 to a vote.

Question put, That the amendment be made:—

The Committee divided: Ayes 247, Noes 292.

Division No. 291] **[6.19 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Dr. Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Coffey, Ann
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Davis, Clynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Godsiff, Roger
Gordon, Mildred

Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Bdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Radice, Giles
Randall, Stuart
Rayneford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Speller, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Jon Owen Jones.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Batiste, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Egger, Tim
Ellerton, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Killedder, Sir James
King, Rt Hon Tom
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'sh'n)*
Knox, Sir David

Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Richard *(Aldridge)*
Shersby, Michael
Skeet, Sir Trevor
Smyth, Rev Martin *(Belfast S)*
Speed, Sir Keith
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and Mr. Timothy Kirkhope.

Amendment accordingly negatived.

Clause 3

SUPERVISION UNDER SECURE TRAINING ORDER

Amendments made: No. 53, in page 4, line 27, at end insert—

'(5A) The probation committee or local authority shall be entitled to recover from the Secretary of State the expenses reasonably incurred by them in discharging their duty under this section.'.

No. 54, in page 4, line 44, at end insert—

'( ) The sums required by the Secretary of State for making payments under subsection (5A) shall be defrayed out of money provided by Parliament.'.—*[Mr. Howard.]*

Clause 7

RAVES: POWER TO STOP PERSONS FROM PROCEEDING

Amendments made: No. 55, in page 6, line 26, after 'running' insert

'(or the provision and running)'.

No. 364, in page 6, line 26, after 'him' insert

', or (if the contract so provides) for the running by sub-contractors of his,'.—*[Mr. Howard.]*

Clause 8

OFFICERS OF CONTRACTED OUT SECURE TRAINING CENTRES

Amendment made: No. 365, in page 7, line 20, leave out 'shall' and insert

'and any sub-contractor of his shall each'.—*[Mr. Howard.]*

Clause 9

POWERS AND DUTIES OF CUSTODY OFFICERS EMPLOYED AT CONTRACTED OUT TRAINING CENTRES.

Amendment made: No. 188, in page 7, line 33, leave out 'hat' and insert 'headgear'.—*[Mr. Howard.]*

Clause 10

INTERVENTION BY SECRETARY OF STATE IN MANAGEMENT OF CONTRACTED OUT TRAINING CENTRES.

Amendments made: No. 366, in page 8, line 16, leave out 'shall' and insert

'and any sub-contractor of his shall each'.

No. 367, in page 8, line 30, after 'contractor,' insert 'any sub-contractor of his,'.—*[Mr. Howard.]*

Clause 15

INTERPRETATION OF SECTIONS 7 TO 14

Amendments made: No. 368, in page 10, line 22, leave out from 'contracted' to 'it' in line 23 and insert

'with the Secretary of State for the provision or running (or the provision and running) of'.

No. 369, in page 10, line 32, leave out 'and'.

No. 370, in page 10, line 34, at end insert—

'; and

"sub-contractor", in relation to a contracted out secure training centre, means a person who has contracted with the contractor for the running of it or any part of it.'.—*[Mr. Howard.]*

Clause 20

SECURE REMANDS FOR YOUNG OFFENDERS

Amendment made: No. 56, in page 13, line 17, leave out 'young'.—*[Mr. Howard.]*

Clause 22

NO BAIL FOR DEFENDANTS CHARGED WITH OR CONVICTED OF HOMICIDE OR RAPE

Amendment made: No. 296, in page 14, line 4, at end insert—

'( ) a finding under section 4A(3) of the Criminal Procedure (Insanity) Act 1964 (cases of unfitness to plead) that a person did the act or made the omission charged against him;'.—[*Mr. Howard.*]

Clause 29

EFFECT OF ACCUSED'S FAILURE TO MENTION FACTS WHEN QUESTIONED OR CHARGED

6.30 pm

Mr. Tony Blair (Sedgefield): I beg to move amendment No. 4, in page 19, line 9, after '(1)', insert—

'The provisions of this section shall not apply to an accused—

(a) in respect of the time prior to his being interviewed in the police station; and

(b) unless he has been informed of his right to legal advice from a qualified solicitor, together with an opportunity to consult that solicitor in private.

(1A)'.

Mr. Deputy Speaker: With this it will convenient to discuss also the following amendments: No. 250, in page 19, line 9, after 'proceedings', insert 'triable only on indictment'.

No. 251, in page 19, line 9 after 'person', insert '(other than a child)'.

No. 248, in page 19, line 9, after 'offence', insert

'or in any proceedings to commit an accused for trial'.

No. 253, in page 19, leave out lines 11 to 14 and insert—

'(a) at any time when being interviewed at a police station or other premises in accordance with the provisions of the Police and Criminal Evidence Act 1984, and on being questioned by a constable in relation to an offence, failed to mention any fact relied on in his defence in those proceedings; or'.

No. 316, in page 19, line 19, after 'be' insert

'and provided that such questioning or charging shall have been tape-recorded in accordance with the provisions of the Police and Criminal Evidence Act 1984.'.

No. 247, in page 19, line 20, after 'applies', insert

'unless the court is of the opinion that it is not in the interests of justice in all the circumstances for that subsection to apply'.

No. 319, in page 19, leave out lines 21 to 34.

No. 31, in page 19, leave out lines 33 to 35.

No. 313, in page 19, line 34, leave out '(c)'.

No. 249, in page 19, line 34, leave out 'court or'.

No. 320, in page 19, line 36, at end insert

'provided that the evidence given in accordance with subsection (1) above is not by itself to be considered sufficient evidence that there is a case to answer.'.

No. 252, in page 19, line 44, at end insert—

'(5) Subsection (2) above shall not apply unless the accused was told in ordinary language prior to being questioned by a constable about the offence—

(a) what the effect of this section would be if he fails to mention any such fact as described in subsection (1) above; and

(b) his entitlement to consult a solicitor in private before being interviewed about the offence at the police station; and

(c) the facts available to any constable at the time supporting the accused's involvement in the offence.'.

No. 246, in page 20, line 11, after 'occurred', insert

'(a) by reason of the accused person suffering from mental disorder or mental handicap or was due to his capacity to understand the significance of or respond to questions being impaired for any other reason; or

(b)'.

No. 314, in page 20, line 11, at end insert—

'(7) Subsections (1) and (2) shall not apply unless the accused was told in ordinary language by the constable (when being questioned in the circumstances of subsection (1)(a) above) or by the charging officer (in the circumstances of subsection (1)(b) above) what the effect would be of his failure to mention any fact relied on in his defence in those proceedings.'.

No. 5, in clause 30, page 20, line 12, leave out from beginning to end of line 18 on page 21.

No. 309, in page 20, line 12, after '(1)' insert—

'At the trial of any person for an offence, the court or jury, in determining whether the accused is guilty of that offence, may draw such inferences from the failure of the accused to give evidence as appear proper.

(2) Subsection (1) above shall not apply where

(a) the accused is a child; or

(b) the accused's guilt is not in issue; or

(c) it appears to the court that the physical or mental condition of the accused makes it undesirable for him to give evidence; or

(d) the court, in the exercise of its general discretion considers the application of subsection (1) to be inappropriate.

(3) Where the accused is unrepresented by counsel or solicitor the clerk of the court shall inform him in ordinary language what the effect of his failure to give evidence will be provided that

(a) subsection (2) above does not apply, and

(b) where the trial is by jury, the information shall be given in the absence of the jury.'.

No. 307, in page 20, leave out from (1) in line 12 to end of line 46.

Government amendment No. 333.

No. 231, in page 20, line 17, after 'evidence', insert 'or

(c) it is not in the interests of justice in all the circumstances for the above-mentioned subsections to apply.'.

Government amendments Nos. 335 and 336.

No. 226, in page 20, line 21, after 'defence,', insert

'and in the absence of the jury,'

No. 228, in page 20, line 22, leave out 'will' and insert 'may'.

No. 227, in page 20, line 23, at end insert—

'(aa) shall tell him the grounds on which the court is satisfied that he has failed to supply an explanation upon an important issue in the case; and'.

No. 230, in page 20, line 29, after 'thereupon', insert

'after hearing representations from or on behalf of the accused'.

No. 229, in page 20, line 29, leave out 'shall' and insert 'may'.

Government amendments Nos. 337 to 339.

No. 308, in page 21, leave out lines 1 to 6.

No. 310, in page 21, line 6, leave out '(7)' and insert '(4)'.

No. 311, in page 21, line 9, leave out '(8)' and insert '(5)'.

No. 232, in page 21, line 9, leave out from 'applies' to the end of line 15 and insert

'only to proceedings where the accused person was first questioned about or charged with the offence after the commencement of sections 29, 31 and 32'.

Government amendment No. 340.

No. 312, in page 21, line 16, leave out '(9)' and insert '(6)'.

No. 254, in clause 31, page 21, line 20, after 'person', insert '(other than a child)'.

No. 245, in page 21, line 34, after 'person', insert

'while he is being interviewed at a police station or other premises under the provisions of the Police and Criminal Evidence Act 1984.'.

No. 244, in page 21, line 37, after 'applies', insert

'unless the court is of the opinion that it is not in the interests of justice in all the circumstances for that subsection to apply.'.

No. 233, in page 22, line 3, after 'above', insert '-(a)'.

No. 234, in page 22, line 4 after 'request', insert '; and

(b) his entitlement to consult a solicitor in private before being interviewed about the offence at the police station; and

(c) the facts available to any constable at the time supporting the accused's involvement in the offence.'.

No. 235, in page 22, line 10 after 'occurred', insert—

'(a) by reason of the accused person suffering from mental disorder or mental handicap or was due to his capacity to understand the significance of or respond to questions being impaired for any other reason; or

(b) .'.

No. 236, in clause 32, page 22, line 12, after 'person', insert '(other than a child)'.

No. 237, in page 22, line 19 after 'person', insert

'while he is being interviewed at a police station or other premises under the provisions of the Police and Criminal Evidence Act 1968.'.

No. 238, in page 22, line 24 after 'applies', insert

', unless the court is of the opinion that it is not in the interests of justice in all the circumstances for that subsection to apply.'.

No. 240, in page 22, line 32, after 'above', insert '-(a)'.

No. 239, in page 22, line 33, after 'request', insert 'and

(b) his entitlement to consult a solicitor in private before being interviewed about the offence at the police station; and

(c) the facts available to any constable at the time supporting the accused's involvement in the offence.'.

No. 242, in page 22, line 38, after 'occurred', insert—

'(a) by reason of the accused person suffering from mental disorder or mental handicap or was due to his capacity to understand the significance of or respond to questions being impaired for any other reason; or

(b).'.

Government amendments Nos. 355, 357, 360, 356, 358 and 359.

Mr. Blair: This is an important debate concerning the issue of the right to silence, as it called, which is part of the more general principle that a person has the right under British law not to incriminate himself. The prosecution must prove guilt, and there is a presumption of innocence —these are fundamental principles of our law.

It is not, of course, that the jury cannot know of, read about or see the accused's failure to speak or to disclose facts. They can, and juries will do so. The fact that someone has refused to speak is not inadmissible evidence, and juries know that it happens and no doubt bear it in mind.

However, the critical point is that, at present, the judge and the prosecutor cannot comment adversely upon that refusal to speak and invite the jury to draw adverse inferences of guilt. Under the terms of the Bill, they will be able so to comment.

Therefore, even if, technically, the right to silence remains, there will be in effect strong practical pressure on those who are accused to talk. That is a change in those fundamental principles of law. I do not say that fundamental principles of law can never change, but they should yield only if there is a clear benefit, and no detriment which outweighs the value of the principle.

Our conclusion, along with that of the Royal Commission on criminal justice, is that this has not been demonstrated, and that the case for changing the fundamental principles in this way has not been made. We go further, and say that it is more than merely a matter of high constitutional principle. There is a serious and substantial risk that, in the manner in which the Government have proceeded, we will not merely fail to convict more of the guilty, but that we are in danger of convicting more of the innocent. Those who are in primary danger from the changes will not be, as has been said, the professional and the hardened criminal, but they could well be the weak, the inadequate and the frightened.

It is self-evident to any sensible person that the circumstances in which people may be questioned and asked to disclose facts relevant to their defence, and indeed the justification for requiring them to do so, can vary enormously. There is the time when someone is first questioned by a police officer on the street, through to the police station, to the pre-trial review and finally to the trial at court.

I believe that the single most extraordinary feature of the Government's proposals—what makes them chilling in their degree of political, rather than judicious, motivation —is that they do not seek simply to abolish the right to silence in a limited or controlled way or under certain conditions. Rather, they abolish it completely, in all circumstances and without any apparent additional safeguards whatever. I would further say that they have been thoroughly disingenuous in their attempt to present their proposals as the development of thinking that has gone before.

Briefly—I know that other hon. Members wish to speak —I wish to recap a little of the history of the matter. The Home Secretary has relied heavily on the Criminal Law Revision Committee report of 1972 to justify his position. It is true that the committee did say more than 20 years ago that the right to silence should be restricted. However, even it referred to the matter primarily in terms of what is called the ambush defence; in other words, where the accused suddenly at his trial relies on different facts, catches the prosecution by surprise and gains some unfair advantage. I could well understand the frustration of police officers in those circumstances.

In 1981, a royal commission disagreed even with that restriction on the right to silence, and said that it should remain unrestricted. In July 1987, a previous Home Secretary—now the Foreign Secretary—began to inquire again into the nature of the right to silence. Again, I would submit that the limits and the evil at which he wished to strike were clear and limited.

The right hon. Gentleman said:

"the question in my mind is not whether a suspected or accused person should have a right to remain silent through investigation and trial—he has that right and should continue to have it—but whether, when an accused person ambushes the prosecution by producing at his trial a line of defence which he has not previously mentioned to the police, the court should be precluded from drawing reasonable inferences."—[*Official Report*, 18 January 1988; Vol. 125, c. 687.]

He later set up a working party, which concluded that the problem was the last-minute ambush defence of the prosecution.

The royal commission, which was set up some time ago and reported in July last year, considered the right to silence and commissioned research on the subject. First, it came to the conclusion that there was insufficient evidence to support the claim that that right was relied on in many cases, or that it caused great problems with the administration of criminal justice.

Secondly, it decided by a majority to retain the right to silence, but dealt with the problem of the ambush defence

[Mr. Blair]

by saying that there should be a greater and more mutual disclosure of the prosecution and defence cases. We would certainly agree. It is a sensible recommendation, and it goes a long way towards dealing with the ambush defence problem.

It is true that the minority of royal commission members disagreed with the majority's conclusions. It is important, however, to understand the terms in which the minority decided that the right to silence should be abrogated. I disagree with the conclusion—it is a matter of principle—but it is important to understand their limits set on the amount to which that right should be abrogated.

The report states:

"Those who support a modification of the right to silence"—

that is the minority—

"argue that such a step would not lead to a weakening of the protection provided for the innocent and vulnerable. The safeguards of PACE and its codes are already significant and might be extended, for example to allow suspects who are emotionally upset the opportunity to postpone an interview. Suspects may already ask for a second interview if they wish to retract or modify anything said earlier. Access to free legal advice is, in itself, a valuable safeguard . . . Much more use could be made of audio or video recordings"—

and so forth.

The commission did not recommend that the right to silence be changed, and even the minority desired to do so only with additional safeguards in place. The Home Secretary and the Government tried to say that they were following the minority recommendation of the royal commission. It is important to point out, however, that that minority never contemplated abolition to anything like the extent that the right to silence would be abolished by the Bill.

For example, the minority did not conceive of the right being abolished prior to a suspect reaching a police station, which is a critical point, but envisaged that the right would be abrogated when the suspect was in the police station only if additional safeguards were in place.

Clause 29 of the Bill means that the right to silence is lost, even on questioning in the street. Whenever that issue has been raised, Ministers have said that there will be safeguards, because the Police and Criminal Evidence Act 1984 will apply.

The Secretary of State for the Home Department (Mr. Michael Howard) *indicated assent.*

Mr. Blair: I see that the Home Secretary nods his head. However, it will not apply before a suspect is interviewed formally at a police station.

The notion that safeguards within PACE will control all the circumstances of the abolition of the right to silence is false. It will not do so. PACE will apply only once the suspect is being interviewed at the police station. Even then, the Bill does not require that people should know roughly the nature of the charges against them, that they should have access to properly qualified legal advice, or even that adherence to the conditions of PACE is a precondition of admissibility. There will be nothing like the safeguards suggested by the minority in the royal commission report.

6.45 pm

The danger of proceeding in such a way has been described again and again by many eminent Queen's counsel who are practising lawyers in the field and who prosecute as well as defend. Richard Ferguson, the chairman of the Criminal Bar Association, who is a Queen's counsel and was a Member of the Stormont Parliament in the 1970s, said:

"The Criminal Bar Association strongly opposes any diminution of the right to silence. It will not help to convict the terrorist or the sophisticated criminal. They will hide behind their solicitors advice or the lack of it to argue reasonable grounds for not answering questions. It will increase the possibility of a wrongful conviction of the weak, the inarticulate and the confused."

Surely, even if we differ on the question of principle—whether the right to silence should be curtailed, and I do not believe that it should—it is wrong to abrogate the right without establishing any safeguards against abuse, given past experience and the judgment of the royal commission. It is not in the interests of the accused, but it is also not in the interests of the people who will conduct the questioning.

If the right to silence is abolished before the accused reaches the police station, one risks a descent into the old nightmares familiar to people who practised law in the 1970s—the allegations of police brutality, verbals and false confessions. There would be trials within trials, which would prolong criminal cases and cause the problems that used to be caused before PACE.

Mr. Harry Greenway (Ealing, North): I have listened with care to the hon. Gentleman. He has only mentioned the effect on the confused and the weak of removing the right to silence. What about stronger people, or people who might be expected to be stronger? What effect will it have on them?

Mr. Blair: Mr. Ferguson dealt with that very question. He came to the conclusion—it was also the view taken by the Criminal Bar Association—that the professional criminal will not be at risk. It seems to me that it is common sense that many professional criminals will try to rely on the right to silence. We must ask whether abolishing it will lead them to speak differently. The problem is that it is not the professional criminal who will be the most at risk but, as Mr. Ferguson says, the weak and the inadequate. It is irresponsible and dangerous to legislate without instituting safeguards.

The issue of principle is important here; I shall deal with it briefly, because it was well canvassed in Committee.

It is not as if there is any strong evidence that abolition will transform the criminal justice system—that is not even the Government's case. Indeed, I was astounded when I came across the Minister's words in Committee. He said:

"We are not looking"—

in making these changes—

"for recognisable changes in rates of conviction."—[*Official Report*, Standing Committee B, 1 February 1994; c. 401.]

I should have thought that that would be the one justification for the clause. Abrogation of an otherwise fundamental principle of British law can be justified in circumstances in which one could say that there is a fundamental problem that can be dealt with only in that way.

The views of Mr. Roy Amlot, a very distinguished Queen's counsel and prosecutor, are also pertinent. Many practising lawyers at the Bar were surprised at the strength of his opposition to the Government's case. Recently, he wrote in a letter to *The Times*:

"Despite many years, in the past, of prosecuting as Treasury counsel, I believe that such a move to emasculate the right to silence is clumsy and unenlightened."

He goes on to suggest why abolition will not have the effect that the Government desire and why it is wrong in principle. In effect, he said—he has repeated that view since—that moves towards the abolition of the right to silence are moves towards the abolition of the presumption of innocence. That is a strong claim, but it is widespread. Such a step is wrong without sufficient cause, and it is in breach of the royal commission's recommendations.

There is something profoundly ironic about the fact that, although the royal commission was set up because of miscarriages of justice and concluded that an organisation must be set up to review such miscarriages and that the right to silence should not be abolished, the Government refuse to set up a miscarriages of justice review body, but have decided to abolish the right to silence. This is not merely wrong in principle; it is doubly wrong that it should be done in this way.

I hope that the Home Secretary will make a reasoned case, and not simply a political speech. Every previous Home Secretary who raised the issue did so with some awareness of its constitutional sensitivity and importance. That was very much the hallmark of the debate when the right to silence was abolished in Northern Ireland.

Whether removal of the right to silence is right or wrong, it is unquestionably deeply important. What concerns people more than practically anything else is that, in this case, the action appears to be being taken not after agonising thought and consideration but following a flick of political rhetoric at a party conference. We must hear a much more reasoned case tonight before taking such a step.

This is not the way to legislate. Indeed, it is not the way to do anything. In my judgment, if we abolish this fundamental constitutional protection without exercising very great care, our action will rebound, and not before long.

Sir Ivan Lawrence (Burton): The decision to amend the right to silence in this way—in effect, to abolish it—was not the subject of a piece of political rhetoric that just came out of the air to impress an audience of Conservatives at a party conference. Indeed, this provision has for many years been on the brink of being introduced. For as long as I have been a member of the Bar, a number of very experienced lawyers have been thinking about the right to silence and urging its end.

I have been a practising barrister for 30 years, mostly as a defence lawyer, and I do not share the views of the hon. Member for Sedgefield (Mr. Blair). Nor do I share the views of the majority of members of the Criminal Bar Association or those of the majority of members of the Runciman Royal Commission. There is room for two views. I merely make the point that in this country a respectable body of opinion—I consider myself to be reasonably respectable—has for many years held that it is time to abort the right to silence. Many of the people who hold that opinion are in the judiciary and have therefore spent a lifetime hearing both sides of criminal trials. So the hon. Gentleman should not give the world the impression that my right hon. and learned Friend the Home Secretary pulled this proposal out of the air.

I appreciate and apply the "clear benefit and no detriment" guidelines set out by the hon. Member for Sedgefield. The "clear benefit" is the removal of an artificial nonsense. In ordinary life, the way in which a person responds to an allegation against him may indicate whether he is guilty or innocent, but in a criminal trial the situation is wholly artificial as the right to silence means that the accused person need not respond at all, either when he is being questioned by the police or at his trial. No adverse conclusion may be drawn from his silence. Over the years, jurymen have said to me, "I would have convicted that bounder because I am sure he's guilty, but I didn't do so because the judge said several times, 'You must not convict this man merely on the basis of a conclusion from his silence.'"

Mr. David Ashby (Leicestershire, North-West): Will my hon. and learned Friend give way?

Sir Ivan Lawrence: When I have developed my argument a little I shall certainly give way to my hon. Friend, who I realise does not share my views.

There is another "clear benefit". Let me refer to something about which we are all massively concerned. Like the Runciman Royal Commission, we have spent a great deal of time considering miscarriages of justice. How did these arise? They were the result of dishonest statements by police officers, going back, as the hon. Gentleman said, to the 1970s—indeed, to the 1960s. I refer to the false confessions, the verbals. Why did police officers verbal and invent false confessions? Because they were frustrated by the right to silence. Just when they felt that they would be able to secure the evidence demonstrating a man's guilt, the rules of evidence and the rules of the court prevented them from asking the questions or getting the answers. *[Interruption.]* I do not for one moment justify any false activity. *[Interruption.]* I hope that Opposition Members will not be childish. For 30 years of my life, I have defended people pleading not guilty. I certainly do not defend any kind of police misbehaviour in connection with trials. However, I must make the point that if it is possible to remove the cause of such behaviour, there would be very substantial benefit in doing so.

Mr. Ashby: My hon. and learned Friend has cited the case of a juryman. Would not it be more accurate to say that that person was prepared to convict on the basis of suspicion? Does not the abolition of the right to silence and the comments to be made by the judge amount to the judge's saying, "Members of the jury, you may now give weight to what is a suspicion and nothing else"? My hon. and learned Friend has been in court time after time after time. Has not he said—indeed, I have heard him say—to juries, "You should not convict on suspicion. You should convict only on evidence"? Is not this exactly the point?

Sir Ivan Lawrence: Of course, but we are talking about changing the law so that such a point cannot be made.

Later in my speech, I shall make common ground even with the hon. Member for Sedgefield, although I shall be on the other side of the main line. We have had what is, in effect, an archaic and artificial distortion. We have had it for many years and for a very good reason: that we could not trust police officers always to make truthful statements. The right to silence represented some protection to an accused person in those circumstances. It was not a complete protection. The police could still verbal, but there was an inhibition deriving from the right to silence. The court could throw out an allegation that obviously did not fit all the sense or facts of the situation.

[Sir Ivan Lawrence]

Now that we have tape-recorded interviews, there is no longer the same justification for fearing a police verbal. Where there is tape recording of an interview it is practically impossible to invent a false confession. A copy of the tape is handed to the defence, who can ensure that the police have not engaged in any falsification of it. All experience indicates that since the introduction of tape-recorded interviews trials have progressed on the basis of the other evidence rather than that of any verbal admissions. If the tape contains a clear admission of guilt —a clear confession—defendants plead guilty more often than they used to. That, too, is a "clear benefit". If more of the guilty plead guilty and are convicted we avoid the other miscarriage of justice—the acquittal of the guilty.

Mr. Chris Mullin (Sunderland, South): Every sensible person would probably agree that the introduction of tape recordings represented a big and long-overdue step forward. However, it is perfectly possible for a person to be intimidated before the tape recorder is switched on. It is perfectly possible for the police to rehearse with suspects what they will say and, perhaps, do a deal with them—to release or agree not to charge girlfriends, for example. It was in such circumstances that the Guildford confessions were obtained. All those confessions would have been obtained had there been tape recordings. I refer to a remarkable case in the west midlands, where one might expect to find the pioneers in this area. Three people were persuaded to admit on tape that they had committed the murder of PC Salt even though they could not possibly have done so. They were in due course released.

Sir Ivan Lawrence: The hon. Gentleman is a well-known and greatly respected campaigner for the rights of those acquitted of serious crimes. The Guildford case took place before the tape-recording of interviews —I believe that tape recordings should be used for terrorist offences, too—and before the Police and Criminal Evidence Act 1984, which substantially curtailed the freedom of the police and increased the powers of the courts to do away with any police activity that was suspect for the defendant.

I have no specific knowledge of the case that the hon. Gentleman mentions in Birmingham. However, what he is saying is attributable to police behaviour whether there is a right to silence or not. If police officers want to continue, without being provoked by frustration but for some other reason, to behave as the hon. Gentleman said, it will not matter whether the right to silence exists, so his point is irrelevant to the one that I am making.

7 pm

I have tabled a number of amendments and shall try to deal with them as quickly as possible. As I believe that we no longer need a right to silence because of the tape-recording of interviews, the trial will make more sense to a jury if we do away with the right to silence and rely on tape-recorded interviews. As the introduction of tape-recorded interviews is my reason for supporting the removal of the right to silence, it would be inconsistent and illogical if I were content to see a man lose the right to silence, having been interviewed without having his words recorded—hence amendment No. 316.

If interviews are to be adduced in evidence, they must be tape-recorded. My view is fortified by the growing evidence that, in more and more cases, the accused is said to have confessed or made a statement that is inconsistent with his innocence before he reaches the police station where the tape recording machinery is. With the development of technology, I see little reason why police cars should not have voice-activated tape recorders, nor why police officers about to arrest somebody who may want to say something should not carry voice-activated tape recorders in their pockets. If somebody is alleged to have said something and it is not tape-recorded—incidentally, I agree with the hon. Member for Sedgefield that with no Police and Criminal Evidence Act protection there is no opportunity for him to call a solicitor before being interviewed—the evidence of any admission or statement that he has made should not be admitted in evidence. Those are my views and they are also the views of the Committee of the Society of Conservative Lawyers, which submitted evidence of that kind to the Runciman Royal Commission. That is my reason for tabling amendment No. 316.

I tabled amendment No. 319 because total nonsense is inherent in clause 29, which no one has yet explained to me as a mistaken view. The clause says, first, that a court may draw such "inferences" from the accused's failure to mention a fact relied on in his defence either at questioning before the charge or at the stage of charging. Secondly, it says that those inferences may be drawn in three situations: first, where the court is considering whether there is a case to answer—a prima facie case; secondly, where there is no committal proceeding because the case is a fraud being transferred by another procedure to the Crown court; and, thirdly, in a child assault case for which there are no committal proceedings because it is being transferred under the new procedure.

The nonsense is that, at the very stage when a submission of "no case to answer" is being made, the court can have no idea whether the defendant will rely on some fact for his defence because he does not have to disclose the details of his defence. So the clause asks the judge or magistrate to do something that he cannot possibly do. That is absurd.

If I am told that that is covered by the words in line 17:

"being a fact which in the circumstances existing at the time the accused could reasonably have been expected to mention when so questioned, charged or informed"

and that no court could say that the accused could reasonably be expected to mention those matters, I would reply that saying something nonsensical and then saying that what has just been said could not reasonably be expected to happen is double nonsense.

I may be wrong. I may have missed a simple explanation. But if I am right, it is odd that no one has spotted the absurdity before, because the Bill has gone through its Committee stage and has existed for months. I think that I know why that might have happened. Recently, I spent a week at a judicial seminar where judges are taught how to be better judges. Such seminars are part of the improvement procedures and the Judicial Studies Board has been organising good seminars. I took the opportunity to ask several people why they had not spotted the mistake and the High Court judges, circuit judges and the stipendiary magistrates all told me that they had not been sent the Bill to read.

It seems ridiculous that, when dealing with complicated, technical legislation, the Home Office does not automatically invite the class of person most able, by

experience, to help in ensuring that the legislation makes sense to consider the legislation. The one person who told me that the Bill had been read by her department was the Director of Public Prosecutions. If my point is right, although it was read the mistake was not spotted.

My fourth amendment is No. 320. On the face of it, the Government seem to intend that an inference adverse to the accused can be drawn from silence and that that should be capable of being the only evidence against him before committal for trial. No provision specifically states that silence is not enough to provide a prima facia case, that it can be added to other evidence to make such a case, but it cannot be relied on by itself. I expected to see such a provision in the Bill.

The Government may not intend that silence alone should make a prima facia case. I have heard my right hon. and learned Friend the Home Secretary say as much at Question Time. Unless my memory betrays me, that point was also made strongly by the Criminal Law Revision Committee when it recommended the abolition of the right to silence in 1973. Unless the Bill says that it is excluded, as it would be under amendment No. 320, a court somewhere might say, "We know that there is not much evidence in this case, but the fact that the man remained silent when we think that he should have said something is so suspicious and such a proof of guilt that we shall have this man committed for trial". If I am right, that point should be amended in the Bill.

Clause 30 deals with the accused's right to silence at trial. A judge should not have to put himself in the position of telling a defendant that he should go into the witness box, give evidence and be cross-examined, if an adverse comment is not to be made. That should happen only if there is no other way to get out of the predicament. It would be invidious for that to happen in front of a jury, but, even if it were done with the jury out of court, the accused may draw the conclusion that the judge is part of the prosecution rather than an independent arbiter of justice. The Lord Chief Justice has already spoken out strongly on that matter—more eloquently than I—and I hope that my right hon. and learned Friend will take that on board.

The simple alternative is that the judge says nothing. He leaves it to defence counsel and the defence solicitor to explain to the accused the consequences of not giving evidence. That is not a novel approach; it happens all the time. In normal circumstances, no judge needs to tell a defendant the consequences of his going into the witness box and saying that the prosecution witnesses are liars, cheats or frauds and that if he does so he may put his character before the jury. That is always left to the defendant's lawyers—his barristers and solicitors—and it should be the situation in this case. The lawyers should be trusted to tell the accused—if they do not there will be substantial grounds for appeal—that if he does not say anything an adverse comment may be made by the prosecution, the judge or both.

My amendments Nos. 307 and 308 delete the offending passages in the Bill and my amendment No. 309 rewrites this important clause, first, to encompass the good features of the provision and, secondly, to add another constructive suggestion which applies where the accused is not represented by a solicitor or barrister. In such a case, the accused may need to be told that adverse inferences may be drawn from his failure to give evidence. He should be informed of that fact not by the judge, but by the clerk of the court in the absence of the jury. If the accused person representing himself wants time to consider the position he should be given that time.

The measure is contained in subsection (3) of my new insertion. I hope that my amendment is more elegant than the confused jumble of words which appear in the present Bill, although it may not be. It is certainly less confusing and simpler. The remaining amendments relating to the clause—Nos. 310, 311 and 312—are consequential to that amendment.

Mr. Geoffrey Hoon (Ashfield): In subsection (2)(c) of amendment No. 309, the hon. and learned Gentleman makes the proper point that when it appears to a court that the physical or mental condition of the accused makes it undesirable for him to give evidence the accused should be excused from giving evidence. But would not that formulation apply still more strongly in relation to an interview by police officers when the accused is first seen by those who are investigating the alleged offence? If the hon. and learned Gentleman is to be consistent in his approach to these matters, such words need to be inserted in the Bill at a much earlier stage. Clearly, when people are represented before the court they are less at risk in terms of their physical or mental condition than when they are first interviewed by police officers.

Sir Ivan Lawrence: I am afraid that I did not hear the first part of the hon. Gentleman's remarks. I am sure that what he says is sensible. My right hon. and learned Friend will have heard what he said and will take it on board. I am unable to agree or disagree with the hon. Gentleman's remarks; I was looking for the passage to which he referred.

Mr. Frank Cook (Stockton, North): What about justice?

Sir Ivan Lawrence: I am not doing justice; I am merely making suggestions to improve the legislation.

Finally, I have an amendment to clause 31 which deals with the effect of the failure of the accused to account for objects and an amendment to clause 32 which deals with the failure of the accused to account for his presence elsewhere.

I can make my point very quickly. It reverts to the first matter that I addressed in my speech. The right to silence should be removed or modified only when the accused is protected by a tape recording of questions and his answers to them. That is in accordance with the provisions of the Police and Criminal Evidence Act which the House passed precisely in order to give that protection. Hence, I have tabled amendment No. 317 to clause 31 and amendment No. 318 to clause 32.

I am sorry if I have not pleased everyone. I have tried to be brief in my remarks. I hope that my right hon. and learned Friend will take into account the fact that, first, I support the general thrust of the legislation, but, secondly, I think that some improvements can be made to it to safeguard the interests of accused people in the way in which the House would wish to safeguard their interests.

7.15 pm

Mr. Maclennan: The hon. and learned Member for Burton (Sir I. Lawrence) spoke for 23 minutes and said that he had been brief. I promise the House that my speech will be substantially shorter because I have had the advantage

[Mr. Maclennan]

of addressing these questions in the Standing Committee, unlike the hon. and learned Member. Although he found fault with the work of the Committee, most issues have been canvassed there extensively.

I did not wholly agree with the hon. and learned Member that there are two views about the merits of the right to silence. I think that there are many more views than that. It is not for us to pick and choose in the House the merits of individual lawyers. When we come to consider whether to take such a fundamental step as is encompassed in the Bill, we should listen to the views of those to whom the Government have entrusted the task of reflecting upon the matter.

This is not a Government who turn lightly or frequently to the device of establishing royal commissions. In fact, throughout the Government's term of office, it is notable that royal commissions have been resorted to rarely. The fact that that should have been the Government's approach in respect of miscarriages of justice shows that there was a very serious problem which could not be tackled effectively by the normal political devices of weighing the arguments that are canvassed in the heat of the moment.

Royal commissions are established in response to a serious public need for advice and we have before us the advice of two royal commissions which point broadly in the same direction. It is right to reflect on the oddity of establishing a royal commission focusing on miscarriages of justice—the reason for its existence was to tackle that problem—but yet not take fully on board or act upon its most serious core recommendation dealing with that question.

The royal commission was quite explicit and I think that it is worth reminding the House of the words that it used in coming to a majority conclusion—and it was not a narrow majority, but a majority of nine to two. Paragraph 22 on page 54 of the Runciman commission report states:

"The majority of us, however, believe that the possibility of an increase in convictions of the guilty is outweighed by the risk that the extra pressure on suspects to talk in the police station and the adverse influences invited if they do not may result in more convictions of the innocent."

It recommends retaining the present caution and trial direction unamended. The report continues:

"In taking this view, the majority acknowledge the frustration which many police officers feel when confronted with suspects who refuse to offer any explanation whatever of strong prima facie evidence that they have committed an offence. But they doubt whether the possibility of adverse comment at trial would make the difference which the police suppose."

I believe that to be the core recommendation of the royal commission about this matter.

Sir Nicholas Fairbairn (Perth and Kinross): As a Scottish Member, the hon. Gentleman might know that that is already a law in Scotland under the Criminal Justice Act 1980. I do not know what he is complaining about. Why should it not apply to England?

Mr. Maclennan: I prefer to address the arguments that were deployed by the royal commission which had the opportunity of considering the laws of Scotland as well. I certainly intend to say something about the more germane experience in Northern Ireland, where the law has already been amended.

I have two concerns. First, I am anxious that the change of law adumbrated in the proposal will have an effect on the attitudes of the police to the significance of their efforts to extract comments from those who are apparently unwilling to give comments or explanations. I agree with the hon. and learned Member for Burton on the importance of the recording of evidence, but, unfortunately, the clause does not deal only with evidence that is capable of being recorded. It also deals with the possibility that the fact that no statement was made before an accused person was taken into custody may be the subject of adverse comment, which is quite unacceptable. Too much weight is being placed by the Government and the Home Secretary on the expectation that to change the law in the way suggested will make a significant difference to conviction rates. There seems to be very little evidence to support that.

In Northern Ireland, where the law has been changed, the evidence is that the vast majority of those charged with more serious offences—those brought under the prevention of terrorism legislation—remain silent. The courts in Northern Ireland have not found that the change in the law has led to a significant change in practice by those who might be regarded as hardened professionals.

My second anxiety was mentioned by the hon. Member for Sedgefield (Mr. Blair). It is likely to be the confused, the weak and the ill-advised who are the victims of the change in law. Those are the people who need the protection of a fundamental constitutional principle that has lasted a long time in this country. I do not find it easy to understand—I am genuinely puzzled—why a Government who proclaim their commitment to the basic principles of law and justice should hack at the roots of something that is so deeply imbedded in our criminal justice system and has survived for centuries. I am talking about the principle that no one should be under pressure to incriminate himself in court.

The Home Secretary has discussed the subject in the House before. He did so when he was a junior Minister at the Department of Trade and Industry. He began the process of eroding the right to silence in a number of measures, including the Financial Services Act 1986. He has an understandable personal track record of having hacked away at the roots of the tradition of the right to silence.

The Home Secretary said in those debates that he was taking away the fundamental principle of criminal law—the right of someone not to incriminate himself. He said that in the Chamber and admitted that it was a fundamental principle. I should like to hear him advance stronger arguments when he replies to the debate on why he now believes it is right to deal with the matter, not in the narrower context of the Financial Services Act, the Insolvency Act 1986, the Building Societies Act 1986 and the Banking Act 1987, but across the board. The House expects the Home Secretary's explanations for such measures to go further than those that he has given to party conferences.

Some countries believe that the issue is one of high constitutional import—as the hon. Member for Sedgefield said—and is so important that it should be enshrined in a basic constitutional provision. The United States is a prime example. I believe that it is appropriate to enshrine something so fundamental to the protection of the innocent in basic law and I hope that we shall ultimately achieve that position. I recognise that that will require a substantial change—more than a change of Home Secretary within the present Government.

I have had the opportunity of canvassing my views at some length on other occasions. I shall not, therefore, delay the Home Secretary any longer. I greatly look forward to hearing what he has to say on the subject.

Sir Nicholas Fairbairn: I have some slight experience in the courts, not only in Scotland, but in England and abroad. I have never comprehended the concept of the right to silence, which is not a constitutional right—

Mr. Richard Shepherd (Aldridge-Brownhills): In Scotland.

Sir Nicholas Fairbairn: It is not a constitutional right anywhere.

In this country, before the end of the last century, at different dates in England and Scotland, the accused—as I would call him, others might call him the defendant—was not allowed to give evidence. He was an exhibit. The right to silence was necessary because he could not give evidence. If it was alleged that he had said something, he could not claim that he had not said it because he could not give evidence and say that he had not said it.

Mr. Richard Shepherd: I ask my question with diffidence, but was not that policy to demonstrate clearly that the burden of proof lay on the prosecution? It is for the prosecution to make, or demonstrate, the case and I may stand by my right to silence in the face of that demonstration. Therefore, the point made by my hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn) is misjudged in this context.

Sir Nicholas Fairbairn: Not at all—the person accused was completely deprived of the ability to deny what anyone alleged that he had said because he was not allowed to speak. He was just an object on view.

Mr. Ashby: Will my hon. and learned Friend give way?

Sir Nicholas Fairbairn: No, I will not give way. I am not wrong. I know a little about the law. No doubt the hon. Member knows more—

Mr. Ashby: Yes.

Sir Nicholas Fairbairn: I have defended one or two people and appeared in one or two courts in my day, but obviously the hon. Gentleman has much more knowledge than I do.

Mr. Ashby: Yes, I have.

Sir Nicholas Fairbairn: Let me speak about the right to silence. Every citizen on this globe is required to give evidence. He can be called back from Australia, New York or anywhere else and be forced to give evidence on pain of contempt of court. That is true of everyone except the one citizen whose evidence it is essential to hear—the accused. I always thought it was ludicrous that the one witness whose evidence was important should have the right not to be heard. One of my hon. Friends and Opposition Members said that the weak, being inarticulate and confused, might convict themselves. But hang on a minute—suppose that the witnesses compelled to give evidence were weak, inarticulate and confused. The accused cannot complain, "You can't call that chap—he's weak, inarticulate and confused." The jury must make their own judgments about witnesses, and the accused is the principal witness.

7.30 pm

I propose the restoration of the law in Scotland as it was until 1928. When a person was arrested, they immediately had to record their account publicly, before a magistrate —before they went to the Barlinnie school of schooling and invented a defence. Unfortunately, the present Lord Chancellor said that that must not apply unless the accused consented, so lawyers go before the court and the accused does not need to give an account.

The law of Scotland was so sensible and easy until 1928, because the accused had to go before the magistrate immediately, to give his account of events before he got to any lawyer who could invent an account for him. The right to silence is a fallacious concept, and it is utterly wrong that the principal witness should be given the absurd and historically misunderstood right to silence.

Let us consider verbals. I have known hundreds of cases in which the police alleged that the accused had said something that he denied saying. Nothing that is unrecorded before a magistrate or an independent person should be admitted in evidence. It is only too easy to claim that the accused said, "It's a fair cop—I took it because I needed to buy a house." If one wants the police to be trusted, the courts to be respected and the accused to have fair rights as to what he did or did not say, there is a simple equation: the right to silence goes, in exchange for the necessity that nothing that the accused is alleged to have said can be produced in evidence unless it was recorded by an independent person. That would be a fair solution.

I am sorry that my remarks were all about England, but I thought that I should intervene.

Mr. David Trimble (Upper Bann): I will not comment on the situation in Scotland and the speech of the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn), but I will refer to the speeches of the hon. Member for Sedgefield (Mr. Blair) and the hon. and learned Member for Burton (Sir I. Lawrence), which proceeded on an entirely false basis. In this context, references to the right to silence are wholly misconceived. The Bill does not affect the right to silence properly so called, which is the privilege against self-incrimination and means that a person shall not be compelled to give evidence against himself. Nothing in the Bill in any way changes that. It affects only what some people loosely and inaccurately describe as the right to silence.

The Bill relates to inferences to be drawn from silence and to whether or not the judge can comment on an accused person's failure to say anything. Glanville Williams, probably the most distinguished academic lawyer in England this century, described as wholly unreasonable the rule that a judge cannot comment on an obvious and relevant fact that the jury may take into account. No one ever said that juries must take it into account.

Most of the comments made about the right to silence will give a completely false impression to anyone reading this debate. I was appalled that it was even suggested that the presumption of innocence was in some way affected by the Bill. It does not change that, or the requirement that guilt must be shown beyond reasonable doubt. Those matters are not involved.

I acquit the hon. Member for Caithness and Sutherland (Mr. Maclennan), but it annoyed me that no reference was made to the experience in Northern Ireland. The Bill's provisions are word for word the same as those in the Criminal Evidence (Northern Ireland) Order 1988, which

[Mr. David Trimble]

has been in operation for six years. I appreciate that it is sometimes difficult to find out what happens in Northern Ireland, so I gathered together some judgments and placed them in the Library and sent copies to Opposition Members who I felt were in particular need of them. I also referred to the matter in Committee and I shall not repeat the remarks that I made there. If hon. Members want to learn more about the Northern Ireland experience, I refer them to speeches made in Committee and to the judgments placed in the Library. I am disappointed that even at this stage no effort has been made to refer to the Northern Ireland experience.

The hon. and learned Member for Burton is Chairman of the Home Affairs Select Committee. I appreciate that it is sometimes difficult to know about practices in Northern Ireland, but it was perfectly open to the hon. and learned Gentleman to investigate and to take his Select Committee to Northern Ireland. He could also have called evidence and discovered what has happened in Northern Ireland over the past six years—and why there have not been complaints by practising lawyers or the judiciary in Northern Ireland.

Reference was made to Richard Ferguson, a former Ulster Unionist Member of Parliament for Stormont, but he has been practising in England since before the 1988 order was implemented, so his comments should be taken with a pinch of salt.

Government amendment No. 336 is a response to Lord Chief Justice Taylor. Northern Ireland judges have operated the procedure about which Lord Chief Justice Taylor complains for half a dozen years without any difficulty. However, if that amendment will smooth the passage of the Bill through another place, the change is not terribly significant. It is not of great importance whether the accused is advised by his lawyer, the judge, other persons or other means: it is important that the accused be advised.

I told the Minister of State in Committee that if any of the Bill's provisions were changed, changes should immediately be made also to the 1988 Northern Ireland order. It would be wholly unreasonable for the House to alter the Bill in respect of England and Wales without immediately doing the same for Northern Ireland. I am glad that amendment No 360 will do that, even though it means using the Bill to amend a Northern Ireland Order in Council. I entirely approve, and I thank the Government for following our advice and making sure that changes will apply simultaneously in Northern Ireland.

Mr. Howard: It is a pleasure to follow the hon. Member for Upper Bann (Mr. Trimble). I agree with practically every word of his speech. I can assure him that, even were I not following him in the debate, I should certainly have referred to the Northern Ireland experience and to the fact that this legislation is very closely modelled on and, indeed, virtually word for word identical with the provisions of the Criminal Evidence (Northern Ireland) Order 1988, although from the speeches before that of the hon. Gentleman one would have assumed that we were discussing a wholly novel constitutional departure for the United Kingdom. In fact, as the hon. Gentleman clearly and powerfully pointed out, it is nothing of the kind.

This group of amendments relates entirely to clauses 29 to 33 of the Bill, which would allow proper inferences to be drawn from a person's silence in court or when asked certain questions by the police. As has been pointed out, they are often described as being concerned with the right to silence. Although that is a misleading description, I certainly accept that the matter—though not a constitutional innovation or novelty in the United Kingdom—is of considerable constitutional significance. The description is misleading, because nothing in the Bill would take away any person's right to remain silent if he so chooses either under police questioning or in court. Under our law, that right is not, of course, an absolute right, as the hon. Member for Caithness and Sutherland (Mr. Maclennan) pointed out, referring to my track record. There are certain circumstances in which a person may be required to give answers—for example, when questioned by an investigator from the Serious Fraud Office exercising special investigation powers under section 2 of the Criminal Justice Act 1987, which built on the powers contained in the Financial Services Act 1986, for which I had some ministerial responsibility.

I confess that I cannot recall how the Liberal Democrats or their predecessors voted when those clauses came before Parliament, but no doubt the official Opposition did not comment on that during the debate because they fully supported the introduction of those powers and the removal of the right in those particular circumstances. Subject to those existing exceptions, the provisions in clauses 29 to 33 of the Bill will not compel any person to answer questions or penalise them for not doing so.

Sir Ivan Lawrence: If my right hon. and learned Friend is right in saying that the right to silence remains after these provisions—I agree that there is an element of a play on words—what kind of right is it when, if one decides to exercise it, one can be adversely criticised?

Mr. Howard: There is nothing inconsistent in the two propositions. What criticism may be made will depend on the circumstances in which someone remains silent. There is a clear difference between the proposition that is already enshrined in part of the law, which was pointed out by the hon. Member for Caithness and Sutherland and which I have just pointed out, which compels someone to answer questions in certain circumstances, and the entirely different situation in which no one is compelled to say anything, but they know that their silence can be the subject of comment depending on the circumstances. That is an absolutely clear distinction and was underlined with considerable force by the hon. Member for Upper Bann.

7.45 pm

Mr. Blair: The debate will proceed on a false basis if we have what I think in the end is a fairly semantic argument. No one has suggested that, technically, one is compelled to speak or that there is a legal obligation to speak, but if, when one has failed to answer questions, an adverse inference can be drawn, whatever the technical position the reality is that the right to silence has been interfered with. Quite honestly, the Home Secretary would do his case more justice if he admitted that and justified it rather than playing with words.

Mr. Howard: This does not touch on the fundamental arguments, which I am of course coming to. The hon. Member for Upper Bann was absolutely right in his analysis of the position.

Mr. Blair: Technically.

Mr. Howard: It is not a question of technicality, but of the right approach to this fundamental matter. The hon. Member for Upper Bann was right, but I agree with the hon. Member for Sedgefield (Mr.Blair) that that does not affect the fact that there are fundamental arguments to be addressed, and of course I will address them.

Mr. Harry Greenway: I am very interested in this and I am grateful to my right hon. and learned Friend for giving way. Will he explain to me the circumstances in which a judge will make comment or in which inferences can be drawn from someone's silence? At what point in the proceedings could that happen? I ask my right hon. and learned Friend to address himself to this point. It is said that criminals will know criminals, that people with a criminal record and people with criminal tendencies will be nailed by the removal of the right to silence, and that that is a substantial justification for it. Will my right hon. and learned Friend address himself to that and to the effect of the removal of the right to silence on the vulnerable, the weak and inadequate, and also intelligent people, who can also be intimidated by the circumstances of being questioned? It is not just the vulnerable who will be affected.

Mr. Howard: To answer the first part of my hon. Friend's question directly, in normal circumstances comment would be made at the end of the trial. It would be open to the prosecution to suggest that an adverse inference could be drawn from the defendant's silence. It would be open to counsel for the defendant to explain away that silence. It would be open to the judge to make such comment as he thinks fit. It would certainly be open to the judge to comment that, in all the particular circumstances of the case, the jury might well decide that it was not appropriate to draw any adverse inference from the exercise of the right to silence by the defendant. And in the end—this is the absolutely crucial point—it will be for the jury to decide what weight to attach to, and to what extent it is appropriate in the particular circumstances of the case to draw any inference from, the silence.

Dr. Robert Spink (Castle Point): Will my right hon. and learned Friend explain what are the circumstances in which a defendant could use the right to silence without it carrying an adverse inference for the defendant? That would help to explain my right hon and learned Friend's case, with which I agree entirely.

Mr. Howard: There is such an infinite range of circumstances that it is difficult to pick out particular examples, but it might well be the case that, in a particular set of circumstances, if someone was feeling unwell, was confused or not in a position to give a proper account in answer to questions that were put to him, the judge might say to the jury—though it would always be a matter for the jury—"You may well think that, in all the circumstances of this case, having regard to what you have heard, it would not be right to draw any adverse inference from the silence of the accused in this case." But in the end, having heard all the evidence, it is a matter that the jury would be entitled to take into account.

The matter derives its origins quite apart from the criminal law review committee, to which the hon. Member for Sedgefield referred: although clauses 29 and 30 of the Bill are, for all practical purposes, exact replicas of the draft clauses in the Criminal Law Revision Committee's report, the provision finds its origin in the Criminal Evidence (Northern Ireland) Order 1988. That order was made in October 1988 and came into effect in December 1988 and, as we heard from the hon. Member for Upper Bann, it has operated to good effect and without difficulty since then. When the order was introduced, my predecessor —my right hon. Friend the Member for Witney (Mr. Hurd), now the Foreign Secretary—gave an undertaking that the legislation on this subject would be introduced for England and Wales at the earliest opportunity after the report of the working group that he had set up had been received.

There is therefore a respectable history to the matter. It is not something that has been plucked out of the ether by me or by the present Government. It is true that a minority and not a majority of the royal commission recommended that changes of this kind should be made, but it is also true —no one has yet commented on this significant fact—that a majority of the judges who gave evidence to the royal commission were in favour of such a change.

We propose simply to remove the artificial and outdated restrictions which prevent a court or jury from hearing about a person's silence and taking it into account in reaching a verdict. Indeed, our proposals have accurately been described by my hon. Friend the Member for Woodspring (Dr. Fox) as a freedom of information Act for juries.

Mr. Ashby: I have been following the debate with great interest and a number of very important points have been made. However, I do not entirely agree with my right hon. and learned Friend. What concerns me and a number of others is that when someone is arrested there is always a great deal of confusion and the person may be wholly innocent and completely astounded. Indeed, I can think of an incident that happened only a couple of weeks ago that would give rise to such a situation. If we are going to start playing around with the burden of proof—I agree that we are talking not about the right to silence but about the burden of proof—should it not be within the confines of the Police and Criminal Evidence Act 1984 and relate only to tape-recorded interviews?

Mr. Howard: I shall deal with that point in a moment when I speak in detail to the amendments, but, in answer to that question, I can say that, first, the proposals do not amount to a change in the burden of proof; it will still be for the prosecution to establish the burden of proof in every case. Secondly—this is the critical point—there may well be circumstances in which someone is confused, as my hon. Friend described, in a way that should properly be taken into account in assessing what inference should be drawn from his silence and what weight should be attached to it. That is precisely what will happen; it is precisely how the silence will be taken into account and it is precisely the type of factor that the jury will be left to decide.

There has been some questioning of the extent to which the change will make a difference. The findings of the Royal Commission on criminal justice contained the following paragraph:

"In the view of many police officers, a significant number of suspects, by refusing to answer questions, seriously impede the efforts of investigators to fulfil their function of establishing the facts of the case. The initial aim of these suspects may be to avoid being charged but, if this is not successful, they may subsequently fabricate a defence which will not be revealed until their trial, at which point it may be impracticable to investigate and detect the

[Mr. Howard]

fabrication. Alternatively, they may remain silent, offer no explanations, and yet try to discredit the prosecution evidence or intimidate witnesses or victims in order to deter them from giving evidence. By such means, some criminals are, in the view of the police and many others, taking advantage of a feature of the criminal justice system left over from a past era when there were far fewer safeguards to protect the defendant than there are today".

The royal commission also found that it was part of the experience of police officers that

"although most people who are arrested do answer questions inviting an explanation of evidence against them, a considerable number of experienced or professional criminals do not".

A recent survey by the Association of Chief Police Officers found that offenders with five or more previous convictions were more than three times as likely to remain silent in police stations than those with no previous convictions.

Mr. Mullin: Does the Home Secretary agree that the category of people most likely to claim the right to silence at present are police officers charged with conspiring to pervert the course of justice?

Mr. Howard: I would not agree with the hon. Gentleman on that point, but, of course, any changes that we make would apply equally to that category of defendant in which the hon. Gentleman has a particular interest and to any other category of defendant, so it may yet be that, on reflection, we shall have the support of the hon. Gentleman in the Lobby tonight.

Mr. Mullin: Every cloud has a silver lining.

Mr. Howard: A minority of the royal commission concluded that it would be right to change the law so that inferences could be drawn from an offender's silence in relevant circumstances. The Government agree with that minority view. We believe that it is reasonable to expect an accused person to offer an explanation of circumstances that appear to be incriminating and that if he does not do so there is no reason why a court or jury should be prevented from taking account of his silence when considering the strength of the case against him.

Mr. Hoon: The right hon. and learned Gentleman has repeatedly talked about the jury being able to reach a decision in the light of the defendant's failure to give evidence. What has he to say about the direction that a judge should give in such circumstances? At present, if a defendant chooses to exercise what has been described as the right to silence, the judge will indicate to the jury that it is a perfectly proper constitutional position for the defendant to adopt. Under the rules proposed by the Home Secretary, what indication is the judge supposed to give to the jury? Does the Home Secretary accept that, if under the proposals, the judge gives a direction to the effect that the right to silence has been exercised, in most jury trials it will be tantamount to an indication from the judge that he is extremely unhappy with the defendant's case? Will not that lead many juries to conclude that they should convict?

Mr. Howard: I certainly do not agree with the hon. Gentleman's final point and I am surprised that he made it. Although his experience of the courts might be a trifle more recent than mine, I am sure that he will share my experience that juries are at least as likely to reject such indications from judges as they are to accept them. However, by way of a direct answer to the hon. Gentleman's question, the position is this: as a result of the Government's amendment to which I am about to refer, the jury will have been explained to the defendant the fact that, if he chooses to remain silent, an adverse inference could be drawn from his silence. The jury will then be told by the judge in his summing up that it is open to them to draw such an inference, but that the nature of that inference and the weight that they attach to it will depend on the circumstances of the case. As with every other circumstance of the case, the judge will be able to express his view to the jury, but he will tell the jury—as he is presently obliged to do in relation to every other circumstance—that, in the end, it will be for the jury to form their own view and for them to decide. Therefore, the matter will be treated in precisely the same way as every other relevant circumstance and every other relevant piece of evidence.

I deal now with the Government amendments to clause 30, which has already been described pretty accurately by the hon. Member for Upper Bann. Government amendments Nos. 333 to 340 and 355 and 356 would make a minor change in the procedure while leaving the basic effect of the clause unchanged. They deal with concerns that have been expressed by the Lord Chief Justice. Contrary to many reports, he has consistently supported the principle of drawing inferences from silence, but has expressed concerns about the procedure that is presently embodied in clause 30.

The amended clause, like the present one, will ensure that the court can draw proper inference from the accused person's silence in court, but, instead of calling on a defendant to give evidence, a judge or magistrate would satisfy himself in the presence of the jury that the defendant was aware of his opportunity to give evidence and the possible consequences of not doing so. Lord Taylor told me that he was content with the changes that the Government amendments would make to clause 30. As the hon. Member for Upper Bann said, amendments 357 to 360 would effect equivalent changes in the corresponding Northern Ireland legislation.

Before I finish, I shall deal briefly with some of the other amendments. With regard to amendments Nos. 249 and 250, it is surely entirely illogical to limit provisions to proceedings triable only on indictment. Rules that are just when a serious offence is being tried cannot be unjust when a lesser one is being tried, or vice versa.

I welcome the support of my hon. and learned Friend the Member for Burton (Sir I. Lawrence) for the main thrust of our proposals, but, with reference to his amendments Nos. 319 and 313, I disagree with the proposal that inferences under clause 29 should not be drawn at the committal or transfer stage. It is important that the court sees the whole prosecution case when deciding whether there is a case to answer. The amendments would allow "ambush" defences at committal without allowing any inferences to be drawn as to their veracity, in view of the fact that the same line of defence could have been advanced at an earlier stage.

8 pm

I believe that the amendments that would impose compulsory safeguards, such as tape-recording or access to legal advice, before any inference could be drawn are unnecessary. The police are required to observe the safeguards laid down in the codes of practice issued under

the Police and Criminal Evidence Act 1984 whenever they interview an arrested person. There is no special need to make the application of clauses 29 to 33 depend on the observance of those safeguards, as proposed in amendments 237, 245 and 253. I believe that it should be for the courts to decide a defendant's guilt or innocence on the weight of the evidence put before them, and to draw such inferences as appear proper, as they would for any evidence obtained by the police.

Mr. Blair: The Opposition amendments and the amendments tabled by the hon. and learned Member for Burton are designed for the same effect—to place safeguards so that in effect such inferences can be drawn only at the police station—but is the Home Secretary not aware that his proposal would go wider than that, and deal with the time before the suspect arrives at the police station, before the Police and Criminal Evidence Act safeguards come into effect

Mr. Howard: I was about to deal with that precise point with reference to amendments Nos. 252 and 314. I disagree with the proposition that inferences should be restricted to the period after cautioning. Sometimes it can be sensible to draw an inference from what a suspect says or does not say when first encountered by the police in suspicious circumstances. Courts will be able to draw inferences only from a failure to mention a fact that the defendant could reasonably have been expected to mention.

That approach is entirely similar to the idea that a person's comment at that stage should be taken into account. That was another recommendation of the royal commission, which led to its further recommendation, which we accept, that any such admission should be put to the suspect at the beginning of the first tape-recorded interview.

Finally, amendment No. 320, tabled by my hon. and learned Friend the Member for Burton, would provide that an inference drawn from silence under clause 29 could not by itself provide that a person had a case to answer. My hon. and learned Friend said that he had not been given a satisfactory explanation of why the amendment was unnecessary. It is unnecessary because clause 33(3) already provides:

"A person shall not be committed for trial, have a case to answer or be convicted of an offence"

on the basis of an inference from silence alone.

My final recommendation to the House is that the amendments tabled by my hon. and learned Friend and by the Opposition are not necessary, and should be rejected. I invite the House to accept the amendments in my name and to reject any others that may be put to the vote.

Mr. Blair: We will press the amendments to a vote, first because we do not believe that the Home Secretary has adequately justified the abolition of an important fundamental principle of British law—a constitutional principle upon which people are entitled to rely. Our second reason is that the Government proposal, without any proper safeguards, will go far further than anyone has ever recommended on the abolition of the right of silence.

It may be argued that the phrase "the abolition of the right to silence," is not technically accurate, but if people are to be at risk of an adverse inference being drawn if they do not speak, they will in fact be under pressure to speak, whatever the technical position may be. The question is whether that is right. To abolish the right to silence with no proper safeguards, which goes further than even the minority report of the royal commission, is not only wrong in principle but foolhardy and the House will regret it. We should therefore reject the proposal tonight.

Mr. Richard Shepherd: I believe that I am the only non-lawyer to speak on this group of amendments. I do so with the greatest diffidence, as hon. Members will understand, but I want to make clear what my perceptions of my country are. English law has always had at its heart the right to silence.

Lawyers may say that I am misappropriating that term, but it is fundamental to my perception that no inference may be taken from silence. I know that an extension has been made into fraud cases, and that that is now under challenge in the European Court. We shall see whether that law will stand that test.

Instinctively, as a Conservative, I would argue that the burden of proof for such a significant change lies with those who wish to initiate that change. I have not heard any arguments which conclusively demonstrate why the change is imperative. Therefore, as a Conservative, I stand by that right, and I say that the case has not been proven. I would go with the three royal commission reports on the matter, which we seem so eager to set aside.

I call out passionately for conservatism in such matters. When I think of my view of my country—that is all that we can express on such occasions—I think of Sir Thomas More's innocence protested by his silence. I see that principle march through our history; I watch how the world is changing fervidly; I see the same principle instituted in the constitution of the United States, drawing on our own experience. Are we so lightly to set it aside for the sake of the exigencies of the present, and our current fear of rising crime?

That rule has stood us well in good times and in bad. In the placidity of the 1950s, no one argued that we should do away with it. In the turbulence of other times, no one insisted that we should do away with it. We should have more confidence in our systems. In my view, the Government have not demonstrated the burden of proof that, in the face of the royal commission reports, we should make such a change.

Question put, That the amendment be made:—

The House divided: Ayes 256, Noes 283.

Division No. 202] **[8.07 pm**

AYES

Abbott, Ms Diane	Barry, Roger
Adams, Mrs Irene	Betts, Clive
Ainger, Nick	Blair, Tony
Ainsworth, Robert *(Cov'try NE)*	Boateng, Paul
Allen, Graham	Bradley, Keith
Alton, David	Bray, Dr Jeremy
Anderson, Ms Janet *(Ros'dale)*	Brown, Gordon *(Dunfermline E)*
Armstrong, Hilary	Brown, N. *(N'c'tle upon Tyne E)*
Ashby, David	Bruce, Malcolm *(Gordon)*
Ashton, Joe	Burden, Richard
Austin-Walker, John	Byers, Stephen
Barnes, Harry	Caborn, Richard
Barron, Kevin	Callaghan, Jim
Battle, John	Campbell, Mrs Anne *(C'bridge)*
Bayley, Hugh	Campbell, Menzies *(Fife NE)*
Beith, Rt Hon A. J.	Campbell, Ronnie *(Blyth V)*
Bell, Stuart	Campbell-Savours, D. N.
Benn, Rt Hon Tony	Cann, Jamie
Bennett, Andrew F.	Carlile, Alexander *(Montgomry)*
Benton, Joe	Chisholm, Malcolm
Bermingham, Gerald	Clapham, Michael

Clark, Dr David (South Shields)
Clarke, Eric (Midlothian)
Clarke, Tom (Monklands W)
Clelland, David
Clwyd, Mrs Ann
Colley, Ann
Connarty, Michael
Cook, Frank (Stockton N)
Cook, Robin (Livingston)
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunningham, Jim (Covy SE)
Cunningham, Rt Hon Dr John
Dalla, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan (Oldham C'tral)
Davies, Rt Hon Denzil (Llanelli)
Davies, Ron (Caerphilly)
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John (St Helens N)
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank (Birkenhead)
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don (Bath)
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie (Tottenham)
Griffiths, Win (Bridgend)
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith (Streatham)
Hinchliffe, David
Hoey, Kate
Hogg, Norman (Cumbernauld)
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George (Knowsley N)
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Kevin (Doncaster N)
Hughes, Robert (Aberdeen N)
Hughes, Roy (Newport E)
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda (H'stead)
Jackson, Helen (Sheffld, H)
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn (Ynys Môn)
Jones, Jon Owen (Cardiff C)
Jones, Lynne (B'ham S O)
Jones, Martyn (Clwyd, SW)
Jones, Nigel (Cheltenham)
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles (Ross,C&S)
Kennedy, Jane (Lpool Bdgn)
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil (Islwyn)
Kirkwood, Archy
Leslor, Joan (Eccles)
Lewis, Terry
Lloyd, Tony (Stretford)
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David (Shettleston)
Marshall, Jim (Leicester, S)
Martin, Michael J. (Springburn)
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill (Sheffield Heeley)
Michie, Mrs Ray (Argyll Bute)
Milburn, Alan
Miller, Andrew
Mitchell, Austin (Gt Grimsby)
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle (B'ham Yardley)
Morris, Rt Hon J. (Aberavon)
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael (N Wkshire)
O'Brien, William (Normanton)
O'Hara, Edward
Oliner, William
O'Neill, Martin
Perry, Robert
Pelchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Prentice, Ms Bridget (Lew'm E)
Prentice, Gordon (Pendle)
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George (Hamilton)
Robinson, Geoffrey (Co'try NW)
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie (Dundee W)
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shephard, Richard (Aldridge)
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew (Oxford E)
Smith, C. (Isl'ton S & F'bury)
Smith, Llew (Blaenau Gwent)
Soley, Clive
Spearing, Nigel
Speller, John
Squire, Rachel (Dunfermline W)
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann (Dewsbury)
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth (Gower)
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan (Sw'n W)
Williams, Alan W (Carmarthen)
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David (Bolton SE)

Tellers for the Ayes:
Mr. Ray Powell and
Mr. Neil Gerrard.

NOES

Ainsworth, Peter (East Surrey)
Aitken, Jonathan
Alison, Rt Hon Michael (Selby)
Allason, Rupert (Torbay)
Amess, David
Arnold, Jacques (Gravesham)
Arnold, Sir Thomas (Hazel Grv)
Atkins, Robert
Atkinson, David (Bour'mouth E)
Atkinson, Peter (Hexham)
Baker, Rt Hon K. (Mole Valley)
Baker, Nicholas (Dorset North)
Baldry, Tony
Banks, Matthew (Southport)
Banks, Robert (Harrogate)
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter (Eltham)
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. (Brigg & Cl'thorpes)
Browning, Mrs. Angela
Bruce, Ian (S Dorset)
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Carlisle, John (Luton North)
Carlisle, Kenneth (Lincoln)
Carrington, Matthew
Carttiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael (Rochford)
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon (Swindon)
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina (S D'by'shr)
Curry, David (Skipton & Ripon)
Davies, Quentin (Stamford)
Davis, David (Boothferry)
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Egger, Tim
Elletson, Harold
Evans, David (Welwyn Hatfield)
Evans, Jonathan (Brecon)
Evans, Nigel (Ribble Valley)
Evans, Roger (Monmouth)
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry (Isle of Wight)
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael (Stirling)
Forsythe, Clifford (Antrim S)
Forth, Eric
Fox, Dr Liam (Woodspring)
Fox, Sir Marcus (Shipley)
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa

Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'ham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Killedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'sh'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shersby, Michael
Skeet, Sir Trevor
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. James Arbuthnot and
Mr. Sydney Chapman.

Amendment accordingly negatived.

Amendment proposed: No. 316, in page 19, line 19, after 'be' insert

'and provided that such questioning or charging shall have been tape-recorded in accordance with the provisions of the Police and Criminal Evidence Act 1984.'—[*Mr. Michael.*]

Question put, That the amendment be made:—

The House divided: Ayes 257, Noes 286.

Division No. 203] **[8.20 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Allon, David
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashby, David
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Colley, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John

Hill, Keith (Streatham)
Hinchliffe, David
Hoey, Kate
Hogg, Norman (Cumbernauld)
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George (Knowsley N)
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Kevin (Doncaster N)
Hughes, Robert (Aberdeen N)
Hughes, Roy (Newport E)
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda (H'stead)
Jackson, Helen (Sheff'ld, H)
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn (Ynys Môn)
Jones, Jon Owen (Cardiff C)
Jones, Lynne (B'ham S O)
Jones, Martyn (Clwyd, SW)
Jones, Nigel (Cheltenham)
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles (Ross,C&S)
Kennedy, Jane (Lpool Brdgn)
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil (Islwyn)
Kirkwood, Archy
Lawrence, Sir Ivan
Lestor, Joan (Eccles)
Lewis, Terry
Livingstone, Ken
Lloyd, Tony (Stretford)
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David (Shettleston)
Marshall, Jim (Leicester, S)
Martin, Michael J. (Springburn)
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill (Sheffield Heeley)
Michie, Mrs Ray (Argyll Bute)
Milburn, Alan
Miller, Andrew
Mitchell, Austin (Gt Grimsby)
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle (B'ham Yardley)
Morris, Rt Hon J. (Aberavon)
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael (N W'kshire)
O'Brien, William (Normanton)
O'Hara, Edward
Oliver, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Prentice, Ms Bridget (Lew'm E)
Prentice, Gordon (Pendle)
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Rendel, David
Robertson, George (Hamilton)
Robinson, Geoffrey (Co'try NW)
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie (Dundee W)
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard (Aldridge)
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew (Oxford E)
Smith, C. (Isl'ton S & F'sbury)
Smith, Llew (Blaenau Gwent)
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel (Dunfermline W)
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann (Dewsbury)
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth (Gower)
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan (Sw'n W)
Williams, Alan W (Carmarthen)
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David (Bolton SE)

Tellers for the Ayes:
Mr. Ray Powell and
Mr. Gordon McMaster.

NOES

Ainsworth, Peter (East Surrey)
Aitken, Jonathan
Alison, Rt Hon Michael (Selby)
Allason, Rupert (Torbay)
Amess, David
Arnold, Jacques (Gravesham)
Arnold, Sir Thomas (Hazel Grv)
Atkins, Robert
Atkinson, David (Bour'mouth E)
Atkinson, Peter (Hexham)
Baker, Rt Hon K. (Mole Valley)
Baker, Nicholas (Dorset North)
Baldry, Tony
Banks, Matthew (Southport)
Banks, Robert (Harrogate)
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter (Eltham)
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. (Brigg & Cl'thorpes)
Browning, Mrs. Angela
Bruce, Ian (S Dorset)
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Carlisle, John (Luton North)
Carlisle, Kenneth (Lincoln)
Carrington, Matthew
Carttiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael (Rochford)
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon (Swindon)
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina (S D'by're)
Curry, David (Skipton & Ripon)
Davies, Quentin (Stamford)
Davis, David (Boothferry)
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Evans, David (Welwyn Hatfield)
Evans, Jonathan (Brecon)
Evans, Nigel (Ribble Valley)
Evans, Roger (Monmouth)
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry (Isle of Wight)
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael (Stirling)
Forsythe, Clifford (Antrim S)
Forth, Eric
Fox, Dr Liam (Woodspring)
Fox, Sir Marcus (Shipley)
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. (Cambs SW)
Greenway, Harry (Ealing N)
Greenway, John (Ryedale)
Griffiths, Peter (Portsmouth, N)
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil (Tatton)
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James (Southampton Test)
Hogg, Rt Hon Douglas (G'tham)
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan (Strat'rd-on-A)
Howell, Rt Hon David (G'dford)
Hughes Robert G. (Harrow W)
Hunt, Rt Hon David (Wirral W)
Hunter, Andrew
Jack, Michael
Jackson, Robert (Wantage)
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym (Cardiff N)
Jones, Robert B. (W Hertfdshr)
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela (Erewash)
Knight, Greg (Derby N)
Knight, Dame Jill (Bir'm E'st'n)
Knox, Sir David
Kynoch, George (Kincardine)
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward

Lennox-Boyd, Mark
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Matae, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shersby, Michael
Skeet, Sir Trevor
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. James Arbuthnot and Mr. Sydney Chapman.

Question accordingly negatived.

Amendments made: No. 208, in page 19, leave out lines 21 and 22 and insert—

'(a) a magistrates' court, in deciding whether to grant an application for dismissal made by the accused under section 6 of the Magistrates' Courts Act 1980 (application for dismissal of charge in course of proceedings with a view to transfer for trial);'

No. 209, in page 19, line 32, at end insert—

'( ) the court, in determining whether there is a case to answer;'

No. 210, in page 20, line 11, at end insert—

'( ) In relation to any time before the commencement of section 36 of this Act, this section shall have effect as if the reference in subsection (2)(a) to the grant of an application for dismissal was a reference to the committal of the accused for trial.'.—[*Mr. Maclean.*]

Clause 30

EFFECT OF ACCUSED'S SILENCE AT TRIAL

Amendments made: No. 333, in page 20, line 13, leave out 'to (7)' and insert 'and (4)'.

No. 334, in page 20, line 16, leave out 'be called upon to'.

No. 335, in page 20, line 18, leave out from 'if' to end of line 20 and insert

', at the conclusion of the evidence for the prosecution, his legal representative informs the court that the accused will give evidence or, where he is unrepresented, the court ascertains from him that he will give evidence'.

No. 336, in page 20, leave out lines 21 to 37 and insert—

'(2) Where this subsection applies, the court shall, at the conclusion of the evidence for the prosecution, satisfy itself (in the case of proceedings on indictment, in the presence of the jury) that the accused is aware that the stage has been reached at which evidence can be given for the defence and that he can, if he wishes, give evidence and that, if he chooses not to give evidence, or having been sworn, without good cause refuses to answer any question, it will be permissible for the court or jury to draw such inferences as appear proper from his failure to give evidence or his refusal, without good cause, to answer any question.'.

No. 337, in page 20, line 38, at beginning insert 'Where this subsection applies,'.

No. 338, in page 20, line 39, leave out from 'inferences' to end of line 40 and insert

'as appear proper from the failure of the accused to give evidence or his refusal, without good cause, to answer any question.'.

No. 339, in page 20, line 43, leave out 'refusal to be sworn' and insert 'failure to do so'.

No. 340, in page 21, leave out lines 16 to 18.—[*Mr. Maclean.*]

Clause 31

EFFECT OF ACCUSED'S FAILURE OR REFUSAL TO ACCOUNT FOR OBJECTS, SUBSTANCES OR MARKS

Amendments made: No. 211, in page 21, leave out lines 38 and 39 and insert—

'(a) a magistrates' court, in deciding whether to grant an application for dismissal made by the accused under section 6 of the Magistrates' Courts Act 1980 (application for dismissal of charge in course of proceedings with a view to transfer for trial);

( ) the court, in determining whether there is a case to answer; and.'

No. 212, in page 22, line 10, at end insert—

'( ) In relation to any time before the commencement of section 36 of this Act, this section shall have effect as if the reference in subsection (2)(a) to the grant of an application for dismissal was a reference to the committal of the accused for trial.'.—[*Mr. Maclean.*]

Clause 32

EFFECT OF ACCUSED'S FAILURE OR REFUSAL TO ACCOUNT FOR PRESENCE AT A PARTICULAR PLACE

Amendments made: No. 213, in page 22, leave out lines 25 and 26 and insert—

'(a) a magistrates' court, in deciding whether to grant an application for dismissal made by the accused under

section 6 of the Magistrates' Courts Act 1980 (application for dismissal of charge in course of proceedings with a view to transfer for trial);

( ) the court, in determining whether there is a case to answer, and'.

No. 214, in page 22, line 38, at end insert—

'( ) In relation to any time before the commencement of section 36 of this Act, this section shall have effect as if the reference in subsection (2)(a) to the grant of an application for dismissal was a reference to the committal of the accused for trial.'.—[*Mr. Maclean.*]

Clause 33

INTERPRETATION AND SAVINGS FOR SECTIONS 29, 30, 31 AND 32

Amendment made: No. 215, in page 23, line 4, leave out 'be committed' and insert

'have the proceedings against him transferred to the Crown Court'.—[*Mr. Maclean.*]

Clause 43

CIRCUIT JUDGES TO ACT AS JUDGES OF CRIMINAL DIVISION OF COURT OF APPEAL

Amendment made: No. 341, in page 31, leave out lines 23 and 24.—[*Mr. Maclean.*]

Clause 44

EXPENSES IN CRIMINAL APPEALS IN NORTHERN IRELAND COURT OF APPEAL

8.30 pm

Mr. Trimble: I beg to move amendment No. 63, in page 32, leave out lines 17 and 18 and insert—

'(3) This section shall apply to any decision or review of the Master (Taxing Office) made after 25th July 1991.'

I apologise to the hon. Member for Berwick and East Lothian (Mr. Home Robertson), whom I had to jump over to reach my seat in time.

The amendment is a small point, concerning costs in criminal appeals in Northern Ireland. I am delighted that the Government introduced what is now clause 44, because it emerged some six years ago in Northern Ireland that there was a serious gap in our legislation. There had been a provision for the assessment of costs in criminal appeals and a provision for appeals from that assessment. However, as a result of what was a legislative slip up in 1978, the right of appeal disappeared. That was not realised until 1988, in the Weir and Higgins' application. It became clear in 1988 that the right of appeal had been lost.

The obvious thing to do was remedy the omission. I am glad that the Government have done so by introducing clause 44. When they introduced that clause in Committee, I thought that the matter was uncontroversial. At that time, I was not aware that a judicial review was proceeding through the courts in Northern Ireland to test the right to appeal. That judicial review, which was heard by Mr. Justice Kerr and is currently on appeal, was funded by the Law Society of Northern Ireland because of its desire to test the issue and to try to establish a right of appeal.

In those circumstances, and because the mistake was not discovered until 1988, it is not unreasonable to ask for the legislation conferring the right to appeal to be made retrospective. That is all my amendment does. I have been told that only four or five cases would be affected. I appreciate that there may be expense involved.

In a sense, it would be better to date the retrospection back to 1988. I took advice from the solicitors involved in the case that is currently proceeding through the Northern Ireland courts and the date that is provided in the amendment relates to that. It is not a major issue; it affects only a handful of cases. However, it is a matter of providing a remedy that was lost as a result of what appears to have been a slip-up in the legislation. Now that we are remedying that slip-up, I see no reason why the amendment should not be made retrospective, so that people should not suffer a loss as a result of what was basically a mistake made in this House.

Mr. Maclean: Amendment No. 63 is intended to give retrospective effect to the provisions in clause 44, which confer new rights of appeal against assessments of criminal legal aid costs by the taxing master in the Northern Ireland Court of Appeal. However, it does so in a highly selective manner, which I understand is designed to meet the concerns of a firm of solicitors aggrieved by the master's assessment of the costs in a particular case.

The Government do not accept that it is either necessary or practical to give retrospective effect to the new appeal rights conferred by clause 44. The present arrangements have been in operation for at least 15 years. It is worth remembering that, under the current system, both branches of the legal profession have the benefit of a full, expert and independent consideration of their entitlement to remuneration out of public funds.

The House will realise that it is both unrealistic and unnecessary to suggest that the masters or the High Court should now be required to reinvestigate and review assessments carried out over many years, and we cannot see any justification for affording special and preferential treatment to the costs assessed in any particular case.

The hon. Gentleman will know that on many occasions in Committee I welcomed his wise words, and was able to say that the Government agreed with him and would put into law his desires and his amendment. Unfortunately, this is one of the rare occasions when I must disappoint the hon. Gentleman, and I hope that he understands.

Mr. Trimble: I do not wish to detain the House. I have made my point, and I do not wish to divide the House on the amendment. Therefore, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 342, in page 32, leave out lines 17 and 18.—[*Mr. Maclean.*]

Clause 46

POWERS OF POLICE TO TAKE NON-INTIMATE BODY SAMPLES

Amendment made: No. 37, in page 33, line 30, at end insert—

'(6) After subsection (9) there shall be inserted the following subsection—

"(10) Subsection (3B) above shall not apply to persons convicted before the date on which that subsection comes into force.."'.—[*Mr. Maclean.*]

Clause 48

RETENTION OF SAMPLES IN CERTAIN CASES

Amendments made: No. 38, in page 35, line 21, leave out from beginning to 'but' in line 22 and insert

'taken for the purpose of the same investigation of an offence of which a person from whom one was taken has been convicted'.

No. 39, in page 35, line 26, at end add—

'(3B) Where samples are required to be destroyed under subsections (1), (2) or (3) above, and subsection (3A) above does not apply, information derived from the sample of any person entitled to its destruction under subsections (1), (2) or (3) above shall not be used—

(a) in evidence against the person so entitled; or

(b) for the purposes of any investigation of an offence.'.—[*Mr. Maclean.*]

Clause 49

SAMPLES: INTIMATE AND NON-INTIMATE ETC.

Amendment made: No. 40, in page 36, leave out lines 3 and 4.—[*Mr. Maclean.*]

Clause 51

POWER TO REMOVE TRESPASSERS ON LAND.

Mr. John Fraser (Norwood): I beg to move amendment No. 255, in page 36, line 29, leave out 'are trespassing on land' and insert

'have entered land as trespassers'.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss the following amendments: No. 64, in page 36, line 30, after 'period', insert 'exceeding 48 hours'.

No. 65, in page 36, line 34, leave out

'or used threatening, abusive or insulting behaviour towards the occupier, a member of his family or an employee or agent of his.'.

No. 256, in page 36, leave out lines 41 to 46.

Government amendments Nos. 150, 151, 156, 157 and 152 to 155.

Mr. Fraser: I should like to speak about amendment No. 255 to clause 51; I will leave my Scottish friends to deal with amendments Nos. 64 and 65, and the Government to deal with their own amendments, because they do not entirely hang together.

Clause 51 is said to be directed at mass trespass, although, when the Government have cut the number down to six vehicles, I think that it should only count as a macro trespass. Clause 51 makes it a criminal offence not to leave land, having been requested to do so by a police officer, in certain circumstances, including where six or more vehicles, not people, are involved in the trespass. I suppose that that could be described as a macro trespass.

The clause also applies to more limited circumstances. For instance, it would apply to two people alone who trespass and cause damage. For instance, they may have crushed grass or hay while camping, or they may have caused nominal damage by cutting a square of turf in order to light a fire. They would be committing a criminal offence under this clause if they were requested, and then, having entered the premises as trespassers and been asked to leave, they did not do so in a reasonable time.

Amendment No. 255 restricts the offence to those who originally entered the land as trespassers, and does not apply it to those who subsequently became trespassers because the original permission that they were given to enter the land had been ended or withdrawn.

We do not want to take up too much time on this, but let me give one example of how it might work in a quite unexpected way. Let us take the example of two people who live in a caravan, with permission, on a caravan site, intending to be there for roughly the summer season. The owner of the site then imposes a condition—for example, something which is not uncommon on caravan sites, that they must buy a new caravan through the agency of the owner of the site.

Alternatively, the owner might raise an unreasonable service charge for the site. He might then say to the two people living in the caravan that their permission to occupy the site has been terminated, notwithstanding their anticipation of being there for the entire season.

The two people involved might, quite understandably, give the site owner a bit of "verbal", which is described as threatening, abusive or insulting language. In the circumstances, I might be tempted to do the same. Yet in those circumstances, although the people did not enter the site as trespassers, and although they had permission to be there originally, they would be caught and become criminals if they did not immediately leave the site with their caravan when requested by a police officer to do so. It could involve considerable stress, loss and inconvenience to the people involved.

If we are to have the clause at all—I am unhappy about it anyway—it ought to be restricted to an invasive trespass and not be applied to what may subsequently become a trespass. If the House does not accept the amendment, the police will be placed in the invidious position of trying to decide when certain events creating a trespass took place. One can envisage an example such as I have given where relations had gone sour, anticipated arrangements had collapsed and the police were drawn into one side or other of the dispute.

We know what mischief the clause is intended to attack. I do not agree with every proposal in the clause, but we know what it is aimed at: a macro trespass or a mass trespass by vehicles. It should not be directed to the ending of a previous contractual arrangement. I hope that the Minister can sensibly accept the amendment.

Mr. Warren Hawksley (Halesowen and Stourbridge): I congratulate the Government on tabling amendments Nos. 150 and 151, which deal with trespass on common land, about which I had previously been in touch with the Home Secretary, and amendments Nos. 156 and 157, which deal with trespass on rights of way. Both are necessary and desirable.

The point that I should like to make, as one who in a previous incarnation in the House was involved with seeing section 39 of the Public Order Act 1986 on to the statute book, is my concern about whether this power will be used. The previous power under section 39, which allowed officers to respond when 12 vehicles were present, has not been used by them to any great extent. I gather that the Association of Chief Police Officers has discouraged chief constables from using this power.

8.45 pm

I wonder whether the Minister can reassure the House that the new power, in its better and more easily used form, will be available. I have come across police officers who

have been involved in the problem in mid-Wales and in the west midlands, who have been told not to use section 39 of the 1986 Act. What are we doing to make sure that the new clause will be used by officers? I hope that the Minister can reassure us that he has an assurance from ACPO that it will do nothing to discourage the use of this section. Provided that he can do so, I whole-heartedly welcome the amendments.

Mr. Maclean: The Opposition amendments in this grouping constitute attempts to restrict the application of clause 51, and hence its effectiveness. Amendments Nos. 255 and 256 would do so by disapplying the clause to persons who did not enter land as trespassers but who became such subsequently. Clause 51 is a restatement and a strengthening of section 39 of the Public Order Act 1986.

The Government have become concerned that section 39 does not provide adequate protection for a landowner who may have invited people on to his land, but who has had his hospitality abused as the welcome is outstayed or the activities of those on his land become unbearable. The massive invasion at Newtown, Powys in the summer of 1992 is a case in point. There, I understand, the farmer was willing to allow the odd traveller on to his land, but, when the masses arrived, he did not have available the protection of section 39. Clause 51 represents a useful addition to the powers against those who cause blight in the countryside, and I cannot accept the Opposition's amendments.

The hon. Member for Norwood (Mr. Fraser) gave an interesting example. I merely remind him that the powers of the police under this clause are discretionary. If the constable forms a reasonable belief, he may exercise his powers. I suspect that, in other hypothetical cases such as the one that the hon. Gentleman suggested—where there might be a dispute about whether they had a lease or a right to stay in a caravan on an official site—the police might be reluctant to use their powers.

In each case, there must be an interpretation of the facts at the scene as the police see them. Amendment No. 64 would prevent the police from directing travellers to leave land under the terms of clause 51 unless the police believed that the travellers were going to stay for at least 48 hours. The Government cannot accept that amendment, either.

Amendment No. 65 seeks to remove one of the triggers for the police powers to direct trespassers to leave land which are contained in clause 51. If it were carried, the fact that trespassers use threatening, abusive or insulting behaviour towards the occupier, a member of his family or an employee or agent of his would no longer be grounds for the police to take action. I find it difficult to see why the amendment should have been tabled.

New age travellers and others who trespass on land without any regard for the rights and feelings of those communities they invade are, as all sectors of the House agree, a menace.

Mr. Brian Wilson (Cunninghame, North): If the measure is directed against new age travellers—I by no means accept the rationale for that—why are not they mentioned in the Bill? Why are no categories mentioned? Does the Minister agree with the Scottish Landowners Federation, which has taken the view that "specific mischiefs" should be defined in the Bill?

Mr. Maclean: I do not agree. The measure is not directed particularly, solely or only at new age travellers. In many parts of England—I accept that it is not a great problem in Scotland yet—it is a problem, and new age travellers are the main offenders, although there may be others invading land.

I do not particularly like the laundry list approach to legislation—in other words, trying to define lists or categories of people. If we try to do that, the categories will inevitably change next day, next week or next year, and the law is constantly trying to chase them up. I would not care to try to define a new age traveller.

Mr. Wilson: Is not the opposite of the laundry list approach the catch-all approach?

Mr. Maclean: It is not exactly the opposite, because it is circumscribed by certain powers, rights and duties. The police have a discretionary power, but it is not a power which they can exercise at will or willy-nilly. I do not agree with the Scottish Landowners Federation view that the laundry list is the best approach.

I will not go on at length. I understand that the view of the House is perhaps to have a much more wide-ranging debate, including some Scottish elements, later. I hope that I shall be able to lay to rest some of the misconceptions which are rife in Scotland now about what may happen to the odd rambler who goes astray in the Scottish mountains. We will deal with that in another grouping.

Mr. Hawksley: Will my hon. Friend give way?

Mr. Maclean: I will certainly take up the point raised by my hon. Friend.

It is the Government's view that, whenever we bring in new legislation, it should be operated and used, and we except the legislation to be used. We have not gone through months in Committee and the past few days in the House to pass the new powers, and then have the police not use them. It is inevitable that there will be some circular or guidance before the legislation or its various parts comes into effect. We would expect it to be used in appropriate circumstances.

We expect the present powers in the Public Order Act 1986 to be used. We will not want any excuses from any quarter about why the existing powers should not be used.

Finally, I will merely mention Government amendments Nos. 150 to 155, which seek to clarify the police powers to remove trespassers from private and common land. I was asked in Committee to do something about common land—we have done so. Government amendments Nos. 156 and 157 are technical, and seek to clarify what types of highway are covered by clauses relating to trespass and aggravated trespass and what are not. I was also pressed on that matter in Committee, and there is a clarifying amendment which I hope the House will find useful.

With those concluding remarks, I commend the Government amendments—although, unfortunately, I will not commend the Opposition amendments to the House on this occasion.

Amendment negatived.

Amendments made: No. 150, in page 37, leave out lines 22 to 26 and insert—

'(7) In its application in England and Wales to common land this section has effect as if in the preceding subsections of it—

(a) references to trespassing or trespassers were references to acts and persons doing acts which constitute either a trespass as against the occupier or an infringement of the commoners' rights; and

(b) references to "the occupier" included the commoners or any of them or, in the case of common land to which the public has access, the local authority as well as any commoner.

(7A) Subsection (7) above does not—

(a) require action by more than one occupier; or

(b) constitute persons trespassers as against any commoner or the local authority if they are permitted to be there by the other occupier.'.

No. 151, in page 37, line 27, at end insert—

' "common land" means common land as defined in section 22 of the Commons Registration Act 1965;

"commoner" means a person with rights of common as defined in section 22 of the Commons Registration Act 1965;'.

No. 156, in page 37, line 38, after 'of' where it appears for the first time insert '—

(i)''.'.

No. 157, in page 37, line 38, leave out from 'highway' to end of line 41 and insert—

'unless it falls within the classifications in section 54 of the Wildlife and Countryside Act 1981 (footpath, bridleway or byway open to all traffic or road used as a public path) or is a cycle track under the Highways Act 1980 or the Cycle Tracks Act 1984; or

(ii) a road within the meaning of the Roads (Scotland) Act 1984 unless it falls within the definitions in section 151(2)(a)(ii) or (b) (footpaths and cycle tracks) of that Act or is a bridleway within the meaning of section 47 of the Countryside Scotland Act 1967;'.

No. 152, in page 37, leave out lines 42 to 45 and insert—

"the local authority", in relation to common land, means any local authority which has powers in relation to the land under section 9 of the Commons Registration Act 1965;'.

No. 153, in page 37, line 46, after '"occupier"', insert '(and in subsection (7A) "the other occupier").'

No. 154, in page 38, leave out lines 11 to 13.

No. 155, in page 38, line 14, leave out from beginning to end of line 20 and insert—

' "trespass" means in the application of this section—

(a) in England and Wales, subject to the extensions effected by subsection (6) above, trespass as against the occupier of the land;

(b) in Scotland, entering, or as the case may be remaining on, land without lawful authority and without the occupier's consent; and

"trespassing" and "trespasser" shall be construed accordingly;'.—[*Mr. Maclean.*]

Clause 52

SUPPLEMENTARY POWERS OF SEIZURE

Amendments made: No. 158, in page 38, line 33, after 'has', insert ', without reasonable excuse'.

No. 159, in page 38, line 34, at beginning insert '(a)'.

No. 160, in page 38, line 34, leave out 'without reasonable excuse'.

No. 161, in page 38, line 36, leave out from 'control' to end of line and insert '; or

(b) entered the land as a trespasser with a vehicle within the period of three months beginning with the day on which the direction was given,

the constable may seize and remove that vehicle.'.

No. 378, in page 38, line 37, leave out ' "vehicle" has' and insert ' "trespasser" and "vehicle" have'.—[*Mr. Maclean.*]

Clause 54

SUPPLEMENTARY POWERS OF ENTRY AND SEIZURE

Amendments made: No. 167, in page 40, line 26, after 'has', insert ', without reasonable excuse'.

No. 168, in page 40, line 27, at beginning insert '(a)'.

No. 169, in page 40, line 27, leave out 'without reasonable excuse'.

No. 170, in page 40, line 29, leave out from 'control' to end of line 30 and insert '; or

(b) entered the land as a trespasser with a vehicle or sound equipment within the period of 7 days beginning with the day on which the direction was given,

the constable may seize and remove that vehicle or sound equipment.'.—[*Mr. Maclean.*]

Clause 58

OFFENCE OF AGGRAVATED TRESPASS

Mr. Michael: I beg to move amendment No.6, in page 43, line 7 after 'he', insert 'intentionally'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 7, in page 43, line 9, after second 'are' insert 'immediately'.

No. 8, in page 43, line 9, leave out 'or adjoining'.

No. 9, in page 43, line 10, leave out 'anything' and insert 'any unlawful activity'.

No. 47, in page 43, line 10, leave out 'is intended by him to have' and insert 'has'.

No. 12, in page 43, line 11, leave out from 'effect' to end of line 15 and insert

'and which does have the effect—

(a) by the use of violence or threats of violence of intimidating those persons or any of them so as to deter them or any of them from engaging in that activity,

(b) of unlawfully, in addition to the unlawfulness of the act or acts of the defendant due to the trespass, obstructing or disrupting that activity.'.

No. 48, in page 43, line 21, leave out from 'to' to end of line 22 and insert

'a fine not exceeding level 4 on the standard scale.'.

No. 171, in page 43, line 26, leave out from 'section' to end of line 29 and insert '"land" does not include—

(a) the highways and roads excluded from the application of section 51 by paragraph (b) of the definition of "land" in subsection (8) of that section; or

(b) a road within the meaning of the Roads (Northern Ireland) Order 1993.'.

No. 10, in page 43, line 26, after 'include', insert 'public footpaths or bridleways or'.

No. 19, in page 43, line 26, after 'include', insert 'either land 1000 feet above sea level or'.

No. 20, in page 43, line 26, after 'include', insert 'land which has been hunted over with hounds at any time during the ten years before this Act received Royal Assent or'.

No. 23, in page 43, line 26, after 'include', insert 'land subject to an access agreement (except on a day when the access agreement provides for restriction of access to the land) or'.

No. 21, in page 43, line 27, leave out from 'highway' to 'which' in line 28.

No. 11, in clause 59, page 44, line 1, leave out from 'trespasser' to end of line 3 and insert 'whilst the lawful activity is taking place'.

No. 172, in page 44, line 2, leave out '7 days' and insert 'three months'.

No. 173, in page 44, line 16, leave out 'in the open air'

No. 174, in clause 60, page 46, line 5, after 'highway', insert 'or road'.

Mr. Michael: It must be obvious to everybody from the number of amendments that have been dealt with either formally or through discussion just what a considerable task the House has in dealing with this legislation. We are coming now to the subject of aggravated trespass, which, with the general subject of trespass, has raised immense concern.

I do not think that the way in which the House has had to deal with the issues and the Bill does great credit to the procedures of the House, or to democracy in this country. The Minister said that he did not like the laundry list approach to legislation. Frankly, we are getting from the Government the dirty washing approach—or, as it has been described, the rag-bag approach—to legislation.

They take a few extracts from a speech and throw them together, draft something without proper consultation or discussion, and throw that together in a Bill in a vain attempt to rescue the reputation of a Government and a Home Secretary who have totally failed to deal with the real issues of crime in our society.

The problem with the clause, and with this section of the Bill, is that it endangers the rights of people to enjoy the countryside and enjoy access. The amendments that we have tabled to clause 58 are designed to ensure that its scope is limited to acts of violence such as those perpetrated against hunts, which, the Government have said, it is designed to counter.

Some of the new clauses and amendments on this issue have not been selected. We have tried in clear terms to stress the importance of ensuring the freedom of access, as well as the rights to peaceful protest. The right to access exercises many people throughout the country. We want to tighten up the wording of the clause to ensure that walkers and ramblers are not penalised by the clauses, and to ensure that legitimate non-violent protest is not affected.

Many of us would have to declare interest in that matter. People involved in politics have, in a responsible and peaceful way, protested about some of the actions taken by authorities or by private organisations.

Many of us are also walkers or ramblers. I myself would like to find more time for walking in the countryside, but it is one of the recreations that I enjoy most. The problem is that the amendments are necessary because of the sloppy wording of clause 58. The clause refers to lawful activity which people are engaging in, and those committing the offence do so by deterring, obstructing or disrupting them. That is wording so broad that it could cover a farmer who was ploughing his field and closing a right of way. If ramblers were to protest at or obstruct this activity, they would be guilty of an offence.

More generally, walkers could fall foul of the proposals by walking across a shooting moor. It may not be their intention to disrupt the activity, as the clause requires, but a farmer or landowner may believe that that is the case and call in the police. It is rather too late to wait for a court case to settle the matter about intention. We all know that walkers will have experienced some intimidation and people have been prevented from enjoying the countryside. That issue greatly concerns the Ramblers Association. Our amendments would protect the rights of ramblers and walkers.

Government amendment No. 171, taken in conjunction with amendment No. 157 to clause 51, will worsen the situation and appears to mean that the clause will apply to footpaths, which is a move in the opposite direction to our amendments, which also deal with protections for the right to legitimate peaceful protest.

9 pm

Legitimate peaceful demonstrations can obstruct or disrupt an activity against which the person or people are protesting—for example, shoppers protesting on land belonging to a shop and people protesting about the environmental consequences of major new public works. I hope that the Government do not intend to catch such legitimate demonstrators, but the phrasing is so wide that they might be caught.

Our proposals tighten up the wording to ensure that the clause hits the true target—the violent and dangerous, according to the Government—but do not inadvertently draw into its net many people who are legitimately going about their business.

There have been considerable objections and protests about those elements of the Bill that apply to Scotland. I know that Scottish colleagues will wish to make their point later and it is one which I endorse and support.

There are genuine legal grounds for fearing that the clauses will restrict freedom to walk and climb in many upland areas. The Ramblers Association, the British Mountaineering Council, which has written to me, and representatives of canoeists, who can envisage how their sport might be affected by the passage of the Bill, have obtained legal advice. All those organisations want our amendments as a minimum protection. That legal advice has been made available to the public and the Government should not disregard it.

Such a brief debate on the issue is regrettable, but we will demonstrate through our votes in the Lobby our objection to what the Government are doing and our wish to protect climbers, walkers and people who enjoy the countryside so that their enjoyment can continue unrestricted.

Mr. Roger Gale (Thanet, North): I wish to speak to my amendments Nos. 47 and 48, which are grouped with amendment No. 6.

When I spoke in the House last night I said that I intended to force my amendments to a Division tonight. It is only right that I place on record the fact that neither has been chosen by Madam Speaker, who has it in her gift to decide what amendments we vote upon, and I cannot therefore force the Divisions that I should have liked. I am in no way challenging Madam Speaker's judgment. I understand that she felt that since we voted on that matter last night no further vote would be appropriate.

I know that hon. Members will understand that the fact that I cannot force a Division will in no way weaken the force of what I have to say or the sincerity with which I say it. I do not wish to subject the House to a re-run of our lengthy debate on the subject last night. However, I must reinforce certain points and I do so having had the chance to study last night's debate—a curious opportunity, as it is not often that one has the chance to debate the same subject two nights running.

Setting aside my rather ill-tempered contribution to that debate, certain facts emerge. First, it is clear that the Home Secretary and the Minister of State believe that clauses 57 and 58 are even handed, as they have always claimed, and I do not doubt the sincerity with which they claim and

believe that. Secondly, it is equally clear that not one reputable animal welfare organisation believes that the clauses are even handed.

From our discussions last night, it is also clear that some legal opinion disagrees with the Home Secretary. I was asked to reveal the source of the counsel's opinion that I quoted last night and I felt that it was improper to do so because I did not have the permission of the QC involved. I now have that permission—the opinion was prepared by Louis Blom-Cooper, who I understand is happy to have his name placed on the record in connection with amendments Nos. 47 and 48, which I tabled and he drafted.

I also benefited from the legal opinion of Alan Newman QC, who prepared an opinion dealing with clauses 57 and 58. I do not think that I am misrepresenting Mr. Newman by saying that he regards those clauses as shot full of inaccuracies and probably in breach of the European convention on human rights. Once I have obtained his permission, I intend to submit his opinion to the Home Secretary and I shall look forward to receiving his comments on it before the Bill reaches the House of Lords.

I am sorry that the hon. and learned Member for Montgomery (Mr. Carlile) is not in his place tonight. He told me last night that, as a Queen's counsel, he disagreed with the legal opinion that I had been offered. The hon. and learned Gentleman is a huntsman and I am not entirely surprised that he disagrees with that opinion—I in turn disagree with his disagreement.

I am afraid that I must introduce a slight note of rancour concerning the events of last night and the manner in which the Liberal Democratic party, at least one representative of which, I am glad to say, is present and may wish to respond, has presented its view on hunting. The last time that the House divided on the question of hunting in general the Liberal Democrats voted two to one in favour of the activity. Last night, six of them voted in favour, two voted against, and the rest abstained. I place that on the record because it is very often claimed by members of the Liberal Democratic party that they are the champions of animal welfare and are anti-hunt. Once again, it seems that their parliamentary representatives do not square with the voice in the constituency, particularly in the west country. I shall be interested to see how those hon. Members vote on the issue in future. It was my hope that they would have an opportunity tonight. That, sadly, has been denied.

Most telling of all from a reading of the report of last night's debate are the illustrations of the very real problems caused by hunt invasion and trespass and the many cases of real human distress and tragedy that the hunt has caused and, so far as I can see from the legislation that is before us, will continue to cause. It was interesting to hear the hon. Member for Glanford and Scunthorpe (Mr. Morley) indicate that there appeared to be no statistics relating to the prosecution of hunts for their trespass on other people's lands. The public may find it a little odd that the Home Secretary can—quite properly, in my view—listen to hon. Members and fine tune, for example, matters relating to video nasties or legislation concerning unlicensed taxi drivers, but is quite prepared to fly in the face of public opinion and introduce a piece of legislation which, as is indicated by the legal opinion that we have heard indicates, will restrain those who wish to protest against the hunt.

As I have already said, I wholly endorse the Home Secretary's desire to contain the unlawful activities of violent protestors. However, it is not good enough to do so without giving the ordinary householder, cottage owner, smallholder or small farmer the right to decide whom he or she wants to have on his or her land. That principle should be clearly embraced in the legislation.

I want the Minister, when he replies, to put something firmly on the record. On the basis of what he has said to me, I hope and believe that he will be willing to do so. I am not a lawyer, but my understanding is that in the case of Pepper *v.* Hart the principle was established that ministerial comment recorded in *Hansard* may be quoted in court and used as part of the substance of a case. I hope that the Minister will say very clearly that precisely the same attributes should apply to the hunt and to the landowners and that if a landowner has clearly indicated in writing to the master of hounds that he does not want the hunt on his land, disregard of that indication would be presumed to be aggravation of trespass.

Another matter that emerged from last night's debate saddens me. In this connection, I am particularly glad that my hon. Friend the Member for Upminster (Sir N. Bonsor) has come into the Chamber. No hon. Member who spoke last night in defence of the hunt expressed any remorse or apology whatsoever for the manner in which hunts around the country have treated other people's property, land and rights. I am sure that my hon. Friend will take an opportunity tonight to place his concerns—

Sir Nicholas Bonsor (Upminster): Will my hon. Friend give way?

Mr. Gale: Yes.

Sir Nicholas Bonsor I am very glad that my hon. Friend has done me the courtesy of giving way. His refusal last night to do so was the reason for my having to speak. I am prepared to say that no one in the hunting community, the British Field Sports Society or the House condones the behaviour of those who treat other people's property and pets in an unacceptable way. In hunting, as in everything else, such things occasionally occur. However, my hon. Friend tries to turn the odd exception into the rule and, in so doing, he misleads the House and deliberately undermines the freedoms that people enjoy to carry out their legitimate pursuits.

Mr. Gale: I thought that we were making some progress, but that was a mealy-mouthed intervention. It is not a question of one or two cases. Everyone who has studied the matter in detail knows that more than 200 cases have been recorded and more occur each hunting season. *[Interruption.]* I should have liked to have heard my hon. Friend, who is good at contributing from a sedentary position—I wish that he would stand up and make his own speech—say unequivocally on behalf of the British Field Sports Society that it is his policy not to trespass on land under any circumstances when he is told that he is not wanted. He should not simply say that but should abide by it. Had he done that, much of the debate tonight could have been avoided. It is largely because of the attitude of those who hunt that this part of the debate is necessary.

Mr. Elliot Morley (Glanford and Scunthorpe): Does the hon. Gentleman share my concern that the hon. Member for Upminster (Sir N. Bonsor) did not use the opportunity to condemn the violence of hunt supporters against those who demonstrate against the hunt? He tried to justify it in last night's debate. Does the hon. Gentleman also agree that, far from there being just the odd incident, Nick Fawcett, Master of the Surrey Union Foxhounds said:

[Mr. Elliot Morley]

"I don't think I've seen a meet this year where we've not gone through someone's back garden."?

Mr. Gale: I am grateful to the hon. Gentleman. I am sure that my hon. Friend the Member for Upminster will take the opportunity of this short debate to clarify his position. The House will welcome it if he does so.

My hon. Friend the Minister of State has said clearly and unequivocally that he does not intend to make trespass a criminal offence, so the landowner is simply left with the existing position—the civil law.

Another opinion on trespass says:

"If you are able to identify the trespassers, you could take legal action through the civil court for simple trespass, but the deterrent effect and damages awarded are likely to be negligible and not cost effective. A court injunction to prevent further trespass would be far more effective; but these are hard—and expensive—to obtain, requiring identification of individuals . . . and evidence that they are likely to trespass on your land."

That is not an opinion prepared for the League Against Cruel Sports or the Anti-Hunt Council. It was prepared in a paper entitled "Disruption of Angling", which is a British Field Sports Society brief for angling clubs. In that document, the society kicks the bottom out of the existing law and makes it abundantly plain that, to all intents and purposes, once the Bill is on the statute book, there will be one law for the hunt and another for those who do not want the hunt on their land. That is undesirable and I hope that another place will return to it and table amendments on it.

Were my amendments carried, they would at least have had the effect of making the Bill genuinely even handed. I hope that my hon. Friend the Minister of State will at least make his intention for future quoting in court cases abundantly clear.

Mr. Maclennan: The hon. Member for Thanet, North (Mr. Gale) made some remarks about my hon. Friends. It follows the tradition of the House on matters such as hunting that votes are cast on an individual basis rather than on a party line. His attempt to turn the matter into a party issue in referring to the attitude of Liberal Democrats was peculiar and inapposite in the light of the division within his own ranks on the subject.

9.15 pm

The hon. Gentleman has no right to assume that those who voted against the amendment that he presented as being about hunting did so because they support hunting. Some of us considered that it was a dog's breakfast of an amendment and did not deserve to be incorporated into the law. The only way to deal with the hunting issue is to have a straight vote on it—either one is for it or against it. Despite the hon. Gentleman's attempt, from a sedentary position—he took exception to that in the case of his hon. Friend—to misrepresent the position, the choice was not put before the House last night. The aim of my hon. and right hon. Friends in approaching these matters—*[Interruption.]*

Mr. Paul Flynn (Newport, West): I thank the hon. Gentleman. In last night's vote, two of the hon. Gentlemen's colleagues from his own party voted in favour of the amendment, a number voted against it, several abstained from the vote and a number were not present for the vote. Does the hon. Gentleman agree that that proves once again that the Liberal Democrats are all things to all constituencies?

Mr. MacLennan: We took the view that, because of the nature of the amendment, it was reasonable that there be a free vote on it and different people took different views on the issue. That is not the position in respect of the matters that we are discussing at the moment.

In turning to the main purpose of this group of amendments—there are a rather large number of amendments grouped together—I make it clear that my hon. and right hon. Friends and I support measures that are likely to secure public order in an even-handed manner, but which do not at the same time criminalise peaceful protestors or innocent parties such as hill walkers or ramblers. Several of our amendments designed to achieve these aims have unfortunately not been selected, but a number of other amendments deal with cognate issues.

I say in passing that that intention was supported by the Scottish Landowners Federation in a letter to me. The federation said that it accepted that it would be desirable to exclude, specifically, bone fide walkers and climbers from the scope of clause 58, although it took the view that they were not at risk as the clause was presently drafted. However, the federation would welcome the inclusion of the amendment for the avoidance of doubt.

Amendment No. 6—the lead amendment in the group—is one which I support. I believe that trespass must be intentional and that the amendment would assist in protecting walkers. However, if landowners erect signs warning against trespass—which I am afraid is probably likely to happen—the amendment will not be very practicable.

Mrs. Margaret Ewing (Moray): When the hon. Gentleman refers to the possibility of signs being erected warning people about the issues of access, could he clarify whether he believes that this should be a transfer from civil law to criminal law? Certainly, within the context of this legislation we are moving from breach of the peace—which is the Scottish legislative process—to a criminal situation. I would very much welcome his views on that point.

Mr. Maclennan: I think that the Law Society of Scotland has dealt with that issue very well and I strongly support its view. I believe that there will be an opportunity later to consider the Scottish position separately.

Amendment No. 8 provides that the offence cannot be committed on land adjoining the site of illegal activity, only on the land itself. I think that the amendment is designed to protect peaceful protest, which I support. Similarly, I support amendment No. 9, which provides that the offence can be committed only by carrying out an unlawful activity rather than any activity. That would also help to protect peaceful protests.

The Government's intentions are acceptable in that the present law is inadequate to deal with the sort of invasions that have taken place. I think that the Minister of State referred to one such invasion in Powys, in the constituency of my hon. and learned Friend the Member for Montgomery (Mr. Carlile). Those are real problems and we need a response to them.

The problems raise difficult issues of balance. Throughout the debate, we have tried to achieve balance through the amendments that we have tabled. We are concerned about ramblers and hill walkers. I hope that the

Minister will have something to say about that. If he does not succeed in satisfying the House, I have no doubt that the matter will be raised again in another place.

Mr. Andrew F. Bennett (Denton and Reddish): I support the proposals of the hon. Member for Thanet, North (Mr. Gale). However, I want not to talk about them, but to spend a few minutes supporting amendment No. 6. I wish to emphasise the concerns of the Ramblers Association, the Peak and Northern Footpaths Society, the British Mountaineering Council and a large number of walkers and ramblers.

It is ironic that, when we have high levels of crime, the Government appear to want to make criminals of people who have gone about their business perfectly peacefully in the past and, I am sure, will continue to do so in future. It would be far better if the Government concentrated their efforts on those people who have been committing crimes rather than on trying to increase the categories of crime. Nothing that I have heard has suggested that, in trying to deal with the problem of hunt saboteurs, the Government have not dragged another group of people into the scope of the legislation.

I am concerned about mountain safety. I hope that the Minister can explain how he can guarantee that if people are on mountains, they will not be caught by the legislation if they choose to come down in the safest way because of a substantial change in the weather and their circumstances.

Something has begun to happen fairly frequently in the Peak district, particularly where there are substantial grouse moors. In the past, where access agreements to the moors were granted, walkers knew that for all but three or four named days in the year, they were perfectly free to roam over the mountain areas. On those named days, they knew that shooting would take place and they arranged their walks to avoid them. Sadly, as a result of some of the saboteurs' activities that have occasionally occurred on grouse moors, instead of the days of closure being announced well in advance, they are often posted the day before or on the day itself.

Therefore, it is possible to plan a walk of perhaps 20 or 30 miles across the moors with a group of people and, as one approaches the end of the walk, suddenly to come across a section that is supposed to be closed because a shoot is being held that day. It would be far better for adequate notice to be given so that people can plan alternative routes. I very much regret that adequate notice is no longer being given.

In those circumstances, a return or other journey to avoid descending on to the grouse moors may be extremely difficult and, if the weather deteriorates, positively dangerous. It is perfectly reasonable for a person using such a route to make his descent abundantly clear by making a noise, to ensure that he is not at any risk from the people shooting on the moors. That is just common sense. In effect, however, that person is likely to disrupt that activity.

Mr. Maclean: In the circumstances that the hon. Gentleman described, would the walker have the deliberate intention of disrupting the activity?

Mr. Bennett: To ensure that no one was shooting, the walker would have deliberately to curtail the activity, to protect his own safety. Perhaps the Minister can give an assurance to the contrary. I would have thought that he would have studied the amendments and included such a safeguard in the Bill.

I shall leave my Scottish colleagues to explain the situation in Scotland, but I imagine that a similar situation applies there, particularly where deer stalking takes place. The safety problems are much more substantial than in the Pennines, because distances are often much greater and the weather deteriorates more quickly. The Minister must address the problem, so that walkers do not have to choose between endangering their safety and becoming criminals.

In recent years, the Ramblers Association has legitimately campaigned for greater access to upland areas, mountains and moorlands. Each autumn, it has staged a mass trespass day, when organised groups peacefully walk along routes that ought to be open to the general public. The association has done a good job of drawing attention to such routes and of persuading many national parks and local authorities to reach agreement with landowners about providing public access.

Under the Bill, such mass trespass days would be difficult to organise. As soon as a group announced a peaceful demonstration that would cause no damage to a piece of land, the landowner could organise an activity that would make it impossible for the walkers to cross the land without disrupting that activity, in which case they would be caught by the new legislation. The Minister ought to make it clear that it is not his intention that the clause will be used to stop peaceful demonstrations.

I tabled a series of amendments that would enable the Minister to rule out many parts of the country where there is no problem with hunting by introducing a height limit that would exclude parts of the United Kingdom. The Minister frowns, but it would be perfectly reasonable to exclude any area above 1,000 ft. There is little justification for applying the clause to Wales, and there will be a debate later on not applying it to Scotland.

The Minister ought to remember that large numbers of people enjoy walking on our hills, and a smaller number enjoy rock climbing. Almost all pursue their activities peacefully and in a way that harms no one else. It is sad that the Government want to turn peaceful enjoyment of the mountains into a criminal activity.

Mr. Trimble: In Committee, I tabled an amendment to emphasise that we were anxious that what is now clause 58 should apply to Northern Ireland. The Minister stated that consideration would be given to that request, and I acknowledge that Government amendments Nos. 171 and 80 will have the welcome effect of extending clause 58 to Northern Ireland. I particularly welcome the fact that it has been done through the Bill rather than leaving us to wait for an Order in Council, which might take ages.

Mr. Maclean: That confirms the view that I was developing in Committee—that I was being far too generous to the hon. Gentleman and extending too many concessions to him and his hon. Friends from Northern Ireland.

Before I deal with a point that was raised by my hon. Friend the Member for Thanet, North (Mr. Gale), I shall deal with the main concern of some Opposition Members which lies behind the group of amendments that they have tabled. I do not know how this illegal hare got running, but I cannot imagine the circumstances in which the powers in clause 58 could be used against bona fide hill walkers—

[Mr. Maclean]

even fake hill walkers for that matter—ramblers, climbers or a person doing Munro bagging, especially when his ankle recovers. All those people are not likely to be caught by the clause.

I used to have discussions with the hon. Member for Denton and Reddish (Mr. Bennett), who is a member of the Ramblers Association, when I was a Minister at the Department of the Environment. I have just written to Mr. Mattingly, trying to explain, in no uncertain terms, that I could not imagine ramblers being caught by the new clause. What would ramblers, walkers or anyone else have to do before they would fall foul of the clause?

9.30 pm

Mr. Morley *rose—*

Mr. Maclean: No. I wish to conclude.

This is what they would have to do. First, they would have to trespass. Secondly, they would have to intend to disrupt or obstruct a lawful activity. The hon. Member for Denton and Reddish made the case about walkers being caught in a whiteout, or coming down the side of the mountain and then being forced to walk through some lawful activity to save their lives or protect themselves from the weather. Although that may have caused disruption and intervened in a lawful activity, unless they had the deliberate intention of disrupting that activity, they would not be caught by the amendment.

Mrs. Ewing: Surely the issue at stake is who defines what is a deliberate intention. Would the Minister care to define that and write it into the Bill?

Mr. Maclean: First, it will be the constable on the scene who will decide whether he should form the reasonable belief that people may have done that. Then, of course, it is up to the court.

Mrs. Ewing: Does that mean that the Minister will argue that, on 12 August, during grouse shooting, constables will be appropriated from the local police force to be constantly in attendance? If so, will he put the resources into that?

Mr. Maclean: The hon. Lady misunderstands the point. The amendment does not give landowners or lairds some private right to demand a police presence on all their land. It is entirely up to chief constables how they deploy their resources. It does not happen in England at the moment, even in areas where there is disruption. No landowner has the right to say, "I want a team of policemen guarding my shoot, my ploughing match or fishing match." It is entirely up to the chief constables to decide whether there are sufficient grounds or sufficient public—*[Interruption.]* We want to make progress tonight. If the Opposition want to shout me down, I am happy to resume my seat right now —*[Interruption.]* In that case, I am happy to draw my remarks to a conclusion by saying that I can see no prospect of this law being used against legitimate walkers, climbers or any others who are carrying out a lawful activity.

Mr. Morley: Will the Minister give way?

Mr. Maclean: No.

It can be used only against people, whether they are doctors, ministers of religion, politicians or whatever, if they deliberately intend to disrupt or obstruct a lawful activity and are trespassing to do so.

Finally, I wish to deal with the point that was raised by my hon. Friend the Member for Thanet, North in amendment No. 47. I know that he feels strongly about the Government's proposals on aggravated trespass, but I fear that I do not think that his amendment would be an improvement. If carried, aggravated trespass would catch only those who succeeded in obstructing or disrupting a lawful activity, or who succeeded in intimidating persons so as to deter them from taking part in one. Those who tried to disrupt and, for whatever reason, failed would be immune from prosecution. That cannot be right.

We discussed this last night so I shall mention only briefly the fact that the amendment would also remove the need for a mens rea. It would catch all obstruction or disruption of lawful activities by trespassers, whether or not they intended to cause such obstruction or disruption. That would widen the offence considerably. A rambler who happened to stray on to private land and, for example, disrupted farming activity quite accidentally or unintentionally, would be guilty of aggravated trespass if we went along with my hon. Friend's suggestion. That cannot be the right solution either.

I have thought carefully about what my hon. Friend has said and about the discussions that we have had in private. I regret to tell him that I cannot find an alternative way to deal with the mischief that exists and which was acknowledged by the hon. Member for Caithness and Sutherland (Mr. Maclennan).

Mr. Gale: I asked my hon. Friend the Minister to put on record a very specific undertaking. Does he believe that the legislation will apply even handedly to the hunt and the landowner? If so, if notice has been given to a hunt by a landowner that he does not want the hunt on his land, will it be regarded as aggravated trespass if the hunt crosses his land?

Mr. Maclean: I am absolutely convinced that the law is even handed. Anyone who invades someone else's land, intending to cause disruption, will fall foul of the law. I condemn anyone who causes such disruption and I condemn hunts or people who deliberately set out to do so —they deserve to receive the full weight of the law. It would be deplorable if anyone behaved in that way at the moment, but it will be even more so in future, and he will then be caught by the law. The point of interest for my hon. Friend is that it would be up to the courts to decide proof of intention after a notice had been served to the effect that a landowner did not want someone on his land. I cannot give a guarantee—*[Interruption.]* Pepper *v.* Hart relates only to interpretation of the law where it is ambiguous. The legislation is not ambiguous—it is clear and even handed to all involved. We do not need to build into it exemptions for any category of people because every person is exempt if he obeys the law and every person will be caught if he intends to cause disruption.

Mr. Michael: With the leave of the House, I shall speak again.

The Minister clearly does not understand what he is doing in bringing this bad law before the House. He is defending badly drafted and impractical law which will be unfair to walkers and others who use the countryside. I

invite my hon. Friends and any Conservatives who care about such issues to vote for amendment No. 9 in order to express our distaste for the Government's rejection of the pleas that have been made in our debate.

Amendment negatived.

Amendment proposed: No. 9, in page 43, line 10, leave out 'anything' and insert 'any unlawful activity'.—*[Mr. Michael.]*

Question put, That the amendment be made:—

The House divided: Ayes 244, Noes 290.

Division No. 204] **[9.37 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Cheyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfedder, Sir James
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Leslor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Warsing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mr. Neil Gerrard.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Boscor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela

Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Egger, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'ham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'ldford)*
Howell, Sir Ralph *(N Norfolk)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martlin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rumbold, Rt Hon Dame Angela
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wiltshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes
Mr. Timothy Wood and
Mr. Robert G. Hughes.

Question accordingly negatived.

Amendment made: No. 171, in page 43, line 26, leave out from 'section' to end of line 29 and insert

"'land" does not include—

(a) the highways and roads excluded from the application of section 51 by paragraph (b) of the definition of "land" in subsection (8) of that section; or

(b) a road within the meaning of the Roads (Northern Ireland) Order 1993.'—[*Mr. Maclean.*]

Clause 59

POWERS TO REMOVE PERSONS COMMITTING OR PARTICIPATING IN AGGRAVATED TRESPASS

Amendments made: No. 172, in page 44, line 2, leave out '7 days' and insert 'three months'.

No. 173, in page 44, line 16, leave out 'in the open air'.—[*Mr. Maclean.*]

Clause 60

TRESPASSORY ASSEMBLIES

Amendment made: No. 174, in page 46, line 5, after 'highway', insert 'or road'.—[*Mr. Maclean.*]

Clause 66

INTERIM POSSESSION ORDERS: FAILURE TO COMPLY AN OFFENCE

Mr. Maclennan: I beg to move amendment No. 33, in page 52, line 13, after 'hours', insert

'in non-residential premises, or seven working days in residential premises,'.

Madam Speaker: With this, it will be convenient to take amendment No. 67, in page 52, line 18, at end insert—

'2(A) Where a person is charged with an offence under subsection (2) it shall be a defence for him to prove that at the time the interim possession order was served on him he had reasonable grounds for believing that he was entitled to remain in occupation of the premises.'.

Mr. Maclennan: Amendment No. 33 is not designed in any way to undermine the purpose of the Government's intentions in dealing with squatters. As the law stands, it allows an unacceptable process of delay to take place which can prevent the true owners of a residence from recovering the occupancy of their premises. The Government were entirely right to introduce this clause, but the proposal that it should be possible to evict squatters within 24 hours of the serving of a writ is too summary and too likely to wreak injustice. A period of seven days would be more reasonable.

May I point out, as I think that I did at an earlier stage, that the circumstances in which it is discovered that people are squatting are not in any sense uniform. I know of one occasion when a tenant of a property was served with a notice to quit by a bank, which was the true owner of the property. The tenant held a wholly invalid lease from a third party who had been dispossessed by the bank and he had no knowledge of the fact that he was a squatter. In such circumstances, although he is technically and clearly a squatter, it would be reasonable to allow a certain amount a time to elapse to put one's house in order. I hope that the Minister will not view the amendment as undermining the purposes of the clause, but rather as fortifying its equity.

Mr. Trimble: I shall follow briefly what the hon. Member for Caithness and Sutherland (Mr. Maclennan) said and especially develop the example that he used. It is quite appropriate to remember that in such circumstances we may be dealing not only with the property owner and a squatter, but with third parties who have behaved dishonestly. There may be circumstances in which persons are squatting in a property, yet none the less believe that they are entitled to be there because of the fraud of some other person. Amendment No. 67 is designed to deal with that situation. It is not intended in any way to disrupt the operation of the legislation and I agree that there should be more effective remedies to enable the property owner to regain possession.

May I simply ask the Minister this: if a person has reasonable grounds for believing that he is entitled to remain in possession of a property, how can it be just to convict him of an offence and make him a criminal, if he has reasonable grounds? The amendment would operate only when someone has reasonable grounds for believing that he is entitled to remain in possession of the property. The term "reasonable" obviously imports subjective criteria, which may be examined by the courts if the circumstances arise. As a result of the fraud of some other party, how can it be right to make the person occupying a property, who believes that he is entitled to be there, a criminal?

Mr. Maclean: I understand the concern of the hon. Member for Upper Bann (Mr. Trimble) that the new interim possession procedure should not operate unjustly. I share his concern, which is why clause 65 makes it an offence to seek an interim possession order under false pretences. However, I am afraid that I cannot accept the two amendments.

The amendment tabled by the hon. Member for Caithness and Sutherland (Mr. Maclennan) would extend the period of grace allowed to squatters in residential premises after they have been served with an interim possession order from 24 hours to seven days. That is too long. The minimum delay between serving a summons on squatters and a court hearing under the existing procedure is only five days. The whole point of the new procedure is that it should be quicker than the existing one, which has been found to be unacceptably slow and is open to tactical delays by squatters.

My noble and learned Friend the Lord Chancellor is proposing a delay of 24 hours between ordering squatters to leave and seeking an interim possession order, so, effectively, squatters will have 48 hours to seek legitimate accommodation. I do not think that we would be justified in prolonging that period at the expense of the lawful owners and occupiers of property. Under the Lord Chancellor's proposals, the new procedure will be available for only 28 days after the presence of the squatters is discovered. The scenario outlined by the hon. Member for Upper Bann will therefore be covered.

I have some sympathy with the hon. Gentleman's intentions, but his defence is unacceptable and would seriously undermine the new procedure by opening up a substantial loophole for squatters. All squatters could routinely claim that they believed that they were lawful tenants and entitled to disregard the interim possession order. The police would then have to decide whether to act against them and would probably decide not to do so in most cases.

If a case came before the magistrates, they would similarly have to assess a claim not that the alleged squatters were in fact entitled to remain but that they had reasonable grounds for believing that they were. Squatters would produce false leases or allege that they had been given the keys and were licensees, as they do at present. All the advantages that the new procedure is intended to bring would be lost and aggrieved owners would probably find the new procedure even less effective than the existing civil remedy.

Under our proposals, all that the police will have to decide is whether a civil court's order has been obeyed —questions about the merits of the civil case are nothing to do with them. Similarly, if a case goes before the magistrates, the only question will be whether the interim possession order was complied with within 24 hours as required. One of the main reasons why the Government did not wish simply to criminalise squatting per se was to avoid entangling the police and magistrates in complicated questions about the civil law of trespass, with which they are not equipped to deal.

It is also undesirable in principle to create a statutory right to disobey a court order. If people believe that they are not squatters, they will have a right under the new

[Mr. Maclean]

procedure to a full hearing of the case after they have obeyed the interim order. People who are served with a court order to leave premises within 24 hours cannot reasonably believe that they are entitled to disregard it. For those reasons, I must reject the amendments from the hon. Members for Caithness and Sutherland and for Upper Bann.

Mr. Maclennan: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 67

POWER OF LOCAL AUTHORITY TO DIRECT UNAUTHORISED CAMPERS TO LEAVE LAND

Sir David Mitchell (Hampshire, North-West): I beg to move amendment No. 134, in page 52, line 42, at end insert—

'and that any of those persons has caused damage to the land or to property, or used threatening, abusive or insulting words or behaviour towards the occupier, a member of his family, or an employee or agent of his; or that the site is visible to large numbers of persons; or that persons resorting to the site have deposited any substance capable of polluting the land or the environment outside their caravan or similar living accommodation'.

Madam Speaker: With this, we may discuss the following amendments: No. 135, in page 53, line 47, at end insert

'provided that it is satisfied that there is somewhere else in the locality for them to go either temporarily or permanently'.

No. 272, in page 55, line 34, leave out from 'sites)' to the end of line 37 and insert

'will be repealed after the period of 5 years after this Act has received Royal Assent.'.

Sir David Mitchell: The Bill gives new and stronger powers to the police and local authorities to move travellers on. The police powers depend on travellers causing a nuisance, but the local authority power operates whether or not they cause a nuisance. Amendment No. 134 requires the local authority, in the exercise of its powers, to be subject to a similar test as that for police powers—for example, causing damage, threatening or abusive language, the site not being tucked out of sight, polluting the land and so on.

I fear that there will be problems if amendments Nos. 134 and 135 are not accepted. It is easy for the Government to take authoritarian powers to move people on. The question is where do they go. The answer is likely to be somewhere a good deal worse. I shall give a practical example. In my constituency for somewhat overlong a particular scrubland site—common land—has been occupied by a small group of gipsies. Mr. Bob Dodd and the others were moved on about a month ago. As a result, they moved about 700 yd away and ended up close to some houses and near a river. Indeed, they are on a much more prominent and unsuitable site than they were before. I fear that if the Bill is not amended, that will be a microcosm of what will happen in the future. Gipsies, travellers and the like will be moved on, but will settle on somewhere worse and more unsuitable than the place that they occupied originally.

May I just pause to put this into context? Britain has a long tradition and record of not persecuting non-conforming minorities, and those of a nomadic way of life are just one of those minorities. Before there were planning controls, gipsies had umpteen rural sites to which they could go, provided that they did not cause a nuisance, but we in Parliament have introduced intensive planning controls. We have denied travellers the use of their traditional stopover sites. We are now invited to have them moved on, nuisance or not, whether or not there is somewhere available to which they can go. My amendment No. 135 means that when the gipsy fails to move on—

It being Ten o'clock, further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Criminal Justice and Public Order Bill may be proceeded with, though opposed, until any hour.—*[Mr. Michael Brown.]*

Question agreed to.

Sir David Mitchell: My amendment No. 135 means that when the gipsies fail to move on and the council goes to the magistrates, the court must satisfy itself that there is somewhere else in the locality where they can go, temporarily or permanently.

The situation is worse than it appears. At the same time as he seeks new powers to move people on more quickly and easily, the Minister has made it less likely that there will be somewhere for them to go. While admitting that fewer than 40 per cent. of councils have made adequate provision, he has repealed the duty of councils to provide adequate gipsy sites. He has repealed the grants to councils to provide sites and withdrawn the circular countenancing gipsy sites in green belts, often the gipsies' natural habitat. He has issued a new circular which specifically refers to planning authorities avoiding encroachment on open countryside for gipsy sites. Even though the Minister must know that gipsies can only afford to buy agricultural land in rural areas, nevertheless that prohibition has been introduced by his latest circular.

When the Minister proposed stringent powers to move travellers on and closing many of the places that they may have hoped to go to, I asked him what they should do. He replied:

"We believe that in future travellers should seek to make provision through the planning system."

He added:

"I have every confidence, however, that if gipsies make proper applications to local planning authorities, they will be provided with planning permission."—[*Official Report*, 26 July 1993; Vol. 229, c.972.]

I must take the Minister into the real world where 90 per cent. of all gipsy planning applications are refused. Any gipsy site application in the south-east of England will meet implacable opposition from local residential groups, which will have solicitors, barristers and planning consultants available to them.

I have an example. Over the years, a Mr. Cooper has sought a gipsy site in a Hampshire location. Hampshire county council, not Mr. Cooper, told me that his costs have exceeded £10,000. Where do the Mr. Bob Dodds of this world and the like, to whom I referred earlier, get the money to pursue a planning application on that scale? What happens to the semi-literate gipsy? What address can be put on a planning application? Will a council entertain a planning application from someone of no fixed address? Does the Minister really expect some of the more

disadvantaged of our fellow citizens, some of whom are semi-literate, to take on the whole force of implacable local opposition to a planning site application?

What we need is transitional sites with four things: privacy, a standpipe for water, a lavatory and a skip for rubbish, and nothing else. Those people want to be alone, away, not part of town or village life. It is something that we should not deny them. After all, they make no great call on the public purse. They do not expect to be given mortgage relief, they do not seek council housing and they do not claim housing benefit.

We should seriously consider what is to happen to those people when the new powers are exercised to move them on from the site that they are on, with no proper site for them to go to and with the certitude that they will turn up somewhere where they will be a darned sight more of a nuisance than they were in the first place.

Mr. Fraser: I wish to speak to amendment No. 272, but I must say how much I admired what the hon. Member for Hampshire, North-West (Sir D. Mitchell) had to say. I agreed with almost every word.

One does not say this lightly, but what the Government are doing with the Bill will lead to something like ethnic harassment and the chasing of a group of vulnerable people from one part of the country to another. In Committee, we took the strongest possible exception to the abolition of the duty of local authorities to provide gipsy sites. It is a duty with which I was proud to be associated in a Labour Government. Also, I was a Minister in the Labour Government who provided the 100 per cent. grant.

The clause would throw the matter entirely out of balance. The abolition of the duty of local authorities to provide designated sites is almost as effective as the abolition of the 100 per cent. grant in preventing new sites from being set up. As soon as the grant goes, there will be no possibility of more than a handful of local authorities providing sites. At present, at least 38 per cent. of local authorities have provided sides.

We tabled amendment No. 272 because we cannot vote again on Report on the abolition of the duty. We chose to table instead an amendment in relation to ending the 100 per cent grant.

Mr. Peter L. Pike (Burnley): Is not it a fact that all the organisations that have been canvassed for their views on this, including Save the Children and many responsible organisations, have said clearly that the Government have got it wrong? If the Government are not prepared to revoke this section of the Bill tonight, those organisations will be strongly in favour of an amendment such as that to which my hon. Friend is speaking, which seeks to delay the provision for another five years.

Mr. Fraser: My hon. Friend is absolutely right. The amendment is the only alternative which we can put through on Report. He is also absolutely right that almost every single representation that Committee members had from caring organisations and organisations that understand the problem were wholly against the line that the Government are taking.

A Labour Government recognised that we had to have a humane and civilised balance between the rights of gipsies on one hand and the needs and understandable concerns of ordinary communities on the other.

Mr. Mike O'Brien (Warwickshire, North): Is my hon. Friend aware that the police have also expressed concerns about the repeal of the Caravan Sites Act 1968? They are concerned that, if the Act is repealed, travellers will be moved from constabulary to constabulary in ever-decreasing circles at great public expense which will waste police time?

Mr. Fraser: That is absolutely right. No expenditure will be saved and police time will be wasted. If there is an alleged nuisance, it will be replaced in place after place as people are harassed from one part of the country to another.

We recognise that there are people whose habitual way of life is nomadic and who are known as gipsies. They have existed in this country as a separate ethnic group for hundreds of years. George Borrow described them as saying that the open air was a life which was very sweet. They have a separate language, and some English words are borrowed from the gipsy language. The word "pal" —I do not think that gipsies would use that word with regard to the Ministers—is a romany word. They have a separate way of life, and they have been horribly persecuted.

Europe is recognising the rights of ethnic groups and it must be the worst possible time to put law backwards as the Bill does. We recognise their separate rights and the legitimate concern which members of the public have about gipsy encampments. It is a real problem in our increasingly urban countryside, and more industrialisation in the countryside means that there is less prospect of employment for gipsies. We recognised that a balance had to be struck and we struck it by including a duty on local authorities to provide the sites and giving them the resources to do so. Hand in hand with that provision went the restrictions that were available to the local authorities that provided the sites.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): What is the difference between a gipsy and a traveller and does the Caravan Sites Act 1968 apply only to gipsies or also to travellers? If it applies to new age travellers, is it not the case that, by obliging local authorities to provide sites, we are encouraging an ever-increasing number of new age travellers and therefore the ever-increasing provision of sites, which will cost ever-increasing sums of public money?

Mr. Fraser: I think that about a month ago the *Solicitors' Journal* contained a thorough discussion of the subject. The 1968 Act provided for people with a separate, nomadic way of life and drew a distinction between gipsies, as a recognised group, and travellers.

There should be a balance. One was struck in the 1968 Act, but this legislation will impose a harsh and harassing regime on a people whose way of life has been established for centuries, thus putting them under more pressure, and will tilt the balance of the law in the wrong direction. It is no mark of a civilised country or sensitive and sensible legislation for us to proceed in the way in which the Government are doing. Although there will be some constriction, we will countenance it only if a duty is placed on local authorities to provide for a need that has been recognised for decades, if not for centuries, and if they are given the resources to do so.

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): First, I must respond to the concerns of my hon. Friend the Member for Hampshire, North-West (Sir D. Mitchell).

It is important to remember that clause 67 is discretionary. It gives local authorities discretion and it would be for a responsible local authority to decide whether to exercise its powers. It is conceivable that a responsible local authority, acting reasonably, might wish to use its powers in circumstances that are not specified in my hon. Friend's amendments. For example, an unauthorised encampment on land adjacent to a main road might cause a serious traffic hazard or serious nuisance to neighbouring landowners or the public. My hon. Friend's amendments unnecessarily limit the discretion that we propose to give to local authorities.

It is also important to bear in mind the fact that clauses 67 and 68 relate to all unauthorised campers and not only to gipsies. New age travellers adopt their life style as a matter of choice. They cannot possibly be described as true nomads, or in the somewhat romantic terms in which gipsies have been described this evening. Furthermore, new age travellers appear to have no wish to establish themselves or reside on authorised sites, but simply want to roam through the countryside unchecked. My hon. Friend's amendments would accord them a degree of protection under the law that they do not have at present and certainly do not deserve.

I understand the concern expressed by my hon. Friend the Member for Hampshire, North-West that local authorities should not be allowed to use the powers provided in the Bill to harass and confound families who have nowhere to turn. The powers that we propose are not intended to give authorities such licence; nor is it reasonable to suspect that they will make indiscriminate use of the powers. Local authorities have wide experience in dealing tolerantly with unauthorised camping. The powers that we propose to give them are discretionary and we expect them to continue to act humanely and sensibly. We have issued advice, which makes it clear that authorities should not evict gipsies needlessly and we intend to re-issue and reaffirm that advice when the new provisions come into force.

I must draw the attention of my hon. Friend the Member for Hampshire, North-West to the fact that in that advice we make it clear that local authorities should consider emergency stopping places and that, where such places are identified, steps should be taken to arrange regular refuse collection and that, as soon as possible, they should provide other facilities, such as water supply and sanitation. I think that that meets the concerns that were expressed by my hon. Friend.

With regard to amendment No. 135, I should like to make it clear that clause 67 already provides a range of statutory defences for persons against whom proceedings are brought. Specifically, mechanical breakdown, illness and other immediate emergencies are all grounds on which a traveller may claim that his unlawful entry on to land was unavoidable. I hope that my hon. Friend will feel that the action that we are taking will meet his concerns. It is certainly not intended that people should be harassed from pillar to post.

10.15 pm

As was made clear by the hon. Member for Norwood (Mr. Fraser), amendment No. 272 seeks to secure 100 per cent. grant for the capital costs of site provision for a further five years after the repeal of part II of the Caravan Sites Act 1968. I remind the House that the 100 per cent. grant was introduced way back in 1978 in response to a recommendation of Sir John Cripps, in his report of 1976, that such grant should be introduced for just five years for the purpose of stimulating local authority site provisions. Instead, we have maintained the 100 per cent. grant for 14 years—far longer than was envisaged by Cripps—and local authorities have come to depend wholly on it to fund any new proposal. I do not think there is any other case of a grant of 100 per cent. This is a consequence not foreseen by Cripps and certainly not envisaged by Parliament.

Although more than £87 million has been expended since 1978, local authority site provision has failed to keep pace with the growing demand for sites. The result is that the level of unauthorised camping has hardly fallen at all throughout the period during which the grant has been available.

The simple truth is that the 1968 Act has failed and that it is incumbent on the House, on behalf of local communities plagued by unauthorised camping and gipsy families still without decent accommodation, to find a realistic and fair solution to this long-standing problem. We believe that our proposals offer the best way forward towards such a solution, and I urge the House to resist the amendments.

Sir David Mitchell: In view of my hon. Friend's response—in particular, his announcement that he will issue a new circular covering the items he mentioned to the House—I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 72

Offences relating to terrorism

Mr. Fraser: I beg to move amendment No. 224, in page 57, line 41, leave out from 'possession' to 'for' in line 43.

Madam Speaker: With this, it will be convenient to consider amendment No. 225, in page 57, line 41, leave out 'a reasonable suspicion' and insert 'the reasonable conclusion'.

Mr. Fraser: Clause 72 creates a new offence. These amendments are alternatives: the Government are free to choose one or the other. The offence that is being created is having an article in one's possession for a purpose connected with the commission, preparation or instigation of an act of terrorism to which the clause applies. No hon. Member wants a situation in which people go around in possession of articles intended for purposes of terrorism. The objection to the way in which the offence is formulated lies in the words

"in circumstances giving rise to a reasonable suspicion that the article is in his possession for a purpose connected with the commission, preparation or instigation of acts of terrorism".

Unfortunately, the nature of the offence being created does not derive from the defendant's actually having an article in his possession for the purposes of terrorism. It might be a gun, a detonator or some other explosive device, all of which would normally be articles illegally possessed. On the other hand, it might be a perfectly lawful object,

such as binoculars, a camera, a notebook, a mobile telephone or a measuring tape. The substance of the offence is not the possession of the article but the fact that the possession gives rise to reasonable suspicion.

Of course we want to strengthen the law against terrorists, but here we are creating sus law that is quite literally so. The problem about sus laws is that the issue becomes not what the defendant did or intended to do but what a police officer or some other person suspected he had done or intended to do. So, ultimately, the offence is literally a matter of conjecture and suspicion.

Theft is not defined as "he steals who takes and carries away something capable of being stolen, giving rise to the suspicion that the defendant intended to deprive the owner of the item". We do not define the offence of supplying dangerous drugs as "being in possession of drugs giving rise to a reasonable suspicion that they were intended for supply". And we do not define grievous bodily harm as "wounding somebody under circumstances that give rise to reasonable suspicion that somebody has been done harm".

The Government are free to choose between the two amendments as they wish. They create an objective test of whether the person was in possession of an article with a view to terrorist activity or in circumstances that give rise to a reasonable conclusion. It will then be left to the jury to reach an appropriate decision on whether an offence has been committed.

The problems with the formulation in the clause are, first, it is not good law; secondly, the innocent risk being convicted; and, thirdly and also important, it may give rise to a guilty person being convicted and then becoming a martyr. That does not fight terrorism but gives terrorism a chance of guilty martyrs who can then attack the law under which they were convicted.

If we are to unite against terrorism and create a new offence, let us do it in a sensible, acceptable way that will not lead to innocent people being convicted or guilty people having alibis in the eyes of their followers.

Mr. Maclean: Clause 72 makes it an offence, under the Prevention of Terrorism (Temporary Provisions) Act 1989, for a person to have any article in his or her possession in circumstances that give rise to reasonable suspicion that the article is in his or her possession for a purpose connected with the commission, preparation or instigation of acts of terrorism. It will be a defence for the person to prove that the article is not in his or her possession for such a purpose.

That follows the terms of the offence as it already exists in Northern Ireland under section 30 of the Northern Ireland (Emergency Provisions) Act 1991. Amendment No. 224 would require the prosecution to show beyond reasonable doubt that the article was in the person's possession for a terrorist purpose. That would effectively render the offence unworkable as it might often prove impossible for the prosecution to establish that.

For that reason, the present wording of the offence requires the prosecution to prove beyond reasonable doubt that, from the combination of the nature of the article, the circumstances of its possession and the statements of the accused, a terrorist purpose in the possession of the article can be suspected. If such a suspicion is established, it is not unreasonable then to require the accused to explain his or her possession of the article or to show that he or she was not in possession of it. I emphasise that it will not be the simple possession of the article but its possession in circumstances that give rise to a reasonable of its connection with terrorism that will constitute the offence.

Amendment No. 225 would make no practical difference to the test of guilt in that offence. Unlike the concept of reasonable suspicion, the concept of reasonable conclusion is not commonly used in criminal law and its use here would give rise to uncertainty about the proper meaning of the provision.

I understand the concern of the hon. Member for Norwood (Mr. Fraser). I give him credit for his genuine concern and for seeking, in his view, to make the test fairer and safer. But the test in the new offence is fair and should remain. Despite his reasonable and courteous attempt, the route that he proposes would not work and would undermine the clause. That was not his intention, but I am sorry that I cannot accept his amendments.

Amendment negatived.

Clause 74

INDECENT PSEUDO-PHOTOGRAPHS OF CHILDREN

Amendments made: No. 182, in page 62, line 36, leave out 'which, being stored on a computer disc or by other electronic means,' and insert

'stored on a computer disc or by other electronic means which'.

No. 131, in page 62, line 38, at end insert—

'( ) in subsection (3)—

(a) in paragraph (a), for the words "3 months" there shall be substituted the words "6 months"; and

(b) in paragraph (b), for the words "two years" there shall be substituted the words "3 years";'.

No. 183, in page 62, line 45, leave out 'which, being stored electronically,' and insert

'stored on a computer disc or by other electronic means which'.

No. 132, in page 63, line 10, leave out '3' and insert '6'.

No. 84, in page 63, line 14, at end insert—

'(8) The Protection of Children (Northern Ireland) Order 1978 shall be amended as provided in subsections (9) and (10) below.

(9) In Article 2 (interpretation)—

(a) in paragraph (2)—

(i) in the definition of "child", after "child" there shall be inserted the words "subject to paragraph (3)(c)";

(ii) for the definition of "photograph" there shall be substituted the following definitions—

""indecent pseudo-photograph" includes—

(a) a copy of an indecent pseudo-photograph; and

(b) data stored on a computer disc or by other electronic means which is capable of conversion into a pseudo-photograph;

"photograph" includes—

(a) the negative as well as the positive version; and

(b) data stored on a computer disc or by other electronic means which is capeble of conversion into a photograph;

"pseudo-photograph" means an image, whether made by computer-graphics or otherwise howsoever, which appears to be a photograph;"

(b) in paragraph (3)—

(i) in sub-paragraph (a), after the word "photograph" there shall be inserted the words "or pseudo-photograph";

(ii) in sub-paragraph (b), at the end, there shall be inserted the words "and so as respects pseudo-photographs; and";

(iii) after sub-paragraph (b) there shall be inserted the following sub-paragraph—

"(c) if the impression conveyed by a pseudo-photograph is that the person shown is a child, the pseudo-photograph shall be treated as showing a child and so shall a pseudo-photograph where the predominant impression

conveyed is that the person shown is a child notwithstanding that some of the physical characteristics shown are those of an adult.".

(10) In Article 3 (which, for Northern Ireland, penalises the taking and distribution of indecent photographs of children and related acts)—

(a) in sub-paragraph (a) of paragraph (1)—

(i) after the word "taken" there shall be inserted the words "or to make";

(ii) after the word "photograph" there shall be inserted the words "or pseudo-photograph";

(b) in sub-paragraphs (b), (c) and (d) of paragraph (1), after the word "photographs" there shall be inserted the words "or pseudo-photographs";

(c) in sub-paragraphs (a) and (b) of paragraph (3), after the word "photographs" there shall be inserted the words "or pseudo-photographs".

(11) Article 15 of the Criminal Justice (Evidence, etc.) (Northern Ireland) Order 1988 (which, for Northern Ireland, penalises the possession of indecent photographs of children) shall be amended as follows—

(a) in paragraph (1), after the word "photograph" there shall be inserted the words "or pseudo-photograph" and the words from "(meaning" to "16)" shall be omitted;

(b) in sub-paragraphs (a), (b) and (c) of paragraph (2), after the word "photograph" there shall be inserted the words "or pseudo-photograph"; and

(c) in paragraph (6), the reference to the coming into operation of that Article shall be construed, for the purposes of the amendments made by this subsection, as a reference to the coming into force of this subsection.'.-*[Mr. Maclean.]*

Clause 75

ARRESTABLE OFFENCES TO INCLUDE CERTAIN OFFENCES RELATING TO OBSCENITY OR INDECENCY

Amendments made: No. 85, in page 63, line 30, at end insert

'(4) The Police and Criminal Evidence (Northern Ireland) Order 1989 shall be amended as provided in subsections (5) and (6) below.

(5) In Article 26(2) (arrestable offences), after sub-paragraph (e), there shall be inserted the following sub-paragraph—

"(f) an offence under Article 3 of the Protection of Children (Northern Ireland) Order 1978 (indecent photographs and pseudo-photographs of children).".

(6) At the end of Part II of Schedule 5 (serious arrestable offences mentioned in Article 87(2)(b)) there shall be inserted the following paragraph—

"Protection of Children (Northern Ireland) Order 1978 (1978 N.I.17)

13. Article 3 (indecent photographs and pseudo-photographs of children).".'.-*[Mr. Maclean.]*

Clause 76

INDECENT PHOTOGRAPHS OF CHILDREN: SENTENCE OF IMPRISONMENT

Amendments made: No. 86, in page 63, line 31, at beginning insert '(1)' No. 87, in page 63, line 35, at end insert—

'(2) In Article 15(3) of the Criminal Justice (Evidence, etc.) (Northern Ireland) Order 1988 (which makes a person convicted in Northern Ireland of certain offences relating to indecent photographs of children liable to a fine not exceeding level 5 on the standard scale) there shall be inserted after the word "to" the words "imprisonment for a term not exceeding 6 months or" and at the end the words ", or both".'.-*[Mr. Maclean.]*

Clause 78

OBSCENE, OFFENSIVE OR ANNOYING TELEPHONE CALLS

Amendments made: No. 293, in page 65, line 38, leave out 'three' and insert 'six'. No. 294, in page 65, line 38, leave out '4' and insert '5'. No. 295, in page 65, line 39, at end insert—

'( ) Subsection (1) above does not apply to an offence committed before this section comes into force.'.-*[Mr. Maclean.]*

Clause 82

CONTRACTED OUT PARTS OF PRISONS

Amendments made: No. 371, in page 68, line 10, after 'him' insert

', or (if the contract so provides) by sub-contractors of his,'.

No. 372, in page 68, line 26, leave out 'to run it' and insert 'with the Secretary of State for the running of it'.

No. 373, in page 68, line 27, at end insert—

''sub-contractor', in relation to a contracted out prison, means a person who has contracted with the contractor for the running of it or any part of it.'.-*[Mr. Maclean.]*

Clause 87

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 374, in page 70, line 22, at beginning insert—

'( ) In subsection (5) of section 85 of the 1991 Act (officers of contracted out prisons), for the words "The contractor shall" there shall be substituted the words "The contractor and any sub-contractor of his shall each".

( ) In subsection (3)(b) of section 88 of that Act (intervention by the Secretary of State), for the words "the contractor shall" there shall be substituted the words "the contractor and any sub-contractor of his shall each".

( ) In subsection (5) of that section, after the words "the contractor," there shall be inserted the words "any sub-contractor of his,".'.

No. 375, in page 70, line 22, leave out 'the 1991 Act' and insert 'that Act'. No. 376, in page 71, line 2, leave out 'and'.-*[Mr. Maclean.]*

No. 377, in page 71, line 7, at end insert 'and

(d) after the definition of "prisoner escort arrangements" there shall be inserted the following definition—

"'sub-contractor' has the meaning given by section 84(2) above.".'.-*[Mr. Peter Lloyd.]*

Mr. John McFall (Dumbarton): I beg to move amendment No. 221, in page 71, leave out from end of line 32 to end of line 37 on page 80.

The amendment would remove clauses 88 to 103 from the Bill. The Government have decided to change in a piecemeal way the criminal justice system in Scotland by introducing major changes to the prison system—not least the possibility of privatisation—without any pilot projects taking place.

Tonight, the Minister refused the amendment put forward by the hon. Member for Tayside, North (Mr. Walker) which would have allowed pilot projects to take place. We see tonight the possibility that privatisation will take place wholesale in the Scottish prison system.

The Scottish Prison Officers Association, like its brother organisation in England and Wales, feels aggrieved at the unilateral action which the Government have taken regarding its future. It is an organisation with no political affiliations. It certainly could not be described as anything like a militant trade union—in fact, it has not had a national

strike for 55 years. More than 95 per cent. of industrial disputes have been settled and they have almost always been about staff safety and manning levels.

Yet the Government have decided to stop the prison officers taking industrial action by refusing them the right to strike. The pre-emptory way in which the Government are treating the prison officers is leading to increasing fear and tension within the Scottish prison system. I witnessed that personally only a few weeks ago when, along with five parliamentary colleagues, I visited Barlinnie prison in Glasgow. Many prison officers told us of their concerns. One officer, who had 16 years service and had seen the disruption to the Scottish prison system in the 1980s, with riots in Peterhead and elsewhere, said that there was not the same frustration and tension in the 1980s as exists in the prison system at present.

Yet the Government are going ahead with clause 92, which will contract out prisons, and clause 99, which will offer the opportunity of new prisons—not least the spectacle of floating prisons. The Government have never elaborated on what they mean by the concept of floating prisons and I should like the Minister to address that point tonight. Does the Minister mean disused oil rigs, as some people are suggesting? If so, how does that make for a humane environment for prisoners? The official Opposition's main objection to the Government's decision is that, in their piecemeal way, they are putting provisions into the Bill that will have major implications for Scotland, yet they have not addressed the problems that currently exist in the Scottish prison system.

10.30 pm

The Home Office has given a commitment to cease the degrading and inhumane practice of slopping out. I think that the target date was 1996 which, perhaps, could be revised. The Minister of State, Home Office may be surprised to learn that the Secretary of State for Scotland has not uttered one word on a target date for ceasing slopping out in Scotland. There are 5,185 prison cells in Scotland, 44 per cent. of which—2,291—have no access to night sanitation. That means that more than 2,000 prisoners are locked up in their cells for 16 hours per day with no access to night sanitation. I have seen the supposed improvements that the Scottish Prison Service tried to introduce in Barlinnie by installing chemical toilets. That Government commitment has placed the prisoners in an even more degrading position and has caused even more tension among both prisoners and prison staff in Barlinnie.

In Scotland, the figure of 44 per cent. of prison cells with no access to night sanitation compares unfavourably with the position in England and Wales, where the figure is only 12 per cent. In Dumfries prison, which houses young offenders, none of the 146 cells have access to night sanitation. In Perth, Peterhead and Polmont there are virtually no facilities. At Barlinnie prison, the inmates in 829 out of 833 prison cells slop out. Notwithstanding that Lord Justice Woolf, Judge Stephen Tumim and former Home Secretaries such as Lord Carr have called the practice inhumane and degrading, the Government and the Scottish Office remain mute on the subject. If they are to do anything, they should deal with those issues.

The Government should also address the problem of overcrowding. The population of Greenock prison is 52 per cent. above capacity, Edinburgh prison is 36 per cent. above capacity, Inverness is 28 per cent. above capacity and Barlinnie is 27 per cent. above capacity. Past practice suggests that overcrowding causes disruption, brings the danger of riots and, more important, prevents a positive relationship between staff and inmates. But the Scottish Office is careering down the road of prison privatisation.

If the Minister looks across the Atlantic to America he will see that prison privatisation does not work. A recent study in the *Journal of Criminal Justice* considered the prison system in America from the criteria of cost effectiveness, treatment of employees, quality of service and public accountability. The American prison service did not obtain pass marks on any of those criteria. We should not look to the United States for examples because in the US 1.25 million people are in prison—proportionately, five times the number of prisoners in the United Kingdom. If we had the same proportion of people in prison in the United Kingdom, our prison population would be 250,000.

We should not adopt the American system; we have nothing to learn from it. We should look to our European partners and to countries such as Denmark, where there is an extensive family support system and a much-reduced prison population.

We require, and Labour demands, a disciplined, humane and reforming prison system. We consider privatisation—prison privatisation—to be wrong, both in principle and in practice. First, those who are sentenced to imprisonment by the state should be deprived of their liberty by those who are accountable to the state, not to private shareholders. Secondly, privatising prisons diverts us from the proper priority of improving our Prison Service.

The Government set standards for running private prisons, and they should concentrate on maintaining them in all prisons—not just the small number that are privately run. A Labour Government would bring the Scottish prison system back within the state at the earliest opportunity. The Government should abandon their fixation with privatisation and deal with the problems that manifestly exist in the Scottish prison system. In that spirit, the official Opposition commend the amendment.

Mrs. Ewing: In supporting amendment No. 221, I wish to speak also to my amendments Nos. 321 and 323 to 329. I place on record my special interest, in that my elder brother was a member of the Scottish Prison Service, having recently retired from Polymont training college, and my nephew works in the service as an officer.

I am concerned about the service's future. I acknowledge the importance of its qualified, trained members. In the context of the Bill, we are seeing privatisation of the Prison Service by stealth. That is wrong. Society has a huge responsibility to recognise the importance of qualified and trained Prison Service staff.

I want to put a number of questions to the Minister. If he cannot answer them now, perhaps he will place answers in the Library or give them in a letter. How many prison officers have taken early retirement as a result of the Government proposals introduced during the progress of the Bill? What are they being offered? How many will receive a pension plan and redundancy payment? How will that reduction in trained and qualified prison officers compare with the number seeking to be recruited into the Scottish Prison Service? What is the current recruitment rate, by comparison with the number of staff in their late 40s or early 50s who are retiring early?

[Mrs. Ewing]

How much are the Government spending in that context? How much money are they putting on the table to ensure that men and women leave the Prison Service as early as possible?

What is the Government's ultimate goal? Do they plan to privatise the Scottish Prison Service? Is this just the beginning of privatisation? Is it the Government's ultimate intention to farm out the service to people who have no responsibility, accountability or reason to answer to elected representatives at local government or parliamentary level? What do the Government have in mind?

The fundamental principle underpinning the issue is that if the state decides to pass sentence on an individual for committing a crime, it has responsibility for ensuring that that sentence is served under the auspices of the state. Does anyone believe that that concept can be privatised by individuals who are motivated by profit? I hope that the Minister will address that principle as well as the other issues.

Lord James Douglas-Hamilton: I am glad to respond to the questions that have been asked by hon. Members.

The hon. Member for Dumbarton (Mr. McFall) asked about floating prisons. I should mention that clause 99 contains a provision that would allow a prison to be situated on water. That is purely a contingency measure in case of pressure on accommodation. We have no plans to use that provision in the foreseeable future.

The hon. Gentleman asked about overcrowding at Greenock. I am glad to say that we plan a 50-cell accommodation block, subject to the availability of resources, which should alleviate the problem of sharing accommodation there.

The hon. Gentleman made a powerful plea for the ending of the degrading practice of slopping out. The prison survey published in 1992 showed that prisoners attached more importance to improving facilities for family contact, and we believe that that is an important objective, although we shall, of course, do our best to get more integral sanitation as soon as we can.

With regard to these provisions, hon. Members argued that my right hon. Friend the Secretary of State should not have powers to market test prisoner escorting and custody. We believe that the Scottish Prison Service faces some major challenges in the years ahead if it is to keep in secure custody all those committed by the courts while maintaining the standards of humanity and propriety that the public have a right to expect. Clauses 88 to 103 will assist the service in that task.

We see no difficulty in the principle of private sector involvement. If a private contractor wins, he will have to meet the standards laid down in the contract. His performance will be carefully monitored, and the Secretary of State for Scotland will remain accountable to Parliament for the whole prison service.

The hon. Member for Moray (Mrs. Ewing) wanted to know whether this would lead to redundancies. Redundancies are by no means an inevitable consequence of market testing. Areas that have already been market tested include those involved in the storage and distribution services from central stores, Fauldhouse, and the works and maintenance functions in four prisons. In four cases, the in-house Prison Service team was successful. However, the works contract at Barlinnie, Glasgow, was awarded to AMEC Construction (Scotland) Ltd. As a result, £4.5 million was saved, which could then be deployed for other pressing purposes.

Mr. Michael Connarty (Falkirk, East): I am grateful to the Minister for giving way. As he knows, Polmont young offenders institution is in my constituency. The concern there is about teamwork. A young person can be moved from a criminal life into a non-recidivist position, but it is all about teamwork. The concern of those officers is that the team will be broken up because of the market forces. Has the Minister considered exempting young offenders institutions from this terrible Bill?

Lord James Douglas-Hamilton: No detailed decisions have been taken at this point. The considerations that the hon. Gentleman mentioned about teamwork will be taken into account. The first step is, of course, to seek the powers in the Bill. I make the point again that in-house teams frequently win. If they perform according to the details of the specification, everybody benefits, as they provide value for money for the public.

Mrs. Ewing *rose—*

Mr. Tim Devlin (Stockton, South): Will my hon. Friend give way?

Lord James Douglas-Hamilton: I give way to the hon. Lady, as she has made a speech already.

Mrs. Ewing: The Minister mentioned market testing and the savings expected. Will he set against that the important aspect of ensuring that those in charge of people in prison are qualified and trained effectively? Does he not see the dilemma in saving money against the principles of ensuring that there is that safety and regulation?

Lord James Douglas-Hamilton: The hon. Lady is right. These considerations must be properly taken into account in any tender specification put forward. I stress to the House that no less than £154 million was spent in 1993-94 on prisons in Scotland. We believe that we have a duty to get the best possible service and value for money for the taxpayer. As I mentioned earlier, the English experience has shown that market testing of prisons can be a catalyst for improving standards for prisoners, and value for money for the taxpayer. We expect the same to happen in Scotland and are engaged now on an ambitious programme of change and modernisation. There is no reason why the Scottish Prison Service should not meet the challenge of competition. In-house teams will be encouraged to bid and there is no reason why they should not win on merit.

We believe that contracting out prisoner escorting also holds out the possibility of achieving better value for money all round. For prison officers, it means that their skills can be used to extend the opportunities available to prisoners to deal with their offending behaviour and prepare themselves for release. There is now a proven track record of market testing prisoner escorting and custody arrangements in England and Wales with clear improvements in cost-effectiveness, whether contracts are awarded to the private sector or the in-house team. It is only right that there should be no barriers to Scotland participating in this process. I therefore recommend that the House reject the amendment.

Question put, That the amendment be made:—

The House divided: Ayes 248, Noes 294.

Division No. 265] [10.44 pm

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'd, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Bdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Leslie, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martlin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'bury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Warsing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Gerdon McMaster and
Mr. Michael Connarty.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Batiste, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James

Currie, Mrs Edwina *(S D'by'hre)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Dewa, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'stn)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and Mr. Andrew MacKay.

Amendment accordingly negatived.

Clause 90

POWERS AND DUTIES OF PRISONER CUSTODY OFFICERS PERFORMING ESCORT FUNCTIONS

Amendment made: No. 137, in page 73, line 19, leave out 'hat' and insert 'headgear'.—[*Lord James Douglas-Hamilton.*]

Clause 93

OFFICERS OF CONTRACTED OUT PRISONS

Amendment made: No. 138, in page 75, line 19, at end insert—

'(6) Every contracted out prison shall have a medical officer, who shall be a registered medical practitioner appointed by the contractor.'.—[*Lord James Douglas-Hamilton.*]

Clause 94

POWERS AND DUTIES OF PRISONER CUSTODY OFFICERS EMPLOYED AT CONTRACTED OUT PRISONS

Amendment made: No. 139, in page 75, line 29, leave out 'hat' and insert 'headgear'.—[*Lord James Douglas-Hamilton.*]

Clause 96

CONSEQUENTIAL MODIFICATIONS OF 1989 ACT, PRISON RULES AND DIRECTIONS

Amendments made: No. 140, in page 76, leave out lines 13 to 15 and insert—

'(2) In section 3 of the 1989 Act (general superintendence of prisons)—

(a) in subsection (1), the words from "who shall appoint" to the end shall be omitted; and

(b) subsection (3) shall not apply.'.

No. 141, in page 76, line 18, leave out first 'and'.

No. 142, in page 76, line 18, at end insert

', 41(4) (detention of person suspected of bringing prohibited article into prison) and 41B(3) (testing prisoners for drugs)'.

No. 143, in page 76, line 24, leave out 'and 41(3) (prohibited articles)' and insert

', 41(3), (4), (6) and (8) (detention of person suspected of bringing prohibited article into prison) and 41B(1) (testing prisoners for drugs)'.

No. 144, in page 76, leave out line 32 and insert—

'(6) Sections 37 (discontinuance of prison), 41(2A) and (2B) (power to search for prohibited articles) and 41A (powers of search by authorised employees) of that Act shall not apply.'.

—*[Lord James Douglas-Hamilton.]*

Clause 98

CONTRACTED OUT FUNCTIONS AT DIRECTLY MANAGED PRISONS

Amendments made: No. 145, in page 78, line 1, after '41(3)', insert ', (4), (6) and (8)'.

No. 146, in page 78, line 3, leave out

'(5) Any reference in subsections (1) to (3) above' and insert—

'(4A) Section 41(2A) and (2B) of the 1989 Act (search of person suspected of bringing prohibited article into prison) shall not apply in relation to a prisoner custody officer performing contracted out functions at a directly managed prison.

(5) Any reference in the foregoing provisions of this section'.

—*[Lord James Douglas-Hamilton.]*

Clause 112

SERVICE IN ENGLAND AND WALES AND NORTHERN IRELAND

Mr. Peter Lloyd: I beg to move amendment No. 216, in page 85, line 7, at end insert—

'(5) Subsection (6) below shall apply where—

(a) the certificate of independence of any organisation has been cancelled, at any time before the passing of this Act, in consequence of the removal of the name of that organisation from a list of trade unions kept under provisions of the relevant employment legislation; but

(b) it appears to the Certification Officer that the organisation would have remained on the list, and that the certificate would have remained in force, had that legislation had effect at and after that time in accordance with subsection (1) above.

(6) Where this subsection applies—

(a) the Certification Officer shall restore the name to the list and delete from his records any entry relating to the cancellation of the certificate;

(b) the removal of the name from the list, the making of the deleted entry and the cancellation of the certificate shall be deemed never to have occurred; and

(c) the organisation shall accordingly be deemed, for the purposes for which it is treated by virtue of subsection (4) above as having been a trade union, to have been independent throughout the period between the cancellation of the certificate and the deletion of the entry relating to that cancellation.'.

Madam Deputy Speaker (Dame Janet Fookes): With this it will be convenient to take amendment No. 281, in clause 113, page 85, line 11, after 'discipline', insert

'otherwise than by an act in contemplation or furtherance of a trade dispute to which the Secretary of State is a party being a Minister falling within section 244(2) of the Trade Union and Labour Relations (Consolidation) Act 1992.'.

No. 280, in page 85, line 18, at end insert—

'(3A) Where the relevant act or breach of duty under subsection (1) or subsection (3) above is done or committed as the case may be in contemplation of a trade dispute, the court shall not entertain an action for damages and the remedies available to the Secretary of State or other plaintiff shall be a declaration or an injunction.'.

Government amendment No. 217.

Amendment No. 279, in page 85, leave out lines 40 to 42.

Government amendments Nos. 218 and 219.

11 pm

Mr. Lloyd: In Standing Committee, my hon. Friend the Minister undertook to consider further the possible effect of the prohibition on inducing industrial action in clause 113 on the eligibility of the unions concerned to hold a certificate of independence under the Trade Union and Labour Relations (Consolidation) Act 1992. We have always made it clear that we want independent, effective and responsible trade unions in the Prison Service and that there should be no bar to the ability of unions which represent prison staff to be granted certificates of independence provided that the usual criteria are met. Certification grants significant rights and we want the prison staff to have them.

However, on further investigation, it appeared that there was a risk that, as matters stand, the certification officer might reach the conclusion that clause 113 would limit the unions' freedom of action in a way that would call into question their entitlement to a certificate of independence. Amendment No. 217 eliminates that risk by requiring the certification officer to disregard clause 113 when deciding whether a union is entitled to a certificate of independence.

We also needed to consider the possibility that, because of the anomalous position under existing law, as declared in the rulings on the November injunctions, the certification officer may deem it necessary to delist the unions concerned and cancel their existing certificates of independence before the Bill comes into force. Amendment No. 216 deals with that situation by retrospectively overruling any such delisting or cancellation of a certificate. Therefore, I hope that the House will agree that the amendments honour the undertaking that my hon. Friend gave in Committee and I commend them to the House on that basis.

Mr. Michael: I am grateful to the Minister for responding to some of the fears that were expressed in Committee. It is quite clear, as we stressed at that stage, that an extremely untidy situation has arisen due to a rather opportunistic approach by the Government, which has left the prison officers, the Prison Governors Association and the unions involved in an extremely difficult position. Putting things right over registration is not sufficient.

I especially draw to the attention of the House amendment No. 281, which restores some fairness. The amendment effectively restores the right to take most industrial action. Without the amendment, representatives of prison officers would not enjoy any freedom to engage in collective action. The amendment says that industrial action is legal where the trade dispute is with the Secretary of State. That makes disputes between a union and the Prison Service legal, and with the addition of section 244(2) of the Trade Union and Labour Relations (Consolidation) Act 1992, it makes it clear that, although the Secretary of State is not the direct employer, the dispute is still with him.

Section 244(2) of that Act goes on to say that the dispute is a valid one where a matter has been considered by a joint

[Mr. Michael]

body—set up by clause 114—and would include discussions on pay and conditions, or is valid where it cannot be settled by negotiation. That covers other eventualities. The Bill makes the Secretary of State responsible for pay, but gives prison officers no negotiating rights. That is the heart of our objection to the unamended clauses. It gives the prison officers nothing in return.

It could be argued that when there are people who have special responsibilities—the police are in such a category and it may be argued that prison officers are as well—and therefore there are difficulties about taking specific forms of disruptive industrial action, there should be a guarantee against that. If that is desired, such people should be given something in return—for example, a right that guarantees fairness in any negotiations. The mechanism that has avoided disputes in the fire service is precisely such a case in point. At present—the Bill responds to a muddled situation that arose during the latter part of 1993—there is no such balance in the Bill.

Clause 112, in tandem with clause 114, does not guarantee a fair negotiating process for pay and conditions. Prison officers will no longer have any real power in determining their pay and conditions. The net effect of the amendment would be to force the Secretary of State to be a registered party in any dispute; it would not allow him to abdicate responsibility to the Prison Service and thus wash his hands of any dispute matters. It is extremely questionable whether the end result of the Government's amendment is legitimate in a variety ways as it stands. We urge the Government to accept our amendment. If they then wish to negotiate different arrangements that would guarantee continuity of management as well as fairness for those employed in the Prison Service, that is the way forward that they should take.

Earlier, we were concerned to hear the comments—made not only by the Prison Officers Association but by the Prison Governors Association—about the dangers in our prisons. We were also concerned about the number of occasions on which they made responsible comments about not only their own conditions but the adequacy of the Prison Service and the public interest. We are worried that, despite the amendment introduced by the Minister, there will still be constraints on that. It would not be in the public interest—never mind in the interest of those who serve in the Prison Service—for the Bill to proceed unamended. In order to be brief, I shall commend amendment No. 281. If it is not accepted by the Government, I call on my hon. Friends, and any hon. Members who want to see fairness between the employees and the Prison Service, to support the amendment in the Lobby.

Mr. A. J. Beith (Berwick-upon-Tweed): Anyone who heard the Minister's speech introducing the amendments—we recognise that the speech was a concession to concerns expressed in Committee—will realise full well why prison officers feel so resentful about so many features of the Bill. The Minister said that the Government have so removed the normal trade union powers of the Prison Officers Association, and, indeed, the Prison Governors Association, that they risk not being recognised as a trade union at all. Therefore, tortuous procedures must be introduced in the Bill—in one case, retrospectively—to restore the formal status of the trade union to an organisation that has been deprived of powers that it has had for many years.

I am not in favour of prison officers taking what is sometimes euphemistically called industrial action. Industrial action is a bad idea, and on many occasions I have put that case to prison officers. On many occasions, I have found ready agreement from them because they do not approve of it either. It is not in any sense a normal part of bargaining or negotiating for prison officers. If the powers, together with the other features of the Bill which they resent so much, were removed in such a way, it would be damaging to moral in the Prison Service, and no return is being offered by the Government.

Other features of the Bill assume that prison officers will come to the rescue when chaos arises in privatised prisons or privatised escort services, or take for granted the willingness and commitment of prison officers, although their traditional negotiating rights are removed without any alternative being offered. The way in which the Minister introduced the amendments—this was underlined by his words that the Government have stripped trade union rights from prison officers and had to go through a face-saving procedure to restore at least the minimum recognition to their organisation—is a mark of the unreasonable treatment of prison officers on whom we depend to contain extremely violent, extremely badly behaved and, in some cases, dangerous prisoners. Rather than taking that work for granted, we should recognise more properly the contribution that prison officers make to our society and not be quite so ready to remove the rights that they have traditionally enjoyed.

Mr. Doug Hoyle (Warrington, North): I rise to support my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) and the right hon. Member for Berwick-upon-Tweed (Mr. Beith) and to say that I hope that there will be support for amendment No. 281. Here we have a highly responsible trade union that has not taken national action in 55 years. I wonder why the Government are being so vindictive towards it, stripping away the rights of people who have acted extremely responsibly. I cannot do better than to quote the words of Lord Justice Woolf in his report on the Prison Service:

> "Members of the prison service as a whole, against heavy odds, have managed over a number of years to contain an almost impossible situation by showing immense dedication, courage and professionalism."

Yet their reward from the Government is to have their rights taken away. As has been said, we so often have to rely on them. They are a safety valve. They can tell us what is happening in prisons. The only time that they have taken action has been when they have been concerned about conditions and about safety in prisons. Yet that has been totally ignored by the Government. I ask that the Government think again on this matter and that hon. Members support amendment No. 281.

Mr. Peter Lloyd: As the hon. Member for Cardiff, South and Penarth (Mr. Michael) made clear, the Opposition are seeking in various ways to weaken the protection that clause 113 provides for the Prison Service against prison officers being induced to withhold their services or commit breaches of discipline. In view of the serious consequences that such behaviour can have, the House will not be surprised to know that I do not accept the

amendments. The Prison Service is an essential part of the criminal justice system, and events in the service towards the end of last year—

Mr. Michael: May I come right to the kernel of this issue? There is no argument about the importance of the service, but what will the Minister give to balance those things that he is taking away and, in all fairness, to reward the prison officers?

Mr. Lloyd: I thought that it was probably a mistake to give way to the hon. Gentleman, as I will be coming to that point, since he made particular play of it.

Even the hon. Gentleman will agree that events in the Prison Service towards the end of last year demonstrated how intolerable the effects of disruption can be if key prison staff are involved in industrial action. The action that was planned by the Prison Officers Association for last November would have resulted in some 1,700 prisoners being locked out within only 72 hours. The prisoners would then have had to be placed in police cells, causing disruption to the police, the courts, prisoners, their families and legal advisers. In a short space of time, almost all the available police cell capacity would have been exhausted and the functioning of the criminal justice system as a whole seriously impaired.

Because the prisons and the prison officers who run them are so crucial to the criminal justice system, it is surely wrong for anyone to seek to bring them out on strike or to commit breaches of discipline.

Mrs. Ewing: Given the Minister's comments just now, is he rewarding the prison officers as a result of that by withdrawing from them their rights as individuals and as trade unionists? Will he also reward them by privatising many of the facilities about which he has spoken?

Mr. Lloyd: The hon. Lady had some debates with my hon. Friend the Under-Secretary of State for Scotland a little earlier. Although I should very much like to follow her down that track, because I believe that we are not privatising but bringing in contracted management to do exactly what the Home Secretary wants in the way of improving prisons, I think that the House would wish me to proceed with the amendments that are under debate. My strong impression in the aftermath of last November's abortive action, and I have visited some 40 prisons, was that many prison officers were relieved that they did not have to choose in the end between the union and what they saw as their duty as prison officers. The Government want good relations with the Prison Officers Association, and we have it in many of our prisons.

I hope that the national executive will follow the good example of so many of the union branches and agree to start discussions on a range of issues important to prison officers and to the service—not least a fair and effective new mechanism for settling pay.

11.15 pm

The hon. Member for Cardiff, South and Penarth was wrong to say that the Bill does not give prison officers anything. Clause 114 permits the establishment of pay determination arrangements negotiated with the POA. It is up to them to take up the invitation to discuss with us what arrangements they would like. I hope that the hon. Gentleman—I am sure that he has the best interests of the Prison Service and its officers in mind—will use his best offices to persuade the NEC to talk to the Prison Service management. Many of the branches talk constructively and effectively, and with benefit, to the Prison Service and to the officers and governors.

Amendment agreed to.

Clause 113

INDUCEMENTS TO WITHHOLD SERVICES OR TO INDISCIPLINE

Amendment proposed: No. 281, in page 85, line 11, after 'discipline', insert

'otherwise than by an act in contemplation or furtherance of a trade dispute to which the Secretary of State is a party being a Minister falling within section 244(2) of the Trade Union and Labour Relations (Consolidation) Act 1992.'.—[*Mr. Michael.*]

Question put, That the amendment be made:—

The House divided: Ayes 243, Noes 290.

Division No. 208] **[11.16 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harvey, Nick
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John

Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Speller, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Warsing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Stephen Byers and
Mr. Ray Powell.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Allason, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Egger, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Galle, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'ham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael

Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Andrew McKay.

Question accordingly negatived.

Amendments made: No. 217, in page 85, line 39, at end insert—

'(6A) This section shall be disregarded in determining for the purposes of any of the relevant employment legislation whether any trade union is an independent trade union.'.

No. 218, in page 85, line 40, leave out

'(within the meaning of section 112 above)'.

No. 219, in page 85, line 42, at end add—

'(7A) In this section "the relevant employment legislation" has the same meaning as in section 112 above.'—[*Mr. Maclean.*]

Clause 122

EXECUTION OF WARRANTS

Mr. Maclean: I beg to move amendment No. 285, in page 92, line 28, after 'taken', insert

', as soon as reasonably practicable,'.

11.30 pm

Madam Deputy Speaker: With this, it will be convenient to take Government amendments Nos. 286, 299, 287, 108 to 120, 288, 121, 89, 298, 91, 300, 92 to 96, 289, 97, 98, 290, 99, 100, 291, 348, 301, 101, 102, 305, 306, 302, 303.

Mr. Trimble: I do not wish to delay the proceedings of the House—[HON. MEMBERS: "Hear, hear."] I shall ignore the delay caused by the unnecessary noise that interrupted me. I rise merely to remark on the fact that the amendments are to clauses that provide for cross-border enforcement. I hasten to add that they provide not for the crucial cross-frontier enforcement that should exist but for cross-border enforcement originally drafted between Scotland and England.

When the clauses were introduced in Committee, we received strong representations from the Royal Ulster Constabulary that they should be extended to Northern Ireland. We passed on those representations to the Government and are delighted to see that the amendments now provide for sensible provisions to enable warrants and other procedures to be enforceable throughout the United Kingdom. It is a welcome measure and I am delighted to see that the Government have followed our advice on the matter.

Mr. Maclean: I am delighted to accept the hon. Gentleman's thanks for yet another wise move in this Bill.

Amendment agreed to.

Amendments made: No. 286, in page 92, leave out line 38 and insert—

'by a constable of a police force in Scotland.

( ) Any other person within the directions in a warrant executing that warrant under this section shall have the same powers and duties, and the person arrested the same rights, as they would have had if execution had been in the country of issue by the person within those directions.'.

No. 299, in page 92, line 39, leave out from 'section' to 'applies' in line 40.

No. 287, in page 92, line 44, after 'committal', insert

', a warrant of detention and return of sentence'.—[*Mr. Maclean.*]

Clause 123

CROSS-BORDER POWERS OF ARREST ETC.

Amendments made: No. 108, in page 93, line 9, after 'Scotland' insert 'or in Northern Ireland'.

No. 109, in page 93, line 10, after 'Scotland' insert 'or in Northern Ireland'.

No. 110, in page 93, line 14, after 'Wales' insert 'or in Northern Ireland'.

No. 111, in page 93, line 15, after 'Wales' insert 'or in Northern Ireland'.

No. 112, in page 93, line 17, at end insert—

'(2A) If the conditions applicable to this subsection are satisfied, any constable of a police force in Northern Ireland who has reasonable grounds for suspecting that an offence has been committed or attempted in Northern Ireland and that the suspected person is in England or Wales or in Scotland may arrest without a warrant the suspected person wherever he is in England or Wales or in Scotland.'.

No. 113, in page 93, line 25, at end insert—

'(4A) The conditions applicable to subsection (2A) above are—

(a) that the suspected offence is an arrestable offence; or

(b) that, in the case of any other offence, it appears to the constable that service of a summons is impracticable or inappropriate for any of the reasons specified in subsection (3) of section 124.'.

No. 114, in page 93, line 29, after 'England' insert 'or in Northern Ireland'.

No. 115, in page 93, line 31, after 'Wales' insert 'or in Northern Ireland'.

No. 116, in page 93, line 35, after 'investigated' insert or to the nearest convenient designated police station in Northern Ireland or to a designated police station in Northern Ireland in which the offence is being investigated'.

No. 117, in page 93, line 37, after 'station' insert 'in Scotland'.

No. 118, in page 93, line 39, after 'Wales' insert 'or in Northern Ireland'.

No. 119, in page 93, line 39, at end insert—

'(d) if he arrested him in Northern Ireland, to take the person arrested either to the nearest convenient designated police staion in England or Wales or to a designated police station in the police area in England and Wales in which the offence is being investigated or to the nearest convenient police station in Scotland or to a police station within the sheriffdom in which the offence is being investigated;

(e) if he detained him in Northern Ireland, to take the person detained to either such police station in Scotland as is mentioned in paragraph (b) above, or to the nearest convenient designated police station in Northern Ireland;'.

No. 120, in page 93, line 42, after '(1)' insert 'or (2A)'.

No. 288, in page 93, line 46, leave out 'of search' and insert 'and duties'.

No. 121, in page 94, line 5, after '1984' insert

'and, in relation to Northern Ireland, have the same meaning as in the Police and Criminal Evidence (Northern Ireland) Order 1989; and

"constable of a police force", in relation to Northern Ireland, means a member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve.'.—[*Mr. Maclean.*]

Clause 124

POWERS OF ARREST ETC: SUPPLEMENTARY PROVISIONS

Amendments made: No. 89, in page 94, line 19, after '(b)' insert 'and (4A)(b)'.

No. 298, in page 94, line 38, leave out 'the highway' and insert 'a highway or road'.—[*Mr. Maclean.*]

Clause 125

SEARCH POWERS AVAILABLE ON ARRESTS UNDER SECTIONS 122 AND 123

Amendments made: No. 91, in page 95, line 20, leave out '(b)' and '(a)'.

No. 300, in page 96, line 24, at end insert—

' "item subject to legal privilege" has the meaning given to it—

(a) as respects anything in the possession of a person searched in England and Wales, by section 10 of the Police and Criminal Evidence Act 1984;

(b) as respects anything in the possession of a person searched in Scotland, by section 40 of the Criminal Justice (Scotland) Act 1987;

(c) as respects anything in the possession of a person searched in Northern Ireland, by Article 12 of the Police and Criminal Evidence (Northern Ireland) Order 1989;'.

No. 92, in page 96, line 35 [Clause 126], after 'Scotland' insert 'or in Northern Ireland'.—[*Mr. Maclean.*]

Clause 126

RECIPROCAL POWERS OF ARRESTS

Amendments made: No. 93, in page 96, line 37, after 'Scotland' insert 'or in Northern Ireland'.

No. 94, in page 97, line 3, after 'Wales' insert 'or in Northern Ireland'.

No. 95, in page 97, line 5, after 'Wales' insert 'or in Northern Ireland'.

No. 96, in page 97, line 9, at end insert—

'(5) Where a constable of a police force in Northern Ireland would, in relation to an offence, have power to arrest a person in Northern Ireland under Article 26(6) or (7) or 27 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (arrestable offences and non-arrestable offences in certain circumstances) a constable of a police force in England and Wales or Scotland shall have the like power of arrest in Northern Ireland.

(6) Where a constable of a police force in England and Wales or in Scotland arrests a person in Northern Ireland by virtue of subsection (5) above—

(a) the constable shall be subject to requirements to inform the arrested person that he is under arrest and of the grounds for it corresponding to the requirements imposed by Article 30 of that Order;

(b) the constable shall be subject to a requirement to take the arrested person to a police station corresponding to the requirement imposed by Article 32 of that Order and so as respects the other related requirements of that Article; and

(c) the constable shall have powers to search the arrested person corresponding to the powers conferred by Article 34 of that Order.

(7) In this section "constable of a police force", in relation to Northern Ireland, means a member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve.'.—[*Mr. Maclean.*]

Clause 127

AID OF ONE POLICE FORCE BY ANOTHER

Amendments made: No. 289, in page 97, line 11, leave out 'of police'.

No. 97, in page 97, line 12, after 'Scotland' insert 'or the chief constable of the Royal Ulster Constabulary in Northern Ireland'.

No. 98, in page 97, line 13, after 'force' insert 'or the Royal Ulster Constabulary'.

No. 290, in page 97, line 14, leave out 'of police'.

No. 99, in page 97, line 16, after 'Wales' insert 'or the chief constable of the Royal Ulster Constabulary in Northern Ireland'.

No. 100, in page 97, line 17, after 'force' insert 'or the Royal Ulster Constabulary'.

No. 291, in page 97, line 24, leave out 'of police'.

No. 348, in page 97, line 30, after 'force', insert '(or, where that other force is a police force in Scotland or the Royal Ulster Constabulary in Northern Ireland, of its chief officer or the chief constable of the Royal Ulster Constabulary respectively)'.

No. 301, in page 97, line 41, leave out from beginning to end of line 50.

No. 101, in page 98, line 2, after '1967' insert 'or the Police Act (Northern Ireland) 1970'.

No. 102, in page 98, line 2, leave out from 'Wales' to 'respectively' in line 3 and insert ', Scotland and Northern Ireland'.—[*Mr. Maclean.*]

Clause 128

POWER TO TEST PRISONERS FOR DRUGS

Amendments made: No. 147, in page 99, leave out lines 7 to 11.

No. 148, in page 99, leave out lines 15 to 18.—[*Mr. Maclean.*]

Clause 130

PROHIBITED ARTICLES IN SCOTTISH PRISONS

Amendment made: No. 149, in page 102, line 43, leave out subsection (10).—[*Mr. Maclean.*]

Clause 131

AGE AT WHICH HOMOSEXUAL ACTS ARE LAWFUL

Amendment proposed: No. 35, in page 103, line 19, at end insert—

'In Article 3 of the Homosexual Offences (Northern Ireland) Order 1982 (homosexual acts in private), for "21" in both places where it occurs there is substituted "18".'.—[*Ms Hoey.*]

Question put, That the amendment be made:—

The House divided: Ayes 254, Noes 141.

Division No. 207] **[11.34 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Anderson, Ms Janet *(Ros'dale)*
Ashby, David
Ashton, Joe
Atkinson, David *(Bour'mouth E)*
Austin-Walker, John
Banks, Robert *(Harrogate)*
Barnes, Harry
Barron, Kevin
Batiste, Spencer
Battle, John
Bayley, Hugh
Beith, Rt Hon A. J.
Bennett, Andrew F.
Bermingham, Gerald
Betts, Clive
Blair, Tony
Boateng, Paul
Booth, Hartley
Boswell, Tim
Bowden, Andrew
Bowis, John
Bradley, Keith
Brandreth, Gyles
Bray, Dr Jeremy
Brown, M. *(Brigg & Cl'thorpes)*
Brown, N. *(N'c'tle upon Tyne E)*
Browning, Mrs. Angela
Burden, Richard
Burns, Simon
Byers, Stephen
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Chapman, Sydney
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coe, Sebastian
Coffey, Ann
Congdon, David
Connarty, Michael
Conway, Derek
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Quentin *(Stamford)*
Davies, Ron *(Caerphilly)*
Denham, John
Deva, Nirj Joseph
Devlin, Tim
Dewar, Donald
Donohoe, Brian H.
Douglas-Hamilton, Lord James
Dowd, Jim
Duncan, Alan
Dykes, Hugh
Eagle, Ms Angela
Eggar, Tim
Elletson, Harold
Etherington, Bill
Fabricant, Michael
Field, Frank *(Birkenhead)*
Fishburn, Dudley
Forth, Eric
Foster, Don *(Bath)*
Foulkes, George
Fox, Dr Liam *(Woodspring)*
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garel-Jones, Rt Hon Tristan
Gerrard, Neil
Godman, Dr Norman A.
Goodlad, Rt Hon Alastair
Gordon, Mildred
Gorst, John
Graham, Thomas
Grant, Bernie *(Tottenham)*
Greenway, John *(Ryedale)*
Gunnell, John
Hague, William
Hain, Peter
Hall, Mike
Hampson, Dr Keith
Hannam, Sir John
Hanson, David
Harris, David
Haselhurst, Alan
Hayes, Jerry
Heathcoat-Amory, David
Hendry, Charles
Heppell, John
Higgins, Rt Hon Sir Terence L.
Hill, Keith *(Streatham)*
Hinchliffe, David
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hurd, Rt Hon Douglas
Hutton, John
Illsley, Eric
Ingram, Adam
Jack, Michael
Jackson, Helen *(Sheff'ld, H)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Jowell, Tessa
Kennedy, Jane *(Lpool Brdgn)*
Key, Robert
Kilfoyle, Peter
King, Rt Hon Tom
Knight, Greg *(Derby N)*
Knox, Sir David
Lait, Mrs Jacqui
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lewis, Terry
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
MacGregor, Rt Hon John
MacKay, Andrew
McKelvey, William
Mackinlay, Andrew
Maclennan, Robert
McMaster, Gordon
McNair-Wilson, Sir Patrick
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Maitland, Lady Olga
Mandelson, Peter
Marek, Dr John
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Montgomery, Sir Fergus
Moonie, Dr Lewis
Morley, Elliot
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Needham, Richard
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Norris, Steve
O'Brien, Michael *(N W'kshire)*
Oiner, William
O'Neill, Martin
Oppenheim, Phillip
Page, Richard
Pendry, Tom
Pickles, Eric
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Portillo, Rt Hon Michael
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Randel, David
Robertson, George *(Hamilton)*
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rose, Emie *(Dundee W)*
Ruddock, Joan
Rumbold, Rt Hon Dame Angela
Sedgemore, Brian
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soames, Nicholas
Soley, Clive
Spearing, Nigel
Squire, Robin *(Hornchurch)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Strang, Dr. Gavin
Temple-Morris, Peter
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tredinnick, David
Twinn, Dr Ian
Vaz, Keith
Wallace, James
Waller, Gary
Wardle, Charles *(Bexhill)*
Watson, Mike
Whittingdale, John
Wicks, Malcolm
Williams, Alan W *(Carmarthen)*
Wilshire, David
Wise, Audrey
Wolfson, Mark
Worthington, Tony
Wray, Jimmy
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Peter Bottomley and
Ms Kate Hoey.

NOES

Aitken, Jonathan
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Aspinwall, Jack
Atkins, Robert

Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Boyson, Rt Hon Sir Rhodes
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Carlisle, John *(Luton North)*
Cash, William
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Colvin, Michael
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Davis, David *(Boothferry)*
Day, Stephen
Dickens, Geoffrey
Dover, Den
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Roger *(Monmouth)*
Evennett, David
Fairbairn, Sir Nicholas
Forman, Nigel
Forsythe, Clifford *(Antrim S)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hamilton, Rt Hon Sir Archie
Hargreaves, Andrew
Hawksley, Warren
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Hordern, Rt Hon Sir Peter
Howell, Sir Ralph *(N Norfolk)*
Hunter, Andrew
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Kilfedder, Sir James
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lawrence, Sir Ivan
Leigh, Edward
Lightbown, David
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Maclean, David
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Molyneaux, Rt Hon James
Monro, Sir Hector
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Roe, Mrs Marion *(Broxbourne)*
Sackville, Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Sproat, Iain
Steen, Anthony
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Tracey, Richard
Trend, Michael
Trimble, David
Trotter, Neville
Vaughan, Sir Gerard
Viggers, Peter
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*

Tellers for the Noes:
Mr. William Ross and
Rev. Martin Smyth.

Question accordingly agreed to.

Amendment made: No. 343, in page 103, leave out line 20.—[*Mr. Maclean.*]

Clause 132

INCREASE IN CERTAIN PENALTIES

Amendment made: No. 42, in page 104, line 9, at end insert—

'(5A) Article 17 of the Fines and Penalties (Northern Ireland) Order 1984 (power of Secretary of State by order to alter sums specified in certain provisions of the law of Northern Ireland) shall have effect with the insertion, in paragraph (2), after sub-paragraph (j) of the following sub-paragraph—

"(k) column 5 or 6 of Schedule 4 to the Misuse of Drugs Act 1971 so far as the column in question relates to the offences under provisions of that Act specified in column 1 of that Schedule in respect of which the maximum fines were increased by Part II of Schedule 8 to the Criminal Justice and Public Order Act 1994.".'.—[*Mr. Maclean.*]

Clause 133

EXTRADITION PROCEDURES

Amendments made: No. 189, in page 104, line 13, leave out from beginning to 'shall' and insert 'The Extradition Act 1989'.

No. 361, in page 104, line 14, at end insert—

'( ) In section 4 (extradition Orders), in subsection (4), for the words "warrant his trial if" there shall be substituted the words "make a case requiring an answer by that person if the proceedings were a summary trial of an information against him and",'.

No. 362, in page 105, leave out lines 1 to 6 and insert—

'(4) In section 9 (committal proceedings)—

(a) in subsection (2), for the words from "jurisdiction" to the end there shall be substituted the words "powers, including powers to adjourn the case and meanwhile to remand the person arrested under the warrant either in custody or on bail, as if the proceedings were the summary trial of an information against him"; and

(b) in subsection (8)(a), for the words from "warrant his trial" to the end, there shall be substituted the words "make a case requiring an answer by that person if the proceedings were the summary trial of an information against him;".

(5) In Schedule 1 (provisions applying to foreign states in respect of which an Order in Council under section 2 of the Extradition Act 1870 is in force)—

(a) in paragraph 6(1) (hearing of case), for the words from "hear the case" to the end there shall be substituted the words "have the same powers, as near as may be, including power to adjourn the case and meanwhile to remand the prisoner either in custody or on bail, as if the proceedings were the summary trial of an information against him for an offence committed in England and Wales."; and

(b) in paragraph 7(1) (committal or discharge of prisoner), for the words from "justify the committal" to "England or Wales" there shall be substituted the words "make a case requiring an answer by the prisoner if the proceedings were for the trial in England and Wales of an information for the crime,".'.—[*Mr. Maclean.*]

Clause 134

BACKING OF WARRANTS—REPUBLIC OF IRELAND

Amendment made: No. 363, in page 105, line 23, leave out from 'from' to end of line 29 and insert—

'"and the proceedings" to the end, there shall be substituted the words "as if the proceedings were the summary trial of an information against that person.".'—[*Mr. Maclean.*]

Clause 137

SALE OF TICKETS FOR DESIGNATED FOOTBALL MATCHES BY UNAUTHORISED PERSONS

11.45 pm

Mr. Tom Pendry (Stalybridge and Hyde): I beg to move amendment No. 126, in page 108, line 35, leave out from second 'a' to end of line 36 and insert

'Sporting event for which 6,000 or more tickets are issued for sale'.

Madam Deputy Speaker: With this it will be convenient to take the following: Government amendments Nos. 179 and 180.

Amendment No. 127, in page 108, line 39, leave out 'match' and insert 'event'.

Amendment No. 128, in page 108, line 40, leave out 'match;' and insert 'event; and'.

Amendment No. 129, in page 108, line 41, leave out from second 'ticket' to end of line 46.

Government amendment No. 181.

Amendment No. 130, in page 109, line 5, leave out 'designated football matches' and insert 'sporting events.'

Mr. Pendry: The purpose of amendment No. 126 is to extend the legislation to cover not only football matches but all sporting events that sell more than 6,000 tickets. It does not go as far as the amendment moved in Committee, which the Government—for reasons best known to them—did not support. However, it specifically addresses an area of increasing criminality.

Crime prevention should be a high priority for the Government, with worrying trends being seen in society and particularly in ticket touting. I hope that the Minister will respond positively. This is more a sporting than a political lobby. The Minister will see that the amendment's supporters include not only sporting institutions but hon. Members on both sides of the House—including the hon. Member for Falmouth and Camborne (Mr. Coe), the hon. and learned Member for Fife, North-East (Mr. Campbell), and hon. Members representing the interests of the Police Federation.

The House may wonder why we pitched the ticket issue figure at 6,000. That is partly because we have no intention of restricting the measure to small events, such as those held on the local village green, where the menace of touting does not arise. A figure of 6,000 ticket sales will cover No. 1 court and the centre court at Wimbledon. It is of particular concern to that sport, because there is much evidence that significant criminal elements are hijacking the smooth running of the championships. Our information is that activities of ticket touts are now a major and growing criminal problem.

We recognise—*[Interruption.]* If Conservative Members want me to go on and on, I shall give way to as many of them as they like, but I will go on and then keep quiet, because my Whip tells me to.

We recognise that no two sports are the same, and the problems associated with football do not necessarily relate to other sporting events, but there is now one common element to all major sporting events such as cricket, football, rugby, tennis, golf and so on—the potential that they offer to the criminal element who tout tickets. I intend to highlight some of those problems.

Suffice to say, I have had letters of support from various bodies, including the Professional Golfers Association, the Rugby Football Union, the Football Association, the Test and County Cricket Board and Lord's cricket ground as well—*[Interruption.]*

Madam Deputy Speaker: Order. There are too many private conversations going on.

Mr. John Carlisle (Luton, North) *rose*—

Mr. Pendry: I will not have any help from the hon. Gentleman. I have had it before, and do not particularly like it. As I said, I have received letters from various organisations. The hon. Gentleman is a member of Lord's, so he should be listening carefully to what I am saying.

The actions of the criminal element now regularly include fraud, theft, deception, intimidation, forgery and, in some circumstances, activities of a very serious criminal nature, such as gang and Mafia-type operations.

In Committee, the Minister stated that it was the public order consequences of touting that worried him. The advice from all sides—the customer, the organiser and, indeed, the Police Federation—is that there is a serious problem with events other than football. If the Government reject the amendment, they will fly in the face of all known opinion on the subject.

The sporting bodies that I listed believe that legislation is necessary. Wimbledon has become so frustrated at the touting problem that it has introduced its own attempts at self-policing. That concern took many forms, but, principally, it was worried about the increasing use of strong-arm tactics, theft and forgery of tickets, as well as the bad image that such a presence was giving to the tournament. Wimbledon tickets now state that they are non-transferable and may be bought only from the club or its licensed agents. The unauthorised sale or transfer of those tickets immediately invalidates them. That means that the actions of the touts is nothing less than criminal deception. When they sell on a ticket, it is worthless.

Sadly, that has led to misery for hundreds of customers who, having spent a fortune on tickets from touts, are refused entry at the doors of the ground. While sporting events such as Wimbledon are now much more protected by those regulations, their potential customers are not. Cases highlighted to me by Wimbledon include one where five individuals paid £2,500 for an unofficial corporate package in which the tickets were invalid. Another was of a German executive who paid £50,000 for what he believed was a corporate package of 35 centre court tickets, only to find on arrival that they were invalid because they had broken the transfer rules.

The Minister may take the view that that is the fault of the person buying the ticket. Yet, in many cases, the buyer has been misinformed by the tout and has little comprehension or awareness of ticket regulations and, in some cases, even of the language.

All the major sporting bodies report having to undertake intensive operations in the mailing of their tickets to prevent theft by post. I do not wish to go on, although I could. But the Government are foolish indeed if they ignore all those sporting bodies. The 14th Earl of Derby would be turning in his grave if he knew that the Government were ignoring these institutions in our society. The Government must recognise that this is a criminal justice Bill, not just a public order Bill. The criminality elements contained in ticket touting are manifest. If the Government do not recognise that today, they will do so very soon because the institutions to which I have referred will not keep quiet but will intensify their lobbying of us and of the Government. I hope that the Government will eventually recognise that—if not now, in the very near future.

Mr. Menzies Campbell (Fife, North-East): The original clause appears in the Bill as a result of Lord Justice Taylor's report following the Hillsborough disaster. The

[Mr. Menzies Campbell]

clause was designed to try to alleviate circumstances that might give rise to danger for people attending football matches.

It is clear from what has been said by the hon. Member for Stalybridge and Hyde (Mr. Pendry) and from a large volume of evidence, anecdotal and otherwise, that ticket touting has an effect on sporting events beyond simply creating circumstances in which there might be a risk for those who wish to attend as spectators. As has already been pointed out, there is now convincing evidence of organised criminal behaviour. The notion of the ticket tout as a friendly Flashman-type figure has long since been removed from the consciousness of those who have made any study of the matter. Consequently, the amendments are intended to bring home as graphically as possible the fact that ticket touting is a serious criminal matter.

Quite apart from that, ticket touting stains the reputation of the United Kingdom and of particular sporting events. Some of the stories from the west end theatre world about ticket touting and the extent to which tourists have been deceived make it perfectly plain that it is does very little for the reputation of London or for that of the United Kingdom as a whole. We are not dealing with the theatre now, but the same principles apply to sporting events.

The sporting authorities at Wimbledon, the rugby unions and other sporting organisations have done their best and changed the terms on which tickets are made available to members of the public by introducing their own schemes deliberately designed to try to thwart the efforts of ticket touts. It is perfectly clear that there is a substantial problem beyond football. The amendments are designed to deal with that problem and, on that footing, I hope that they will commend themselves to the House.

Mr. Joseph Ashton (Bassetlaw): I have a great deal of sympathy with what my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) said, but this is a long-standing problem which has been brought to the House's attention many times. It is really a trade and industry problem in the sense that it is very difficult to control the price of a second-hand article, whether it is a car, a house, a painting or a ticket. I do not agree with it, but I accept the argument that there is a market value for a product and that one cannot distort the market.

I am glad that the Minister has accepted some amendments relating to football, but there is a further problem involving danger. At football grounds, supporters are segregated—each lot of supporters goes to a different end of the ground to prevent the punch-ups, violence and disturbances that we witnessed throughout the 1970s. Ticket touts often gain a large number of tickets for one end of a ground and sell them indiscriminately. There have been allegations about football managers, but I shall not mention the manager who has been accused on television of selling 2,000 of his team's supporters' tickets indiscriminately on the black market, thus causing 2,000 spectators at Wembley to be at the wrong end of the ground. If there is a dispute over a controversial goal, it is clear that aggravation and violence are likely. That is why we prevailed on the Minister.

I am glad that the Minister has accepted the advice of the Football Association and, apart from banning the sale of tickets on the day of the event, has graciously agreed to ban the sale for seven days beforehand. If a team gets to a cup final and tickets are sold in the pubs in the preceding seven days, there is often a tiny oasis of spectators at the wrong end of the ground who are surrounded. It can become like the battle of the Alamo or Custer's last stand, and the spectators feel that they have to fight their way out.

When there was standing at football grounds those spectators could be escorted to the front of the ground, taken round to the other end and told to stand anywhere. They could be absorbed, and the violence could be prevented. But with the all-seater stadiums that Government regulations insist on, there is nowhere to put them now. There are no spare seats at the other end of the ground and people have to remain in the original seats. Women and children are often surrounded by thugs who may be semi-drunk, and use bad language and threatening behaviour. The thugs create all sorts of problems for the police and the stewards when the video cameras pick them out.

12 midnight

That is one reason why I am glad that the Home Office has accepted the Football Association's advice that the issue is one of public order and of preventing disturbance. With respect to my hon. Friend the Member for Stalybridge and Hyde, at Wimbledon and other sporting events and at pop concerts the difference is that everyone is on the same side. At Wimbledon there are not two sides who will have a punch-up if someone's favourite loses the match. There is no such problem at pop concerts, or at the Derby and other horse races.

Although I am against touts making a profit out of those events, at least one can say that the market economy can prevail there. I am glad that the Minister of State has accepted the argument on violence at football matches—an argument that does not apply to Twickenham or other such places.

Mr. Alan Haselhurst (Saffron Walden): I must tell the Minister that I cannot understand the logic of looking at the issue entirely in terms of football. I realise that there is a problem with violence at football matches, but the question is whether ticket touting in itself is an offence that should be considered, and whether it has the potential for causing disorder in other sports.

I ask my hon. Friend to reconsider the matter in the wider context. I have had representations from the cricket authorities suggesting that touting is a potential problem for them, too. As an attender of cricket matches I know that it is offensive, for example, if one is going to a match at Lord's, to walk out of St. John's Wood station and have to go through a channel of people touting tickets. If that is not now a serious offence, it will be a serious problem in future.

We should not consider the matter in a blinkered fashion, as a problem affecting football alone. Sad though it may be to say so, it could be a wider problem. My hon. Friend would do the House a service if he undertook to reconsider before the statute is finally determined whether the problem is exclusive to football. I suspect that it is not.

Mr. Sebastian Coe (Falmouth and Camborne): I do not wish to labour some of the arguments about law and order which have already been articulately expressed by hon. Members on both sides of the House, but I shall dwell for a few moments on a couple of issues that I consider germane to the debate.

When I left the Sports Council in 1989, I was convinced that our sporting future—our ability to produce winning teams and to maintain the ethos of competitive teams—was bound up with people's ability to watch sport at the highest level. There are sophisticated and sensitive arguments about excellence and participation, and sensitive balances have to be struck, but in my mind there is no doubt that youngsters' ability to emulate competitors and role models on the sports field, through having reasonable access to sporting events of the highest nature, is a vital part of that.

Ordinary constituents of mine who hope one day to get to a test match, a Wimbledon final or—with a little bit of luck—an FA cup final, think little of sleeping rough for a day and a half or two days outside a stadium to get a ticket. A moral issue arises when a ticket tout can sell a ticket that should have been destined for one of those people to someone who simply turns up on the day of an event with a few hundred pounds in his pocket. That is wrong. Clearly, the morality of that should be questioned on both sides of the House.

It is increasingly difficult for ordinary fans to get into most events, with a plethora of sponsorship boxes. I do not wish the difficulty to be added to by ticket touts cornering the market. I know that the argument will be that this is not a law and order issue and that it is not an issue on which we should regulate. We are committed to improving and enhancing our national sport. We are committed to doing so by the enhancement of competitive sport. These are issues of participation, and participation depends greatly on excellence. Excellence comes from people's ability to watch sport at the highest level. Ticket touting sits uneasily with our determination to develop competitive sport. It also sits uneasily with our need to develop "The Health of the Nation" policies. I wish to—

Dr. Godman: Conclude.

Mr. Coe: I wish to support the amendment—yes, and to conclude. I hope that the Government are able to look afresh at the matter and at least to reconsider some of the issues.

Mr. Maclean: There has been support for clause 137 from most hon. Members. The main criticism has been that the Government's original proposals were drawn too narrowly. I undertook to reflect following the debate in Committee. I have done so and I am now pleased to commend Government amendments Nos. 179 and 181 to the House. I appreciate the kind welcome given to them by the hon. Member for Bassetlaw (Mr. Ashton), whose wise words I commend to all hon. Members.

Amendments Nos. 126 to 130 seek to go much further and to widen the offence of the unauthorised sale of a ticket for a designated football match to all sporting events for which more than 6,000 tickets are issued. The Government do not believe that that is necessary.

As I said, the original clause 112 was intended to implement the specific recommendation of the Taylor report after the Hillsborough stadium disaster that the touting of tickets for and on the day of a designated football match should be made illegal. Taylor adduced two evils which arose. First, the presence of touts outside football grounds can act as a focus for disorder, as those without tickets are encouraged to travel to the venue in the hope of obtaining them, with the result that an unofficial, unruly rugby scrum sometimes develops. Secondly, Taylor was concerned about the effect of the indiscriminate sale of tickets by touts on segregation arrangements, as the hon. Member for Bassetlaw pointed out. In other words, action was necessary on football ticket touts for reasons of public order and public safety only.

In the cases quoted by the hon. Member for Stalybridge and Hyde (Mr. Pendry), if people were selling forged or fraudulent tickets, or tickets that did not guarantee the seat that they were alleged to guarantee, existing criminal law would cover that. Existing offences of fraud cover those situations.

With all due respect to many great sporting organisations, I believe that they should police their own arrangements better. It is possible to follow the excellent example of Arsenal football club whose tickets are invalidated if they are transferred, by whatever devious means, to others who, perhaps, should not have them. We must ask ourselves this question: do we intend to bring in the criminal law and make it a criminal offence for someone, when there is no question of disorder or violence, to sell tickets for Wimbledon or other sporting events at more than their face value? Where is the really bad or immoral behaviour? Is it found in those who are selling the tickets, or in those who acquired them to pass them on to the touts in the first place? I say to sporting organisations that if they do not want touts selling tickets, they should control their own tickets more strictly.

The unauthorised sale of tickets for football matches presents a problem to public order and public safety, as we all agree. We see little evidence of public disorder or lack of safety in other sports. If, in due course, there is rioting at the ice dance championships or public disorder at the synchronised swimming events, I shall consider legislating in those cases only. At the moment, we see no such need, so I must, therefore, oppose the Opposition amendments.

Question put, That the amendment be made:—

The House divided: Ayes 143, Noes 269.

Division No. 208] **[12.09**

AYES

Abbott, Ms Diane	Cunningham, Jim *(Covy SE)*
Adams, Mrs Irene	Cunningham, Rt Hon Dr John
Ainger, Nick	Dalyell, Tam
Ainsworth, Robert *(Cov'try NE)*	Darling, Alistair
Alton, David	Davidson, Ian
Austin-Walker, John	Day, Stephen
Bayley, Hugh	Dewar, Donald
Begga, Roy	Dixon, Don
Beith, Rt Hon A. J.	Donohoe, Brian H.
Bennett, Andrew F.	Dunnachie, Jimmy
Bermingham, Gerald	Enright, Derek
Betts, Clive	Etherington, Bill
Blair, Tony	Ewing, Mrs Margaret
Bradley, Keith	Foster, Rt Hon Derek
Bray, Dr Jeremy	Foster, Don *(Bath)*
Brown, N. *(N'c'tle upon Tyne E)*	Foulkes, George
Burden, Richard	Fraser, John
Cabom, Richard	Fyfe, Maria
Campbell, Menzies *(Fife NE)*	Galbraith, Sam
Campbell-Savours, D. N.	Galloway, George
Cann, Jamie	Gerrard, Neil
Carlile, Alexander *(Montgomry)*	Godman, Dr Norman A.
Chisholm, Malcolm	Gordon, Mildred
Clapham, Michael	Graham, Thomas
Clark, Dr David *(South Shields)*	Grant, Bernie *(Tottenham)*
Clarke, Eric *(Midlothian)*	Gunnell, John
Clarke, Tom *(Monklands W)*	Hain, Peter
Connarty, Michael	Hall, Mike
Cook, Robin *(Livingston)*	Hanson, David
Corbyn, Jeremy	Heppell, John
Corston, Ms Jean	Hill, Keith *(Streatham)*
Cox, Tom	Hinchliffe, David

Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Kennedy, Jane *(Lpool Bdgn)*
Kilfoyle, Peter
Lewis, Terry
Llwyd, Elfyn
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
Maclennan, Robert
McMaster, Gordon
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morley, Elliot
Mowlam, Marjorie
Mullin, Chris
O'Brien, Michael *(N W'kshire)*
Oiner, William
O'Neill, Martin
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Ruddock, Joan
Sedgemore, Brian
Simpson, Alan
Skinner, Dennis
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Steinberg, Gerry
Strang, Dr. Gavin
Turner, Dennis
Wallace, James
Watson, Mike
Welsh, Andrew
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Harry Barnes and
Mr. Ray Powell.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Ashton, Joe
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Sims, Roger
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter

Sykes, John	Wardle, Charles *(Bexhill)*
Taylor, Ian *(Esher)*	Waterson, Nigel
Taylor, Sir Teddy *(Southend, E)*	Watts, John
Temple-Morris, Peter	Wells, Bowen
Thomason, Roy	Whitney, Ray
Thompson, Sir Donald *(C'er V)*	Whittingdale, John
Thompson, Patrick *(Norwich N)*	Widdecombe, Ann
Thornton, Sir Malcolm	Wiggin, Sir Jerry
Thurnham, Peter	Wilkinson, John
Townsend, Cyril D. *(Bexl'yh'th)*	Willetts, David
Tredinnick, David	Wilshire, David
Trend, Michael	Winterton, Mrs Ann *(Congleton)*
Trotter, Neville	Wolfson, Mark
Twinn, Dr Ian	Yeo, Tim
Vaughan, Sir Gerard	Young, Rt Hon Sir George
Viggers, Peter	
Waldegrave, Rt Hon William	**Tellers for the Noes:**
Walden, George	**Mr. Sydney Chapman and**
Walker, Bill *(N Tayside)*	**Mr. Tim Wood.**
Waller, Gary	

Amendment accordingly negatived.

Clause 137

SALE OF TICKETS FOR DESIGNATED FOOTBALL MATCHES BY UNAUTHORISED PERSONS.

Amendments made: No. 179, in page 108, line 35, leave out from 'match' to 'in' in line 36.

No. 180, in page 108, line 36, at end insert 'or, in the course of a trade or business, in any other place'.

No. 181, in page 108, line 42, leave out from beginning to 'and' in line 43.—[*Mr. Maclean.*]

Clause 139

POWER OF SECRETARY OF STATE TO MAKE GRANTS IN RELATION TO CRIME PREVENTION, ETC.

Amendments made: No. 58, in page 109, line 24, leave out from beginning to 'as' and insert

'—

(a) make such payments, or

(b) pay such grants, to such persons,'.

No. 59, in page 109, line 27, leave out 'such grant' and insert 'grant under subsection (1)(b) above'.—[*Mr. Maclean.*]

Clause 140

SECURITY COSTS AT PARTY CONFERENCES.

Mrs. Diana Maddock (Christchurch): I beg to move amendment No. 34, in page 109, line 33, after 'a' insert 'Police Authority, or by a'.

This is a very straightforward amendment. It allows the Government to ensure that the now regrettably escalating costs of funding security at party conferences do not fall on the council tax payers in the counties hosting the conferences. The current arrangements hit local taxpayers particularly hard in those few areas that have been chosen as the main venues for the party conferences of our main political parties. The towns are Brighton, Blackpool and Bournemouth in Lancashire, East Sussex and my own county of Dorset.

Mr. Michael Fabricant (Mid-Staffordshire): Would the hon. Lady care to explain which are the two parties that meet in those venues?

Mrs. Maddock: We are going to Brighton this year. We have been in Bournemouth in other years. The point is the cost, whoever goes there. It does not matter which party it is.

There is no doubt that since the tragic bombing of the Grand hotel in Brighton in 1984 a number of heavy security costs, especially to do with searching and the extra manpower in the streets surrounding the conference centres, are now incurred not only by the political parties but by the police authorities in the counties that I have mentioned. In my own county of Dorset, the chief constable estimates that the cost of policing and security at this year's Tory party conference in Bournemouth will be £2.6 million.

Mr. Keith Mans (Wyre): Will the hon. Lady confirm that if Bournemouth does not want to hold the Tory party conference, it need not do so? It can be held elsewhere. The fact that it is being held there means that it should be of some commercial benefit to the town.

Mrs. Maddock: If the hon. Gentleman is patient he will have an answer to his point.

In a letter to me the chief constable says:

"This large amount of expenditure in one financial year means that the force must create a reserve by annual contribution to pay for this severe drain on our financial resources."

It means that every year in Dorset there is less money to spend on general policing in the county, less for crime prevention measures, less for police patrols and less for solving crimes and catching criminals.

At conference times, there is an additional drain on Dorset police's human resources, with officers necessarily drafted in from elsewhere in the county to patrol around the Bournemouth international centre.

That is extremely bad news for the people of Dorset, because between 1979 and 1992 there has been a 78 per cent. increase in motor vehicle thefts and a 171 per cent. increase in the number of domestic burglaries. In the past year alone, there has been a 10 per cent. increase in serious crime in the county.

All police forces have occasional major incidents, and the mass murder inquiry that is under way in Gloucestershire is a current example. However, few have regular drains on their resources. Dorset, East Sussex and Lancashire do. I have heard that there is a strong possibility that the Tory party conference will soon start coming to Bournemouth every other year. I can understand that. Bournemouth is a congenial place—Christchurch is, too, of course—with a beautiful setting, excellent accommodation and an excellent modern conference centre. In answer to the hon. Member for Wyre (Mr. Mans), Dorset people welcome conferences with open arms, but they do not welcome the extra cost falling on all of them for something which is part of our national political scene.

Mr. Robert Banks (Harrogate): The hon. Lady will recall that the Liberal Democrats have held many conferences in Harrogate. Would she like to have a whip round among her hon. Friends to reimburse us for the cost of policing those conferences?

Mrs. Maddock: If the Government are generous enough to pass the amendment, all people will have the benefit. I must tell the hon. Gentleman that Liberal Democrats do not cost so much when they have party conferences. We are much better value for money.

[Mrs. Maddock]

My fellow Dorset Members of Parliament believe that the cost should be born nationally, and they have endeavoured to persuade the Government. They have liaised with East Sussex and Lancashire, and the new Liberal Democrat administration on Dorset county council has, through its deputy leader Robin Legg, also tried to further the cause. I understand that members of the Lancashire police authority had a meeting with the Minister of State, Lord Ferrers, in December and they have asked for a further meeting with the Home Secretary for representatives from the three counties affected.

In 1986, the Government recognised that political parties should not have to bear all the costs that they incur in providing security at conferences, and that they should be reimbursed from the national public purse. Since that time, payments have been made under the authority of the Appropriation Act. Only with the clause that my colleagues and I are seeking to amend will this at last be put on a statutory footing.

There can be no better time than now to deal with the unfairness of distribution of local police authority costs. I appreciate that the Government are responsible for 51 per cent. of police spending, and that additional grants from the Government to local authorities make up some of the other 49 per cent. However, the grants and formulas under which they are calculated do not specifically take account of the additional burden of funding the policing of party conferences.

The standard spending assessments, capping limits and grants ignore what is a significant part of the police budget for the areas affected. Party conferences have a special place in our democracy—those words were used by Margaret Thatcher—and I am sure that we all believe that they must be allowed to take place. Likewise, none of us would argue that conference-goers and people involved in running conference should go unprotected. I believe, as do many hon. Members and members of local police authorities, that the source of funding should reflect the national nature and importance of party conferences and not fall unfairly on the people who live in the areas that attract large conferences.

This is a fair amendment; it is common sense to make it at this time and it would welcomed by those police authorities which are affected. They would get the extra resources that they need to protect party conferences and would be allowed to keep their existing resources to tackle rising crime.

Mr. Maclean: From time to time, every police force has to cope with demands which are not routine and most forces can claim to have responsibilities with strong national implications comparable with those carried by forces involved in policing party conferences.

12.30am

We regularly review the funding arrangements, but to date it has not been considered right to single out policing costs arising from party conferences for additional central Government funding. Therefore, I cannot accept the amendment.

Amendment negatived.

Clause 141

EXPENSES ETC UNDER ACT

Amendment made: No. 52, in page 110, line 8 after 'sections', insert '2, 3,'.—[*Mr. Maclean.*]

Clause 142

SHORT TITLE, COMMENCEMENT AND EXTENT

Amendments made: No. 344, in page 110, line 17, leave out from beginning to 'this' in line 18 and insert

'With the exception of section 72 and, subject to subsection (3A) below,'.

No. 41, in page 110, line 18, leave out 'Chapter' and insert 'Chapters I and'. No. 345, in page 110, line 19, after 'State' insert

'or, in the case of sections 43 and 44, the Lord Chancellor'.

No. 346, in page 110, line 25, at end insert—

'(3A) The following provisions and their related amendments and repeals shall come into force on the passing of this Act, namely sections 5 to 15 (and Schedules 1 and 2), 51, 53, 55, 58, 59, 60, 61, 67 to 70, 71, 73, Chapters I and IV of Part VIII, 131, 133(1) to (3), 137, 141 and this section.

(3B) For the purposes of subsection (3A) above—

(a) the following are the amendments related to the provisions specified in that subsection, namely, in Schedule 10, paragraphs 35 and 38(1), (3), (4) and (5);

(b) the repeals related to the provisions specified in that subsection are those specified in the Note at the end of Schedule 11.'

No. 176, in page 110, line 26, at beginning insert

'Except as regards any provisions applied under section (*Power to apply sections 29 to 33 to armed forces*) and '.—[*Mr. Maclean.*]

Mr. Maclean: I beg to move amendment No. 28, in page 110, line 29, leave out '58, 59,'.

Madam Deputy Speaker: With this it will be convenient to discuss the following amendments:

No. 25, in page 110, line 29, leave out '60, 61,'.

Government amendment No. 80.

Amendment No. 22, in page 110, line 33, at end insert

'(7A) Sections 58 and 59 do not extend to Wales'.

Mr. McFall: The Minister of State, the hon. Member for Penrith and The Border (Mr. Maclean), last night mentioned when he rejected new clause 22 on badger digging that it was normal for people to go about the countryside with shovels—that is a matter of public record. In Scotland, people who go about the countryside in hill-walking gear may find themselves contravening the law because the Government have, for the first time, brought the criminal law to bear on such a situation there. That is very worrying for many people in Scotland.

I and other right hon. and hon. Friends have been contacted by 115 organisations that are fearful for the consequences. The law creates the offence of aggravated trespass. In the opinion of many people in Scotland the law is unnecessary—it is vague and will be subject to various interpretations. The Law Society, for example, stated when it contacted me about the matter that the case has not been made for the need to legislate in that area. In that society's view the law of breach of the peace would satisfactorily cover the intimidation of persons carrying out a lawful activity.

Why have the Government brought such activities within the law? So far as I am aware, the provision was not intended to apply to Scotland, but the Secretary of State received a letter on 29 October 1993 from a farmer in the Borders—a certain Mr. Peter Straker-Smith—complaining about disruption of his grouse shooting. As a result, the Secretary of State decided to introduce this catch-all amendment, which will be very bad for the law in Scotland. The provisions in respect of obstruction or disruption of lawful activity are unduly vague and could lead to innocent or lawful behaviour which obstructs or disrupts other lawful activity being subject to the offences provisions. Ramblers, hill walkers and other recreational users are not excluded from the provisions of the clause.

Here, one of the main proponents has been the Scottish Landowners Federation which, it is stated, is fully behind this law. I have here a letter dated 22 March 1994 from Duncan Thompson, who is the legal adviser to the Scottish Landowners Federation. Mr. Thompson stated that the organisation's view is that there is a specific public order problem which must be addressed—the deliberate disruption of field sports—and which is not adequately dealt with under the existing law. The federation's legal adviser goes on to say that it would have no objection to an amendment to narrow the focus of the clause to the specific mischief to be targeted.

Why has the Secretary of State incorporated in the Bill a catch-all provision when no one—absolutely no one, and certainly not the Scottish Landowners Federation—in Scotland is asking for it? Why is the clause necessary? What is the mischief that the Government intend to prevent? And what are the lawful activities to which the clause refers? Can the Minister explain the difference, in Scotland, between a breach of the peace and intimidation, as dealt with in clauses 58 and 59? What constitutes obstruction and disruption? Are these tests not subjective rather than objective? One person may be more disruptable than another.

Have the Government really considered the implications for Scotland of the results of this legislation? Will it, for example, be disruption if a party of school children on a nature lesson disturbs a shepherd during lambing? Will it be disruption if an environmental group seeks, through peaceful protest, to prevent environmental damage?

In a letter to George Cubitt, the chairman of the outdoor pursuits division of the Central Council for Physical Recreation, the Home Secretary's private secretary, Miss Vikki Molloy, stated that the police and the courts are very familiar with the concept of intent and that the problem of misinterpretation should not, therefore, arise. In fact, the police in Scotland are not very familiar with that concept. Because of the vagueness of the catch-all phrase, they are very fearful about the introduction of the provision in Scotland. It will undermine the long-established freedom to roam in uncultivated areas of mountain and moorland in Scotland. As some 100,000 walkers and climbers use the highlands during summer weekends it will pose a danger to many people enjoying the countryside.

The provision also makes nonsense of a review currently being undertaken by the Government's own body, Scottish Natural Heritage. I refer to the review of access to the outdoors. What are the opinions of Scottish Natural Heritage? I wrote to the organisation about this matter and the chief executive, Roger Cross, stated in a very sensitive way that what Scottish Natural Heritage does not want is that the understanding that has been built up between hill walkers and landowners should be disrupted. There is no doubt that the understanding, sensitivity and equilibrium that have been achieved will be disrupted.

[Mr. McFall]

What does Scottish Natural Heritage say? Why have the Government gone ahead when that organisation is currently conducting its review of access? Out of the blue, trespass is to be criminalised. I am informed that the chairman of Scottish Natural Heritage, Magnus Magnusson, has written privately to the Secretary of State. Mr. Magnusson is worried about the fact that voluntary co-operation between landowners and sports bodies in respect of land use could be seriously undermined.

There is a problem in respect of loch Lomond, which is in my constituency. Month after month and year after year, I have been telling the Scottish Office that something other than the voluntary principle is needed. The Government have stood by the voluntary principle in relation to loch Lomond. Yet here we find the voluntary principle possibly being undermined by the introduction of this unnecessary clause.

Those laws, according to the Law Society of Scotland and others, could be far more oppressive than Ministers intended. The Scottish Landowners Federation does not want the unspecific wording. In his address to the annual general meeting on 8 March, the convenor of the federation, Mr. Disney Barlow, stated that the

"essence of the new offence will be criminal intention to intimidate, disrupt or obstruct. Those are not the intentions of ramblers or of any reasonable people, and reasonable people are not going to be affected".

But any lawyer will confirm that it is extremely hard to define in law a "reasonable" action or person. The legal adviser has already recognised that reasonable people will be affected, so landowners are aware of the concerns.

If the Minister or the Secretary of State had reassured the Scottish people, that would have been fine, but not a word has been uttered and I am afraid that the Scottish public are convinced that the Home Secretary is legislating for England and Wales and the Secretary of State for Scotland at the very last minute is applying the clauses to Scotland for a problem that does not exist there. The case for legislation has not been made. We have adequate mechanisms now with regard to breach of the peace. The civil law has operated in Scotland since 1965 under the Trespass Act of that date.

I draw the Minister's attention to an interesting story in *The Scotsman* last Friday about trespass. Every voluntary organisation and reasonable landowner will confirm that, because of the understanding that has developed over the years, a balance between access and landowners' rights has been achieved in Scotland. The story relates to two individuals who were found guilty at Dingwall sheriff court of trespass under the 1965 Act. It happened because the landowner sent instructions by fax from southern Africa that they were to be prosecuted. Foreign landowners are insensitive to the position in Scotland. They can fax messages from all over the world and their instructions are then carried out. The understanding that exists in Scotland then goes for a burton because of the wishes of some absent landlord, whether he be in South Africa, Rio or anywhere else. That is what will happen in Scotland. It is fine having a responsible landowner in Scotland, but the chances of having a responsible landowner in South Africa commuting his message by high tech will be far less.

The clause could apply to one's own back yard. We are not just talking about the grouse moor; we could be talking about young people who kick their football into someone's garden and go in to retrieve it. How could that be considered aggressive trespass? According to some people, it could be. If we have a latterday Miss Haversham whose solitude, peace and quiet is being disturbed, we shall have that offence. That is absurd. How much torpor must exist in the Scottish Office for Ministers to think for one minute of introducing such an inappropriate clause in the Bill. Just as equity is as long or as short as the Lord Chancellor's foot, the concepts of obstruction and disruption are as long or as short as the landowner's foot.

12.45 am

That is the type of uncertainty that has been introduced into the law of England, Scotland and Northern Ireland. It is law that may lead to confrontation with which the forces of law and order will be ill equipped to deal. Under this law, if citizen's arrest exists—and we cannot tell from the clause whether it does—we may see a landowner and half a dozen ghillies arresting a troop of hill walkers, or a gamekeeper arresting a group of environmental protestors.

The official Opposition say "Out with this clause". It is inappropriate to Scotland; it has no place in Scotland. When a Labour Government are elected we will make sure that the law is repealed.

Mr. John Home Robertson (East Lothian): I rise—
[Interruption.]

Mr. Dickens: Landowner.

Mr. Home Robertson: Indeed, yes. I rise to support amendment No. 28 because I regard clauses 58 and 59 as deeply sinister intrusions into the law of Scotland. They create powers which are unwarranted and unwanted. Like virtually every Scottish Member in this House, I have received large numbers of letters from constituents expressing strong opposition to the Government's proposal to create a new offence of trespass which could be used to restrict people's right of reasonable access to open countryside in Scotland.

The only law of trespass in Scotland today is in the 1865 Act, which has very limited scope. It applies to unauthorised occupation of buildings, camping and lighting fires. It has no power to obstruct any other form of reasonable access to open countryside. We do not need such a power in Scotland and we do not want it. It is an alien concept which has no place in the law of Scotland.

I speak as a Scottish Member of Parliament from a largely rural constituency, where local people and visitors alike have always enjoyed their access to the Lammermuir hills, the seaside links and the countryside in between. My constituency includes Dunbar, which is the birth place of John Muir, the founder of the environmental movement not only in Scotland but indeed in north America. It is an insult to his memory that we should be considering imposing restrictions on access to the countryside.

I speak also as a farmer who has had plenty of experience of the free access to the open countryside that people enjoy in Scotland. It hardly ever causes any problems. On one occasion a problem was caused by the hunt appearing uninvited on the farm and doing some damage, but that was some time ago. Apart from that incident, my personal experience of farming in Scotland indicates that there is no problem associated with reasonable access to the open countryside. In Scotland we

have reasonable access provisions which are greatly enjoyed and not abused. There is no need for this amendment to the law.

In an earlier debate on the Bill we heard about so-called "new age travellers". I fear that what we have in Scotland today—and what the Government are responding to today—is new age landlords. Some of them are home-grown, but in many cases they are people from outside Scotland who have acquired land in Scotland and who feel the need to lock gates and obstruct access to their land. They are creating aggravation where there has never been aggravation in the past.

I have had some trouble of this kind in my constituency. A very substantial tract of my constituency—a big chunk of the Lammermuir hills—has been acquired by a landlord based in Hampshire—he could have been from anywhere, but he happens to be from Hampshire. He is seeking to obstruct and restrict people's access to his land in a part of the countryside where access has always been enjoyed in the past. There have been incidents where estate staff have ordered people off the hills—they have no right to do so, but people are easily intimidated under such circumstances.

The clauses will encourage that type of landlord in Scotland. It is not good enough for the Minister to say that the law is not supposed to work like that. I refer him to the advice that hon. Members have received from the Law Society of Scotland. The society has written:

"In the Society's view this Clause could be interpreted to restrict many of the recreational uses to which the countryside is put.

There is no exclusion of ramblers, hillwalkers or other recreational users from the provisions of the Clause".

If the Law Society of Scotland reckons that the clause can be interpreted in that way, I am sure that its members and their clients will seek to interpret the legislation in that way and seek to impose restrictions where previously there were none. If it can be interpreted that way, it will be. The House must reject this alien and abhorrent intrusion into Scots law.

Mrs. Ewing: The issue is an extremely emotional one for Scotland. There are two key resources for any country: its land and its people. The question of how to unite the land and its people is critical in terms of the economy, the environment and enjoying leisure pursuits in our region.

One difficulty is that many people who speak on the subject try to define it as one that applies only to hill walkers, ramblers and Munro baggers. Those are key people, but there are many other organisations—about 60—that want to have access to our land. They involve geologists, archaeologists and ornithologists, and a variety of people. There is a fundamental principle at stake; it exists in Scotland and has been built up over the centuries. It is the freedom to roam the country while observing obvious and sensible codes of conduct.

Another aspect, to which I particularly refer Labour Members, is that we are talking about legislation that will apply to Scotland and we again see Scottish legislation being crammed into a small section of a UK Bill. But, when it comes to the crunch, Labour Members from Scotland are quite happy to accept that this a United Kingdom Parliament. They vote in favour of Conservative Members from English constituencies dominating the legislative process. At some stage they have to decide whether they want to protect the Scottish legal system and the laws of Scotland or whether they want to sit here on the green Benches and try to climb up the ladder of promotion in the United Kingdom.

There are questions that I want to ask of the Ministers this evening. On what basis did Lord Fraser of Carmyllie decide that the provisions should extend to Scotland? He appeared on a television programme and made it quite clear through the Scottish Lobby that he asked for them to apply to Scotland. Where is the logic in that? If there were a strong argument for the Bill to be applied north of the border, surely Lord Fraser should have included the issue of raves. But that subject is not included in the Bill. What are the Government planning on that aspect? Who wrote to Lord Fraser of Carmyllie? Who asked him to apply the provision to Scotland? What factor led him to decide that the measures should apply to Scotland? Was there one letter or more than one letter or was it an ideological decision?

What would the Minister define as lawful activity in the context of the Bill? I have already mentioned the various organisations, many of them comprised of very lawful people who have no desire to fall out with the landowners, the farmers and all the people who respect the countryside. Why cannot lawful activity be defined in the Bill? Does a deficiency exist in the Scottish legal system? Anyone who does not observe the countryside code, as the Minister and I understand it, can be prosecuted in civil law under the Trespass Act 1865 or for a breach of the peace. Why should criminality be attached to actions that I consider lawful?

Does the Minister believe that Scotland faces the prospect of one landowner bringing a test case before the Scottish courts? If the landowner was not particularly sympathetic to ramblers, geologists and so on, such a test case could be a key factor in future Government legislative programmes and for Scottish courts. Relying on a test case sets a dangerous precedent in Scottish law, and one that could set the pace for future cases.

This part of the Bill is vague, unnecessary and subject to various interpretations—as has already been made clear by the Law Society of Scotland and other organisations. Why is the Minister introducing such legislation now, when Scottish Natural Heritage is holding back on its access recommendations? In his letter to *The Scotsman* on 10 March, Magnus Magnusson said that rules of access to Scottish land must first be defined and that the Bill is premature. He warned the Secretary of State against changing trespass from a civil to a criminal offence.

If the Minister is determined to pursue that course, what resources will he provide to chief constables and police forces in constituencies throughout the Scottish regions, so that they may employ extra staff? It is clear from the Bill that many police men and women will be required to police various organisations as their members walk through the hills and glens of Scotland—although that is clearly ridiculous. In the context of joint police boards under local government reorganisation, will suitable facilities be made available as part of those arrangements?

The Bill has huge implications for the traditional right and freedom to roam our Scottish countryside, for our police forces and for tourism—with visitors discouraged, fearing that they will be accused of criminal activities. Why on earth are the Government adopting this attitude when the Bill concerns England and Wales?

Mr. Sam Galbraith (Strathkelvin and Bearsden): I regret that, in her bitterness, the hon. Member for Moray

[Mr. Sam Galbraith]

(Mrs. Ewing), instead of attacking the Government, once again could not refrain from attacking my party. Not only does that not do her party any good, but it does not do the cause that we are fighting any good.

Mr. Andrew Welsh (Angus, East) *rose—*

Mr. Galbraith: No, I will not give way—[Interruption.]

Mr. Deputy Speaker: Order. It might be to the advantage of the House if hon. Members settled down. Let us hear what the hon. Gentleman has to say.

I am

Mr. Galbraith: I shall return to the substance of the debate. I am sure that the Minister must be somewhat ashamed of himself in having to introduce the amendment tonight. He knows that it offends the tradition of Scottish law and also the Scottish tradition of access to the Scottish countryside, be it high in the mountains or low in the plains. A tradition in which there has been a symbiosis between the landowners and those wishing to use it for recreational purposes has persisted throughout the years. But now the Minister and his Government are threatening that, for reasons that are not clear to Opposition Members. Perhaps the Minister will explain who asked for this provision in the Bill. Where is the demand coming from? The landowners say that it is not them. There is no recreational organisation. I think, therefore, that the Minister is duty bound to answer that question tonight.

I have been tramping the Scottish hills and mountains for the best part of 40 years—yes I am only 40. I started early. In that time, I have noticed two significant changes. The first is the reduction in the amount of wild camping, where one can pitch one's tent by the road in glens without having to be organised into official camp sites. There has been a significant reduction in the amount of such camping over the years and it will be reduced by the Government's proposals tonight. In many cases, the reduction was necessary, because of the increased numbers, the sanitation, and so on, as seen, for example, on Glenbrittle, Skye. But, increasingly, landowners are breaking down the relationship between themselves and those who use the mountains.

The second thing that has changed over the years is what climbers call the hassle factor—the number of signs that appear when one enters the mountains. The signs have no legal bearing or standing whatever, but are intended to try to bluff and intimidate hill walkers and others into not utilising the land. A current offensive sign is that in Strathconon. It reads:

"Deer in these hills are shot from mid August-February for sport, meat and Government control policy"—

whatever that is. But one can see immediately the inference that, somehow or other, it is Government policy and that one will offend some statute when there is no such statute to offend. It continues:

"Walkers are therefore warned that rambling on high ground at this time can seriously upset large areas for deer stalking and can be dangerous."

I wonder about the danger. I do not see the hills laden with shot hill walkers and mountain climbers. There is an important point in that notice in relation to what is termed "intent" in the Bill that is before us.

On top of the hassle factor and the restriction—

Mr. Phil Gallie (Ayr): Will the hon. Gentleman give way?

Mr. Galbraith: I am certain that I will regret this, but, as the hon. Gentleman is a well-known hill walker and will explain to me the intricacies of Scottish law, I will give way.

Mr. Gallie: I have listened carefully to what the hon. Gentleman has suggested. Given the contents of the Bill, the fact that intimidation must be shown to have been involved, and that a uniformed police man must be present, is it not the case that, as was suggested by the hon. Member for East Lothian (Mr. Home Robertson), the hill walkers who have been hassled in the past by the ghillies and others can now feel quite confident in saying that they have no authority and that they should bring in someone, perhaps from the police force, before they can be forced from the land?

Mr. Galbraith: It is clear that the hon. Member for Ayr (Mr. Gallie) has not read the Bill and does not understand any part of it. I shall explain to him that, if one is half-way up a mountain glen staring at a ghillie with a large-bore shotgun, quoting to him what the hon. Member for Ayr said in the Chamber will not assist one's chances of getting down.

The Scottish Landowners Federation has given a number of assurances. I am not going to attack the federation—my hon. Friend the Member for Cunninghame, North (Mr. Wilson) is a consummate expert at that so I shall leave it to him—but the problem is that it does not speak for all landowners and especially not for the new age landowners who are moving in.

I cite the classic example of the land around Loch Maree which includes several mountains that are important to the climbing fraternity. Access to and camping on that land used to be free but along came a new landowner from outwith this country, and who is not part of our tradition, and suddenly there is a block not only on access but on camping. We are talking not about new age travellers or vast armies pitching their tents but about the occasional climber of Slioch. The assurances from the Scottish Landowners Federation are not adequate.

The crux of the issue is intent. The Scottish Landowners Federation says that intent has to be shown but the problem is whether, if a notice similar to that which I have just described from Strathconon is presented at the point of access to the hills but ignored and bypassed by hill climbers—as it should be—in the knowledge that deerstalking is taking place, can the landowner claim and have it upheld in law that an individual had intended to disrupt that activity? That is the important point. Will the law state that an individual who ignores a notice stating that there might or might not be deerstalking in a given area intended to disrupt it?

I remind the House that it need not necessarily be the intent of disrupting deerstalking; lambing must also be considered. Will crossing areas during the lambing season mean intentionally disrupting a lawful activity in which the landowner is engaged? It is a serious legal point, and I ask the Minister please not to tell us that the matter will be settled in the courts. It should not need to go that far; it should be clarified now.

If the Minister is not willing to accept our amendments which would remove these provisions from Scotland, he should at least give an assurance that he will reconsider the

issue as the Scottish Landowners Federation said. We need better definitions to satisfy both sides of the argument so that once again the symbiosis between landowners and climbers and ramblers can continue and that we in Scotland can continue to maintain the freedom to roam the mountains.

Mr. Wilson: Like my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith), I deplore the fact that what should have been the united voice of the Opposition parties was divided by a rather bitter and unpleasant attack on the Labour party by the hon. Member for Moray (Mrs. Ewing). *[Interruption.]* I hear the hon. Member for Angus, East (Mr. Welsh), who I think plays the role of Baldrick to the Blackadder of the hon. Member for Banff and Buchan (Mr. Salmond). I do not know where the hon. Member for Banff and Buchan is—

Mr. Welsh *rose—*

Mr. Wilson: No, I shall not give way.

The idea that there is a great Westminster conspiracy hardly stands up. The right to roam survived very well in Scotland from 1707 until 1994 under a Westminster Parliament. It is threatened not by Westminster but by the current breed of Tories at the Scottish Office. It was not I who voted in 1979 to help to bring the current breed of Tories to the Scottish Office—very specifically, it was both members of the Scottish National party who are here tonight. Perhaps they should have exercised a little foresight, because when they helped to bring the Tories to power, they were helping to bring this type of legislation to Scotland.

There is nothing axiomatic in the system. The offence of aggravated trespass will apply not only to Scotland but to the whole of the United Kingdom. As a socialist and a Member of Parliament, my ambition will be to remove that offence from the statute book, not only in Scotland but in England, Wales and Northern Ireland, too. I recognise, even if those silly people do not, that Scottish climbers do not climb only in Scotland, and English climbers do not climb only in England.

We are concerned with a wider vista, and with defending the rights of our people—the ordinary people of every part of the United Kingdom. That, essentially, is what differentiates us from the nationalists, who try to divide and fragment every argument according to race and nationality, as opposed to seeing things within the framework in which they are only too pleased to participate at other times—the framework of the Parliament of the United Kingdom.

It is not Westminster but the Tories who are imposing the new law. It is not my job to advance the interests of Scottish nationalist Members, but I suggest that in their own interests they might sometimes address the real enemy instead of expressing their paranoia about the Labour party in Scotland.

Contrary to what my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith) said, I stand here tonight as the spokesman for the Scottish Landowners Federation. That is an unlikely role for me, because at other times I have been critical of the federation as an organisation and of some of its individual members. But tonight I stand here happily holding a letter written on the notepaper of the Scottish Landowners Federation. If the Minister would stop talking to his fellow Under-Secretary of State, the hon. Member for Eastwood (Mr. Stewart), long enough to listen, he might know what case he has to answer.

The only people who seem to support the new power are those in the Tory party in Scotland. As I have said before, normally one of their roles is to act as the political wing of the Scottish Landowners Federation, so one would expect them to be prepared to accept the federation's bidding on this issue. However, the federation has been sufficiently moved by the campaign of resistance that we have led against the measure to make its position clear. I heard its views summarised on the radio this week, and I was surprised and interested enough to get hold of a copy what it had said.

The preamble in the letter says that the federation wants the power of aggravated trespass in Scotland because there is a problem with hunt saboteurs and other such people, especially in the borders, and that it is worried that, if the new offence existed in England but not in Scotland, there would be an incentive for people to cross the border, and hunt saboteurs would become more active, particularly in the Borders. I do not necessarily accept any of that, and I certainly have no prejudice against hunt saboteurs, who probably do quite a good job.

However, having set out that preamble, Duncan W. Thomson, legal adviser to the Scottish Landowners Federation, then makes the crucial point:

> "However, we are conscious of the concerns which have been expressed about the scope of these Clauses and, as we have no wish for there to be any possibility of this legislation restricting normal public access to the countryside or of limiting the public's legitimate right to protest, we would have no objection to any amendments which would narrow the focus of the Clauses onto the specific mischief to be targeted. Indeed we have suggested some alternative wording for this purpose."

So what is the situation that we have to deal with? The Government are advancing a catch-all power—I shall talk about the nature of that in a moment. Yet the Scottish Landowners Federation, in whose interests the Tories usually act, says that it recognises that such a power cannot be justified.

In other contexts, the federation has also said that it does not believe that it is a catch-all power, and does not intend its members to use the measure as such. In the letter, it recognises that the public perception nonetheless is of a catch-all power, and says that, in order to avoid giving that impression, it is prepared, indeed happy, for amendments to be made to the Bill.

The only point on which I dissent from the Scottish Landowners Federation is that it says when the power would not be used as a catch-all power, whereas I say that it would be. One cannot put this power into the hands of the Scottish landowning fraternity without expecting it to be used.

1.15 am

The whole business has its provenance in the Tory party conference last October, when the Home Secretary and various other luminaries were trying to chill the delegates to the marrow by raising the spectres of threats to society as we know it. They told the delegates how those threats to society were to be dealt with on the great law and order platform. Two particular bogies were introduced at that conference—new age travellers, who have always struck me as a relatively harmless lot in Scotland, and hunt saboteurs, who were to be clamped down on to repay a debt

to the British Field Sports Society. Those are the two bogies which were set up and which then had to be legislated against.

The crucial point is that there is no mention on the face of the Bill of either new age travellers or hunt saboteurs. What is mentioned is groups of people who obstruct. That is nothing to do with what the hon. Member for Ayr (Mr. Gallie) said about threatening behaviour or intimidation. The Bill refers only to those who obstruct or disrupt "lawful activity". Virtually anything that landowners are likely to do in the Scottish countryside can be construed as lawful activity.

The only defence of the Scottish Landowners Federation previously was to say, "It is not we, the landowners, who prosecute; it is the police who investigate and the procurator fiscal who decides whether to prosecute." However, the point is that every complaint will have to be investigated; that is not discretionary on the part of the police.

The other crucial point, into which my hon. Friend the Member for Strathkelvin and Bearsden has gone in enough detail, is the fact that the provision will create a climate in which the banditry of Scottish landownership will feel encouraged to put up signs that are intended to intimidate. They are doing so already on the island of Arran in my constituency. I am delighted to say that every one of the signs has been taken down or painted out, and that that will continue.

Mr. Gallie: The hon. Gentleman said that I was wrong to suggest that intimidation would be involved. If he reads clause 58(1)(a), he will see that the word "intimidating" is used. It is he who should read the Bill.

Mr. Wilson: With respect, it is the hon. Gentleman who should have the Bill read for him. The word "intimidating" is one of the options. The other two possibilities are obstruction and disruption, which are far more subjective than the word "intimidating".

There is a great deal to be said on the matter. The provision is a fundamental threat to a very basic right in Scotland—the freedom to roam. The Minister should have nothing to do with it. He can wear two hats tonight. He can wear the hat of someone who is an upholder of the Scottish legal system, or he can wear the hat of someone who is the upholder of a Scottish landowning family. He cannot serve both masters.

Mr. Bill Walker: It is true to say that there is concern in Scotland. Opposition Members who have spoken were right to draw attention to the concern. The concern is that people carrying out their normal, lawful activities fear that they will no longer be able to do so.

We must look carefully at the term "aggravated trespass". I declare an interest here. As the House knows, I am chairman of the all-party scout group. The scouts are very active in the countryside. I also happen to be president of the Scottish Gliding Union. Anyone who has watched the gliders flying around Scotland will realise that they frequently land in other people's gardens and premises. On one occasion, I remember landing in the middle of a go-kart racing meeting, and I hope that my landing on that day would not be looked on as aggravated trespass in future.

I also declare another interest: I regularly walk on the hills in my constituency—and elsewhere, but especially in my constituency. I know, and I have met, the people who are concerned. I am sure that the Minister will reflect the aspects of their concerns and will explain to the House why aggravated trespass will be a part of Scottish law, because there are areas in which it is needed.

However, the objective must be clearly to allow the activities that are currently carried out by individuals, such as those which I have described—the scouts, the hill walkers, the mountaineers and the glider pilots—to continue, so that there is no doubt whatever that normal activities are not at risk.

Mr. Eric Clarke (Midlothian): I shall also be brief. I want to deal with two aspects which I do not think have been covered. Before doing so, I shall say to the Ministers that, again, there has been no consultation. Whom did they consult in Scotland? The issue is about Scottish people, including anglers and ornithologists, as has been mentioned, having access.

I want to talk about birdwatchers. The steamer in May over to Orkney is full of people who are going bird watching. It is a big industry, by the way. It fills a lot of hotels and puts bread on the tables of a lot of people in those areas. If there is no access to the nesting sites, or to the lochs when trying to fish, or to the moorlands or the hills, how can people carry out their activities?

Many barriers and no-go areas in Scotland already exist. Huge boulders have been put in natural parking places by landlords who do not want people to stop. They want people to continue, to move on, and they do not want anybody to have any access to the country in which they were born. They may have bought land in the country, but they have not bought the country, and they have certainly not bought the people of country. I want access for Scottish people and for any visitors who are law-abiding.

I have been stopped and asked why I am looking over a bridge into a pool that happens to be full of salmon in the Strathalladale valley. I did not have a fishing rod, I had no gun in my hand, but the people there who were in control happened to be the ghillies who were watching us from a hill, and they told us to move on while we were on a highway. We told them what to do with themselves in no uncertain fashion. That is without the law being changed. Under the interpretation of over-zealous people, we know what will happen. Such people will move on everybody if they do not like them, or if they cannot make any money from them.

Aggravated trespass is trespassing of the wrong kind. I hope that the Government will think twice, especially the Ministers who are having a wee chat, and will take cognisance of the sincerity of our words. Like my colleagues and others, I have had many letters from many organisations and individuals who are worried about access and about the clause. I hope that, this early morning, we amend the clause, and I appeal to Conservative Members to support the amendment.

Mr. Thomas Graham (Renfrew, West and Inverclyde): The other week, I celebrated my silver wedding anniversary. Unfortunately, I had to be in the House to vote against the Government. If I had been privileged to spend the time with my wife, I would have been in the north of Scotland. I would have been in Sutherland enjoying the absolutely magnificent scenery and the magnificent countryside that we have in Scotland.

If the Government got their way, I would not be able to move in the countryside; I would probably be charged with aggravated trespass. I shall come to that point in a moment.

The Government are one of the most bungling, bloody foolish Governments that we have ever had in the history of this country.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. The hon. Gentleman has been in the House long enough to know how to conduct himself. I shall be grateful if he will withdraw the word "bloody".

Mr. Graham: I withdraw.

The Government have run the country into billions of pounds worth of debt. Once again, they have introduced a measure which will probably cost Scotland millions of pounds in tourist earnings. That is something that they do not recognise. They make every move with tunnel vision —they do not look at the overall situation.

I live in Scotland. I also travel the length and breadth of Scotland, and I meet American tourists, Italian tourists and German tourists—I meet the lot. They come to Scotland for fishing, hunting, hill walking, climbing and ornithology. I do not think that Tory Members, especially the Minister, have any fun in life. Some of us know that the country makes a living out of fishing and various other leisure pursuits.

Scotland has the longest coastline in Europe. Access to that long coast is free to the public and fishermen. I could take the Minister to many places in Scotland where people can park their cars, wander over the hills down to the beach, take out their fishing rods and throw them into the sea without breaking the law. Hopefully, they try to catch a cod, a haddock or whatever they can in the sea, without any fear of breaking the law. Under the Government's proposals, people will be breaking the law when they go to some of those areas; it will be aggravated trespass.

Many people in Scotland may spend a weekend of pleasure perhaps by driving—they may even drive from my area of Linwood. Perhaps a busload of men and women who have worked hard all week will drive to the north of Scotland, cross to the beach, bring out their rods and fish without any problems. *[Laughter.]* Listen to the laughter of those who have plenty. Many people do not have plenty; they rely on the freedom and ability to take part in pursuits, but they will be punished for not having the money to go to a golf course, a swimming pool or whatever. In Scotland, sea fishing is free at present. There is no charge for or hindrance to crossing land.

My hon. Friend the Member for Midlothian (Mr. Clarke) talked about ornithologists. I happen to be an amateur ornithologist. I know that Tory Members like real bird watching; my bird watching is of the feathered kind. I agree with my hon. Friend that there are many places that could be denied to a group of ornithologists who wish to see rare birds which have a beauty that perhaps other folk may not appreciate, but ornithologists do. Yet we could be construed as an unlawful assembly. It is very frightening for somebody like myself who was born in a tenement building in Glasgow but who appreciates the opportunity to get out into the countryside and who recognises the freedom of the Scottish heritage and the right to the freedom of movement which we have always agreed that our people should have.

As a kid and as a young man, I went with my father to camp on the banks of the Clyde. Maybe they were not very salubrious. Maybe the Ministers camped near Cannes. Maybe they swanned about the Seine or whatever—I do not know. But when I was a young boy, we did not have money, and we camped on the banks of the Clyde. There was nothing more pleasurable than beachcombing. It gave us a wee bit of fun, and it did not cost our parents a fortune.

If this law is passed tonight, these pursuits, which have been free to the people of Scotland, will become costly. Even the simple pursuit of sunbathing could be construed as a crime. I look at the rows of sun-tanned faces in front of me, the Tenerifes, the Canary Islands and the Bahamas. I can tell the House that few of the people I represent have that opportunity. They have to go into the public parks or to the free open spaces of Scotland—when the weather is good.

The point that I am making is a serious one. I underline the fact that these things are free, not subject to a punitive £5 or £10 tax while the Government's leaders fly to sunny lands elsewhere.

I have spoken about sea angling, about ornithology and about sunbathing, all of them free in Scotland. I will tell the House a story and ask hon. Members to think about it.

I am an hon. Member, and last year, in the company of my wife, my 15-year-old son and a friend who is very knowledgeable about the countryside, I went for a drive in the north of Scotland. We drove into an area called Inverpolly. I hope that the House is listening to this story. [HON. MEMBERS: "Yes."] We stopped in a beautiful part of Sutherland, known as Inverpolly nature reserve. My friend, my young son and I got out. *[Laughter.]* This is important. Maybe we have some laughing Members here and maybe they do not want to listen to a serious point, but they could be put in the situation that I was put in. My son was shown various sorts of fauna, things that were very rare. I am not skilled in these things, but my friend happens to be.

A Land Rover drew up, and a young man got out with a Welsh accent. *[Laughter.]* He shouted to myself and my family, "What are you doing here?" *[Interruption.]*

Mr. Deputy Speaker: Order. The Chair is keen to know what the Welshman said.

Mr. Graham: I am most grateful for your support in this serious matter, Mr. Deputy Speaker.

The gentleman proceeded to ask what we were doing there. I said that we happened to be looking at the fauna, and that my friend was explaining to my son what it is, what it means and how it arrived in Scotland. It arrived long before any Welshmen came to the area. I did not enter into any argument with the man, but I asked him who he was. *[Interruption.]* Government Members who may want to know about the Bill which we are debating tonight should consider this.

The man said that he was the landowner. He was not —he was the landowner's son. However, he was under the impression that we had to beg to be on the land. Is that the type of Scotland we want for the tourists who come along? I am not interested for myself, and I know that for every one of him there are a hundred others who will welcome the interest in the countryside.

However, there is that individual who can abuse the law, deny that freedom of movement, damage the reputation of this country and of tourism in this country, and can cost us a fortune in earnings which we desperately

[Mr. Graham]

need. I say to the Minister that this is bad legislation. The Government are trying to crack an ant and use a tank. It is nonsense.

I love Scotland. [HON. MEMBERS: "Hear, hear."] I also love and appreciate other parts of the world. The one fundamental thing that I have is that I am free to move about and to love the Scotland I live in. I hope that my sons will cherish the love that I have for the country by knowing that they can move about in it.

That is why we Scotsmen will play our part in defending this nation in any cause—because we know that we are supporting the right of Scotland to be for all. It is not for rich, it is not for the haves, but for every one of us—including those who have not even been born. I ask the Government to consign this bad legislation to the bin.

Mr. Maclennan: I begin by expressing my appreciation to the hon. Member for Renfrew, West and Inverclyde (Mr. Graham) for his eloquent testimony to the beauties of my constituency. Long may he visit it with his family and advertise its attractions. The hon. Gentleman expressed a true voice which needed to be expressed in this debate and which was an appropriate climax to the debate. He speaks for many in the House.

It may be something of a dying cause to recall the origins of the two clauses that have proved so controversial this evening, but the Government's failure to recognise the views that the hon. Member for Renfrew, West and Inverclyde expressed has unnecessarily led us a merry dance tonight.

Undoubtedly, the two clauses were introduced in response to a genuine policing problem in England and Wales, and with the full support of the police there. The problem did not exist in Scotland and we discovered with some surprise that the Government intended that the law should also be applied there. Changes to the public order laws affecting access to land in Scotland are bound to be sensitive and should not be made without widespread open consultation. The mischief—if mischief there is—must be demonstrated clearly before amendments to Scots law are put before the House.

It is not the case, as the hon. Member for Moray (Mrs. Ewing) said, that the Labour party lay down and accepted the legislation. In the Standing Committee the hon. Member for Greenock and Port Glasgow (Dr. Godman)—the sole voice of the Labour party in Scotland on the Committee—from the very beginning protested most strongly about the manner in which the Government were legislating. He was right to do so. A part of the Bill is devoted to Scotland, but no Scottish Minister was present in Committee to explain what consultations had taken place and the attitude of the Scottish police and the Law Society of Scotland to the problem. We heard tonight that they do not believe that the two clauses are necessary or wise. None of those matters was debated properly or considered before tonight, which is why there has been a long, protracted and open discussion. We could not discuss them before.

Contrary to the views expressed earlier, there is a justification for the two clauses to apply in England as they will enhance the effectiveness of the police when dealing with serious confrontations, which have grown in magnitude in recent years, to the point that lives have been lost in England and Wales. That problem does not exist in Scotland and there is no reason to believe that it will do so. The proposition that it may is hypothetical and we should not legislate to make major changes in the public order law of Scotland on the basis of such a hypothesis. I therefore support the view that the amendments that affect Scotland should not be added to the Bill.

Dr. Godman: I promise that I shall be brief, Mr. Deputy Speaker. I thank the hon. Member for Caithness and Sutherland (Mr. Maclennan) for the compliments that he paid me some minutes ago. Apart from all else, the debate has been reasonable—it was a lively one when my hon. Friend and neighbour, the Member for Renfrew, West and Inverclyde (Mr. Graham), spoke.

The debate was considerably marred by the unpleasant and nasty speech by the hon. Member for Moray (Mrs. Ewing). The hon. Member for Caithness and Sutherland also protested over the inclusion of controversial Scottish legislation in what is primarily an English Bill. We said over and over again that the measures should have formed part of a Scottish criminal justice Bill—I am given to understand that one will be introduced next year—or a Law Reform (Miscellaneous Provisions) (Scotland) Bill. Such measures come before the House every four or five years.

As an immigrant to the Clyde and someone who is neither a Munro bagger nor an ornithologist like my hon. Friend and neighbour the Member for Renfrew, West and Inverclyde, I should like to make a couple of points. Incidentally, my hon. Friend is himself a bit of a land grabber. It looks as if, as a result of the findings of the Boundary Commission, the best part of my constituency will go to him. I may lose 9,000 or 10,000 votes. I would take that very badly if it meant that I did not have the second safest seat in Scotland.

1.45 am

The measures were introduced to deal with a difficult problem in the shape of the activities of so-called new age travellers, hunt saboteurs and other, so-called, subversive groups—subversive in the view of people with a Tory perspective. What is wrong with the existing legislation when it comes to dealing with people who behave in a disorderly or unruly fashion while traversing land owned by others? We have the common law charge of breach of the peace, which many police officers have told me is entirely adequate to deal with the rare cases of unruly trespassers. Do we not also have the civil law enabling a landowner or his or her factor to take out an interdict in the Court of Session? What is wrong with that law?

As a lawyer, the Under-Secretary of State for Scotland knows as well as any Opposition Member that the clauses have been foisted upon him by Home Office Ministers. When, in Committee, I challenged the Minister of State about bringing the legislation into Scotland, he said—I am not quoting him verbatim—"If we were to leave the law in Scotland as it stands, and introduce these necessary measures to deal with new age travellers and others south of the border, the new age travellers would head north." I do not know how far they would go. Would they look for standing stones, dolmens and so on?

I challenge the Under-Secretary to contradict what I have just said. He and his right hon. and learned Friend at the Home Office foisted the legislation on to what I suspect were reluctant Scottish Office Ministers, as happened in

the case of the privatisation of prisons. In the context of the House of Commons and the Westminster Government, Scottish Office Ministers are very much messenger boys.

A large constituency, including not just Scotland but the whole United Kingdom, could be affected by the measures. It is not a middle-class constituency. The people who walk the hills of Scotland, those who fish in Scotland and those who come to enjoy the country's remarkable flora and fauna are from every social stratum. The odd-job lot opposite who, by any measure of parliamentary democracy have no mandate to govern in Scotland, seek to make life difficult.

I shall finish with an example. I know an old fellow in Glasgow. An ex-bricklayer, he is a constituent of my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway). He is in his 85th year, so there is no way that he can now go Munro bagging. However, for 60 to 70 years he walked Scotland's hills with his late and lovely wife, Pearl. He asked me, "Why are they doing this?" That remarkable old man said, "We have the common law. People can be accused of breaching the peace if they behave badly. A landowner can bring in an interdict to prevent a group of people from behaving badly on other people's property, so why are the Government doing this?" I told him that it is because Scottish Office Ministers are the puppets of the Home Secretary, who says that, if England must have the legislation, Scotland must also have it. Scottish Office Ministers will come to regret that, because— *[Interruption.]* I wish that the hon. Member for Moray (Mrs. Ewing) would wrap up. She would not accept an intervention from me. She is always highly emotional because she is a loser.

Mr. Welsh *rose—*

Dr. Godman: The Minister is making a mistake in presenting the measures. He is an honourable man, who knows in his heart that this is bad legislation. Scotland's own legal system can deal with recalcitrant trespassers, who should be dealt with effectively and efficiently by the police. They can be dealt with by recourse to extant law. The measure applies to England and should be restricted to England.

Mr. Welsh: The hon. Member for Greenock and Port Glasgow (Dr. Godman), who would not give way to me, said that my hon. Friend the Member for Moray (Mrs. Ewing) was a loser. The biggest loser tonight will be Scotland because, despite all the fine sentiments that have been expressed, the vote in this United Kingdom Parliament will ultimately go against the wishes of the Scottish people.

The call for unity has been rather pathetic. Those who have spoken against the measure realise full well that, despite their fine words, the vote will force an unwanted measure on Scotland. That is exactly what is going on upstairs in the Committee considering the Local Government etc. (Scotland) Bill. The clearly expressed wishes of the Scottish people are simply overruled because the in-built English majority is not listening to Scottish opinion.

There is absolute unity about wanting to maintain the present system in Scotland, where our people have free access, as they should have, to country areas. If that goes, it will go because the United Kingdom Parliament cannot take account of the needs of Scotland or the Scottish people. I wish that the Unionists in the Labour party would understand what they are inflicting on our people. All the fine words of protest mean nothing because of the system that they support. That will be seen in the Lobby tonight. When the Minister has finished replying, he will give no concessions. He will force this basically English measure, which is correct for England, on to Scotland.

May I appeal to all those hon. Members who represent an English seat to think seriously? The measure is correct for them but do they understand that, in voting for it tonight, they will force on to Scotland a measure that is not needed or wanted and is against the wishes of the majority? The unity in opposition to the measure will not be reflected because the United Kingdom Parliament cannot meet Scottish needs. Hon. Members will be undoing the Union case by ignoring Scottish opinion yet again. The hon. Member for Tayside, North (Mr. Walker) broadly hinted that fact to the Minister.

Ultimately, another United Kingdom vote will force on Scotland a measure that is unnecessary, unwanted and against the wishes of the people. That is the reality of the Unionism that the Labour party supports.

Lord James Douglas-Hamilton: This is not an English measure, as the hon. Member for Angus, East (Mr. Welsh) suggests. It is a British measure, which applies to Britain as a whole. No Conservative Member is prepared to see Scotland, any more than any other part of the Great Britain, become a refuge or haven for saboteurs. We have one policy for the nation as a whole.

The hon. Member for Renfrew, West and Inverclyde (Mr. Graham) made a most striking speech. He said that he was asked, "What are you doing here?" He is not the only Member to have been asked that. Brian Walden asked me that question on my first day in the House of Commons and I told him that I had been elected. I can tell the hon. Gentleman—*[Interruption.]*

Mr. Deputy Speaker: Order. Many hon. Members have had their say and have asked many questions of the Minister. The Minister must be given the opportunity to give his answers in reasonable silence.

Lord James Douglas-Hamilton: I can tell the hon. Gentleman that these provisions are not, in any sense, directed against him, against hill roamers, or against anyone of that kind. The clause refers clearly to circumstances where the trespasser "intends to intimidate". The hon. Gentleman has never intimidated anyone with his fishing rod or anything else.

I also make the point that, unless hill walkers, ramblers, Munro baggers, cyclists, anglers, ornithologists and the like intend to intimidate—*[Interruption.]*

Mr. Deputy Speaker: Order. I hope that I shall not have to say this again. The Minister must be given a fair hearing. The Chair wishes to hear him and I hope that hon. Members do so also.

Lord James Douglas-Hamilton: Unless these people intend to intimidate, disrupt or obstruct, there will be no question of the clause militating against them. Scotland is not immune to this kind of activity. There have been incidents—although very few—of this kind in the past. Scotland has been fortunate in not having witnessed the scale of problems encountered in parts of England, but there is every reason to take preventive action— *[Interruption.]*

Mrs. Ewing *rose—*

Mr. Deputy Speaker: Order. The hon. Lady has been in the House for a long time. She should realise that when the Minister is on his feet she should remain in her seat.

Lord James Douglas-Hamilton: Preventive measures should be taken to make certain that the difficulties that have arisen elsewhere in Britain are not allowed to arise in Scotland. This is a British policy and I strongly commend it to the House.

Mr. James Wallace (Orkney and Shetland): I had not intended to speak, but it was clear that the Minister was not going to take interventions and I think that there are still important points to be made.

Although a member of the Faculty of Advocates and of the Scottish Bar, the Minister quite clearly fails to appreciate that there is a distinctive legal system in Scotland. We may be a United Kingdom, but we are a United Kingdom that contains different legal systems. The Minister has not addressed that point.

In this clause we are grafting on to the Scottish system measures that the Minister has made perfectly clear are not justified in terms of the mischief that the clause is meant to address. The Minister said that very few incidents have occurred in Scotland. He has not told the House where the pressure has come from within Scotland to bring forward such a measure. There have been some suggestions that the measure was forced upon the Scottish Office. There has been no openness whatsoever. Who has asked the Scottish Office to bring forward the measure?

The Minister also failed to answer the important questions raised by the hon. Member for Moray (Mrs. Ewing) about how much the measure will cost the police forces in Scotland.

Mr. Graham: Does the hon. Member also realise that the Minister did not answer the point that I raised: that the measure is a recipe for bad landlords? It will open up a can of worms. It will restrict not just indigenous Scots but tourists and the people who come to this country and spend much-needed income.

Mr. Wallace: The Minister did not answer a number of points. No Scottish Minister served on the Standing Committee that considered the Bill and the reply that we received from the Minister this evening did not do justice to the debate that preceded it.

I understand that, under clauses 58 and 59, arrests can be made only by a constable in uniform. Does that mean that all hunts and grouse shoots or every expedition of ramblers has to be policed? If that is the case, what will be the financial cost to the police forces in Scotland? Will the Scottish Office make resources available to the police forces to allow this measure—which the Government obviously think is so necessary for Scotland—to be implemented properly? An important question about resources has arisen. That question has not been answered, and I hope that we can have an answer before the House is invited to vote on the amendment.

Mr. John Maxton (Glasgow, Cathcart) *rose—*

Mr. Deputy Speaker: The Question is that the amendment be made. As many as are of that opinion say "Aye", to the contrary, "No". Clear the Lobbies.

Mr. Maxton: On a point of order, Mr. Deputy Speaker.

The House proceeded to a Division:—

2 am

Mr. Maxton (*seated and covered*): On a point of order, Mr. Deputy Speaker. I was on my feet wishing to speak in the debate when you called the Division. I do not consider that to be proper parliamentary procedure at the Report stage of a Bill in which anybody is entitled to speak if he rises to his feet unless a motion to close the debate has been moved. No such motion has been moved and I was on my feet wishing to speak. I want you to stop the Division and allow me to make the points that I was going to make.

Mr. Deputy Speaker: The occupant of the Chair must be able to see an hon. Member on his feet, and I did not see anyone on his feet. *[Interruption.]* Order. I repeat that the occupant of the Chair is supposed to see an hon. Member on his feet and I did not see anyone on his feet. I have called a Division.

Hon. Members: Shame.

Mr. Deputy Speaker: The Question is that the amendment be made. As many as are of that opinion say "Aye", to the contrary "No". I think the Ayes have it.

Amendment agreed to.

Amendments made: No. 305, in page 110, line 29, leave out '123, 124, 126, 127'.

No. 79, in page 110, line 30, leave out '132' and insert '132(1)'.—*[Mr. Maclean.]*

Amendment proposed: No. 80, in page 110, line 32, after 'sections', insert '58, 59'.—*[Mr. Maclean.]*

Question put, That the amendment be made:—

The House divided: Ayes 246, Noes 108.

Division No. 209] **[2.03 am**

AYES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*

Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Gasel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hogg, Rt Hon Douglas *(G'tham)*
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacKay, Andrew
Maclean, David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Moate, Sir Roger
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shersby, Michael
Sims, Roger
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Andrew Mitchell and Mr. Michael Brown.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainsworth, Robert *(Cov'try NE)*
Austin-Walker, John
Barnes, Harry
Benn, Rt Hon Tony
Bennett, Andrew F.
Blair, Tony
Bray, Dr Jeremy
Burden, Richard
Campbell-Savours, D. N.
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clarke, Tom *(Monklands W)*
Corbyn, Jeremy
Corston, Ms Jean
Cunningham, Jim *(Covy SE)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dewar, Donald
Dixon, Don
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Etherington, Bill
Ewing, Mrs Margaret
Foster, Rt Hon Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gerrard, Neil
Godman, Dr Norman A.
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Gunnell, John
Hanson, David
Heppell, John
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Ilsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shaf'ld, H)*
Jones, Lynne *(B'ham S O)*
Kennedy, Jane *(Lpool Brdgn)*
Killoyle, Peter
Lewis, Terry
Livingstone, Ken
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
Madden, Max
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morley, Elliot
Mowlam, Marjorie
Mullin, Chris
Oliver, William
O'Neill, Martin
Pickthall, Colin
Pike, Peter L.
Powell, Ray *(Ogmore)*
Randel, David
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Sedgemore, Brian
Simpson, Alan
Skinner, Dennis
Smith, C. *(Isl'ton S & F'sbury)*
Spearing, Nigel
Strang, Dr. Gavin
Turner, Dennis
Wallace, James
Watson, Mike
Welsh, Andrew
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Noes:
Mr. Eric Clarke and Mr. Michael Connarty.

Question accordingly agreed to.

Mr. George Robertson (Hamilton): On a point of order, Mr. Deputy Speaker. At the calling of the vote, a number of points of order were raised and strong emotions were being expressed. I realise the difficulties for the Chair in an atmosphere of high emotion, and the debate, which lasted 91 minutes, was on a subject that is very important, certainly to Scotland. It has to be said that we were not reassured by the fact that, at the end of the debate, a Minister responded in three inadequate minutes. I therefore suggest that the anger felt by my colleagues is quite

[Mr. George Robertson]

understandable. Sensible arguments were made and serious and detailed questions were asked, but the Minister completely—

Mr. Deputy Speaker: Order. As an experienced Front Bencher, the hon. Gentleman knows full well that it is for the Minister to decide on his own speech.

Amendments made: No. 306, in page 110, line 32, leave out '125' and insert 'to 127'.

No. 81, in page 110, line 32, after '125', insert '132(2), (3) and (6)'.

No. 103, in page 110, line 32, after '125' insert ', 133, 134'.

No. 104, in page 110, line 33, at end insert

'and sections 133 and 134 also extend to the Channel Islands and the Isle of Man'.

No. 82, in page 110, line 42, after '130', insert ', 132(5)'.

No. 184, in page 110, line 42, after '130', insert ', 131(2)'.

No. 83, in page 111, line 1, leave out 'Section 44 extends' and insert

'Sections 44, 74(8) to (11), 75(4) to (6), 76(2) and 132(5A) extend'.—*[Mr. Maclean.]*

Schedule 1

ESCORT ARRANGEMENTS: ENGLAND AND WALES

Amendment made: No. 297, in page 113, line 15, leave out 'hat' and insert 'headgear'.—*[Mr. Maclean.]*

Schedule 4

TRANSFER FOR TRIAL

Amendments made: No. 191, in page 118, line 48, after 'shall' insert

', subject to subsection (10A) below,'.

No. 192, in page 118, line 51, at end insert—

'(10A) Where the evidence discloses an offence other than that charged the court need not dismiss the charge but may amend it or substitute a different offence; and if the court does so the amended or substituted charge shall be treated as the charge the proceedings on which are to be transferred for trial.'.

No. 193, in page 119, line 7, after 'charges' insert 'on the same evidence'.

No. 194, in page 119, line 19, at end insert

'or has succeeded in relation to one or more but not all the charges,'.

No. 195, in page 119, line 22, after 'charges' insert 'or remaining charges'.

No. 196, in page 119, line 39, after 'case' insert

'and of any documents referred to in it as having already been supplied to the magistrates' court on which it was served'.

No. 197, in page 119, line 40, after 'made)' insert 'a copy'.

No. 198, in page 122, line 33, at end insert—

' "the 1976 Act" means the Bail Act 1976;'.

No. 350, in page 122, line 33, at end insert—

' "the 1968 Act" means the Firearms Act 1968;'.

No. 199, in page 123, line 28, at end insert—

'Bail Act 1976 (c. 63.)

. In section 3 of the 1976 Act (incidents of bail in criminal proceedings)—

(a) in subsection (8) (variation and imposition of bail conditions by court), for the words from "committed" to "trial or" there shall be substituted the words "released a person on bail on transferring proceedings against him to the Crown Court for trial or has committed him on bail to the Crown Court"; and

(b) in subsection (8A), for the words "committed on bail" there shall be substituted the words "released on bail on the transfer of proceedings against him."

No. 351, in page 123, line 28, at end insert—

'Firearms Act 1968 (c. 27.)

. In paragraph 3(3) of Part II of Schedule 6 to the 1968 Act (trial of certain offences under that Act)—

(a) after the word "If" there shall be inserted the words ", under section 6 of the said Act of 1980,";

(b) for the words from "determines" to "for trial" there shall be substituted the words "dismisses the charge against the accused";

(c) in sub-subparagraph (a), for the words from "inquire" to "justices" there shall be substituted the words "proceed with a view to transferring for trial proceedings for the listed offence";

(d) in sub-subparagraph (b)—

(i) for the words "inquire into" there shall be substituted the words "proceed in respect of"; and

(ii) for the words from "its inquiry" to "justices" there shall be substituted the words "a view to transferring for trial proceedings for that offence."'.

No. 201, in page 126, line 6, at end insert—

'. In section 129 of the 1980 Act (further remand), in subsection (4)—

(a) for the words from "commits" to "bail" there shall be substituted the words "releases a person on bail on transferring proceedings against him to the Crown Court for trial"; and

(b) for the words "so committed" there shall be substituted the words "in respect of whom proceedings have been transferred."'.

No. 200, in page 128, line 43, at end insert—

'.—(1) Schedule 3 to the 1988 Act (enforcement of contribution orders) shall be amended as follows.

(2) In paragraph 1(b)—

(a) for the words from "who" to "by a magistrates' court)" there shall be substituted the words "against whom proceedings were transferred for trial or who was committed for sentence"; and

(b) for the words "committed him" there shall be substituted the words "transferred the proceedings against him or committed him for sentence."

(3) In paragraph 9(b), for sub-subparagraph (i) there shall be substituted the following sub-subparagraph—

"(i) in the proceedings against the legally assisted person being transferred to the Crown Court for trial or in the legally assisted person being committed to the Crown Court for sentence, or."

(4) In paragraph 10(2)(b), for sub-subparagraph (i) there shall be substituted the following sub-subparagraph—

"(i) in the proceedings against the legally assisted person being transferred to the Crown Court for trial or in the legally assisted person being committed to the Crown Court for sentence, or."'.—*[Mr. Maclean.]*

Schedule 9

MINOR AMENDMENTS

Amendments made: No. 186, in page 137, line 3, at end insert—

'Poaching: increase in penalties

.—(1) The Game Act 1831 shall be amended as follows.

(2) In section 30 (trespassing in search or pursuit of game)—

(a) for the words "level 1" there shall be substituted the words "level 3"; and

(b) for the words "level 3" there shall be substituted the words "level 4."

(3) In section 32 (searching for or pursuing game with a gun and using violence, etc.), for the words "level 4" there shall be substituted the words "level 5."

(4) The Game (Scotland) Act 1832 shall be amended as follows.

(5) In section 1 (trespassing in search or pursuit of game)—

(a) for the words "level 1" there shall be substituted the words "level 3"; and

(b) for the words "level 3" there shall be substituted the words "level 4."

(6) In section 6 (penalty for assaults on persons acting under the Act), for the words "level 1" there shall be substituted the words "level 3."

(7) The amendments made by this paragraph shall not apply to offences committed before this paragraph comes into force.'.

No. 187, in page 137, line 7, at end insert—

'Poaching: forfeiture of vehicles

After section 4 of the Game Laws (Amendment) Act 1960 there shall be inserted the following section—

"Forfeiture of vehicles.

4A.—(1) Where a person is convicted of an offence under section thirty of the Game Act 1831 as one of five or more persons liable under that section and the court is satisfied that any vehicle belonging to him or in his possession or under his control at the relevant time has been used for the purpose of committing or facilitating the commission of the offence, the court may make an order for forfeiture under this subsection in respect of that vehicle.

(2) The court may make an order under subsection (1) above whether or not it also deals with the offender in respect of the offence in any other way and without regard to any restriction on forfeiture in any enactment.

(3) Facilitating the commission of the offence shall be taken for the purposes of subsection (1) above to include the taking of any steps after it has been committed for the purpose of—

(a) avoiding apprehension or detection; or

(b) removing from the land any person or property connected with the offence.

(4) An order under subsection (1) above shall operate to deprive the offender of his rights, if any, in the vehicle to which it relates, and the vehicle shall (if not already in their possession) be taken into the possession of the police.

(5) Where any vehicle has been forfeited under subsection (1) above, a magistrates' court may, on application by a claimant of the vehicle, other than the offender from whom it was forfeited under subsection (1) above, make an order for delivery of the vehicle to the applicant if it appears to the court that he is the owner of the vehicle.

(6) No application shall be made under subsection (5) above by any claimant of the vehicle after the expiration of six months from the date on which an order in respect of the vehicle was made under subsection (1) above.

(7) No such application shall succeed unless the claimant satisfies the court either that he had not consented to the offender having possession of the vehicle or that he did not know, and had no reason to suspect, that the vehicle was likely to be used for a purpose mentioned in subsection (1) above.

(8) An order under subsection (5) above shall not affect the right of any person to take, within the period of six months from the date of an order under subsection (5) above, proceedings for the recovery of the vehicle from the person in possession of it in pursuance of the order, but on the expiration of that period the right shall cease.

(9) The Secretary of State may make regulations for the disposal of vehicles, and for the application of the proceeds of sale of vehicles, forfeited under subsection (1) above where no application by a claimant of the property under subsection (5) above has been made within the period specified in subsection (6) above or no such application has succeeded.

(10) The regulations may also provide for the investment of money and the audit of accounts.

(11) The power to make regulations under subsection (9) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(12) In this section, "relevant time", in relation to a person convicted of an offence such as is mentioned in subsection (1) above, means the time when the vehicle was used for the purpose of committing or facilitating the commission of the offence, or the time of the issue of a summons in respect of the offence.."'.

No. 349, in page 138, line 12, at end insert—

'Firearms: increase in penalties

.—(1) In Part I of Schedule 6 to the Firearms Act 1968 (punishment of offences under the Act)—

(a) in the entry for section 5(1) (possessing or distributing prohibited weapons or ammunition), in the entry in the fourth column specifying the punishment on conviction on indictment, for the words "5 years" there shall be substituted the words "10 years"; and

(b) in the entry for section 5(1A) (possessing or distributing other prohibited weapons)—

(i) in the entry in the fourth column specifying the punishment on summary conviction, for the words "3 months" there shall be substituted the words "6 months"; and

(ii) in the entry in the fourth column specifying the punishment on conviction on indictment, for the words "2 years" there shall be substituted the words "10 years."

(2) In Schedule 2 to the Firearms (Northern Ireland) Order 1981, in the entry relating to Article 6(1) (which makes persons convicted on indictment of certain offences relating to prohibited weapons liable, among other penalties, to imprisonment for a period not exceeding 5 years), in column 4 for the words "5 years" there shall be substituted the words "10 years."'.

No. 203, in page 139, leave out lines 8 to 12.

No. 202, in page 141, line 26, at end insert—

'Fraud cases: preparatory hearings

. In section 7 of the Criminal Justice Act 1987 (preparatory hearings for certain fraud cases), in subsection (1), for the words "seriousness and complexity" there shall be substituted the words "seriousness or complexity."'.—[*Mr. Maclean.*]

Mr. Michael: I beg to move amendment No. 76, in page 143, line 39, to leave out from 'below' to end of line 42.

I shall not speak at length in view of the hour, but it would be remiss of us not to deal with the important issue of pre-sentence reports. The Minister who attended the Committee will know of the considerable anger that was expressed about the fact that amendments were tabled at a very late stage—amendments that had not been the subject of consultation with those who deal with pre-sentence reports and the business of probation.

There had been no consultation with the Central Council of Probation Committees, either, or with the Association of Chief Officers of Probation. The National Association of Probation Officers opposed the amendments and there was also concern and opposition on the part of the Justices' Clerks Society.

That led us to table amendments Nos. 76 and 77, which would exempt offenders under the age of 18 from the provisions on pre-sentence reports. The Bill provides that the courts will no longer have to obtain a pre-sentence report before passing a custodial or community sentence on an offender if they consider that obtaining such a report is "unnecessary".

The principal reason for requiring courts to consider pre-sentence reports before passing a custodial sentence was summarised in the 1990 White Paper, "Crime, Justice and Protecting the Public", as follows:

"The purpose of requiring the courts to consider a report by the probation service when a custodial sentence is contemplated will be to provide the court with detailed information about how the offender could be punished in the community, so that option can be fully considered."

It seems that on the basis of a few conversations during his travels around the country the Minister came to the conclusion that that could be cast to one side.

The adverse effects of custody on young people, and the high reconviction rates for young people released from custody, make it especially important that it is used only when other options have been carefully considered and, for

[Mr. Michael]

good reasons, rejected by the court. That should not be a matter for disagreement across the House. The Home Office's own figures show that 82 per cent. of juveniles leaving prison service custody are reconvicted within two years.

Without up-to-date information of the kind available in a pre-sentence report, courts could impose sentences on young offenders harsher than might be justified in the circumstances, or indeed—to mention one of the possibilities that seem to concern Conservative Members more—sentences that are too short to protect the public from an offender who poses a risk of serious harm. Courts may also miss the opportunity to sentence an offender to a community sentence of a kind that can effectively tackle problems and change the attitudes underlying his or her offending.

It is important that the court should have the right information before it, and a full understanding of the reasons why an offender has committed offences, so as to take the right decision and give the right punishment to deal with that particular offender and that particular offence.

The importance of such information in selecting the best way of dealing with young offenders was underlined by the findings of the recent Policy Studies Institute survey, "Persistent Young Offenders", published this year. That showed that persistent young offenders frequently lead chaotic, disrupted and traumatised lives, often involving severe family problems, experience of abuse, exclusion from school, homelessness and—increasingly often in modern society—drugs. That is why the Opposition have tried to require the Government to introduce a proper national strategy for dealing with drugs, and especially to target young offenders within such a strategy.

Young offenders' circumstances are liable to rapid change. That in itself is a reason why it is inadequate to depend on a report that, although recent, may not be up to date. Careful attention to up-to-date information when making decisions about the treatment of offenders is essential if they are to be helped to avoid a downward spiral made worse by the effects of the criminal justice system operating in the wrong way, and not working as it was intended to work.

The type of information that can be made available, and that is extremely relevant to decisions, concerns the circumstances of the individual. For instance, family circumstances can change rapidly and there can be a crisis in the family. There should be information about the attitude of the offender to the victim, including whether there is remorse or a lack of it. There should be information about whether the offender has successfully completed previous non-custodial sentences. In my experience in both youth and adult courts, the report showing what has happened and what decisions have been made about an offender is frequently not up to date when the court comes to take a decision. Often it is the report prepared by the probation service that provides to the court information that is crucial in that it is up to date and understands precisely the circumstances of the offending. Information on the success or otherwise in completing non-custodial sentences, or breaches of or failure to respond to such sentences, should be before the court before decisions are taken.

Information about the offender's attitudes and characteristics which are relevant to the risk of future offending and the likely seriousness of any future offences should be available. The House should ensure that information on the seriousness of possible offences and the impact on victims is available to the court, especially in relation to those under 18.

There is a danger that the continual fluctuations—there have been changes in the past three Criminal Justice Bills—in the amount of information that is available to the court in dealing with offenders undermine the system. That should not be allowed to happen, especially in relation to those aged under 18. I hope that the Minister will tell the House what consultations he has undertaken; he was invited in Committee to undertake consultations with the probation service, with the Central Council of Probation and After-Care Committees, with those who have the responsibility of trying to make the system work, with the magistrates and with the Justices' Clerks Society. He should have undertaken those consultations because, as we said in Committee, we found out in the 48 hours before the Government's amendment being debated that all those organisations were very concerned about the amendment and had not been properly consulted.

The importance of dealing properly, accurately and in a targeted way with those aged under 18 is, to a great extent, the key to the way in which we prevent young offenders from turning into persistent adult offenders. That should be a major target of the House and of the criminal justice system as a whole.

I should have liked to have spoken for longer because these issues are extremely important. I have some experience, both as a magistrate and as member of a probation committee. It is wrong for the amendments, which were tabled at so late a stage, to brush aside careful consideration of these pieces of information, which are important not only to target the behaviour of the offender, but to ensure that the courts are able to do their job of protecting the public in the future and of reducing the likelihood of reoffending.

For those reasons, I commend the amendments to the House. I hope that the Minister will accept them as a modest step backwards from the extreme situation to which he took us in Committee. I hope that he will explain to us whether he has accepted the invitation for proper consultation, which had not been accepted before he moved amendments in Committee and which was needed before the House contemplated such a severe change in the method of dealing with reports in court.

Mr. Maclean: I have listened carefully to the hon. Member for Cardiff, South and Penarth (Mr. Michael). Of course, I greatly respect his experience as a magistrate. The more I listened to him, the more convinced I became that there was not much between us on the issue, although there was a small point of principle. I am afraid that I must tell the hon. Gentleman that that is enough to lead me to say that I cannot accept the amendments.

The amendments would have the unhelpful effect, in the case of offenders aged under 18, of removing the limited discretion that the Government intend to give the courts to dispense with a pre-sentence report. The requirement in the case of juvenile offenders that the courts must have regard to a previous report on the offender concerned in all cases involving an offence triable summarily—or an either-way case—before they may exercise their discretion to dispense

with the requirement to obtain a pre-sentence report has been imposed by the Government precisely because we recognise that special considerations apply in the case of juveniles and because the courts must have proper regard to their welfare requirements. The effect of the constraints that we have imposed on the courts' discretion in the case of juveniles will be to ensure that in every case the courts will have regard to a report on the offender. That will provide the necessary safeguards for juvenile offenders who have been sentenced to custody or to a major community sentence for an offence triable summarily on either-way cases.

2.30 am

The restrictions imposed by the amendments will, I believe, limit the sentencing power of judges and magistrates unnecessarily and in an unacceptable way. In the case of juvenile offenders, the court will invariably have a report before it and, if it contains the information that the court needs, I say to the hon. Member that there is no reason why a new pre-sentence report should be required.

Of course, I assure the hon. Gentleman that the new arrangements will be kept under review to ensure that they work satisfactorily. I am convinced that they will. Of course, we shall want to keep them under review and, in the process of going round the country and consulting others, I shall ensure that we take any views into account. In view of those assurances and the fact that there is not a great deal between us, I hope that the hon. Gentleman will agree to withdraw his amendment.

Amendment negatived.

Amendments made: No. 352, in page 144, line 44, at end insert—

'Fines

.—(1) Sections 18 and 20 of the Criminal Justice Act 1991 (which relate respectively to the fixing of fines and financial circumstances orders) shall be amended as provided in sub-paragraphs (2) and (3) below.

(2) In section 18—

(a) for subsection (1), there shall be substituted the following subsection—

"(1) Before fixing the amount of any fine to be imposed on an offender who is an individual, a court shall inquire into his financial circumstances."; and

(b) in subsection (3), after the word "fine" there shall be inserted the words "to be imposed on an offender (whether an individual or other person)".

(3) In section 20, in subsections (1), (1A), (1B), (1C), (2) and (3) for the words "a person" and "any person" there shall be substituted the words "an individual" and "any individual".

(4) In section 57(4) of that Act (application to local authorities of power to order fines to be paid by a parent or guardian), paragraph (b) shall be omitted.

(5) The amendments made by this paragraph apply in relation to offenders convicted (but not sentenced) before the date on which this paragraph comes into force as they apply in relation to offenders convicted after that date.'.

No. 354, in page 144, line 44, at end insert—

'False statements as to financial circumstances

. After section 20 of the Criminal Justice Act 1991 there shall be inserted the following section—

"False statements as to financial circumstances.

20A.—(1) A person who is charged with an offence who, in furnishing a statement of his financial circumstances in response to an official request—

(a) makes a statement which he knows to be false in a material particular;

(b) recklessly furnishes a statement which is false in a material particular; or

(c) knowingly fails to disclose any material fact,

shall be liable on summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale or both.

(2) For the purposes of this section an official request is a request which—

(a) is made by the clerk of the magistrates' court or the appropriate officer of the Crown Court, as the case may be; and

(b) is expressed to be made for informing the court, in the event of his being convicted, of his financial circumstances for the purpose of determining the amount of any fine the court may impose.

(3) Proceedings in respect of an offence under this section may, notwithstanding anything in section 127(1) of the 1980 Act (limitation of time), be commenced at any time within two years from the date of the commission of the offence or within six months from its first discovery by the prosecutor, whichever period expires the earlier.".'

No. 43, in page 145, line 16, at end insert—

'Sexual offences

.—(1) In section 31(1) of the Criminal Justice Act 1991 (which defines, amongst other expressions, "sexual offence"), for that definition, there shall be substituted the following definition—

"sexual offence" means any of the following—

(a) an offence under the Sexual Offences Act 1956, other than—

(i) an offence under section 12 or 13 of that Act which would not be an offence but for section 2 of the Sexual Offences Act 1967, or

(ii) an offence under section 30, 31 or 33 to 36 of that Act;

(b) an offence under section 128 of the Mental Health Act 1959;

(c) an offence under the Indecency with Children Act 1960;

(d) an offence under section 9 of the Theft Act 1968 of burglary with intent to commit rape;

(e) an offence under section 54 of the Criminal Law Act 1977;

(f) an offence under the Protection of Children Act 1978;

(g) an offence under section 1 of the Criminal Law Act 1977 of conspiracy to commit any of the offences in paragraphs (a) to (f) above;

(h) an offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit any of those offences;

(i) an offence of inciting another to commit any of those offences;".

(2) The amendment made by this paragraph shall apply in relation to offenders convicted (but not sentenced) before the date on which this paragraph comes into force as it applies in relation to offenders convicted after that date.'.

No. 44, in page 146, line 14, at end insert—

'Anonymity of victims of certain offences

.—(1) In section 2(1) of the Sexual Offences (Amendment) Act 1992 (offences to which that Act applies), after paragraph (e) there shall be inserted the following paragraphs—

"(f) any conspiracy to commit any of those offences;

(g) any incitement of another to commit any of those offences.".

(2) The amendment made by this paragraph shall apply in relation to offenders convicted (but not sentenced) before the date on which this paragraph comes into force as it applies in relation to offenders convicted after that date.'.

No. 175, in page 146, line 18, leave out from first 'the' to end of line 19 and insert

'substitution, for the words from "or the powers" to the end, of the words "and, where it confers a power on the court, shall not apply in proceedings instituted before the coming into force of that provision.".'—[*Mr. Maclean.*]

Schedule 10

CONSEQUENTIAL AMENDMENTS

Amendments made: No. 355, in page 146, leave out lines 25 to 27 and insert 'proviso (b) shall be omitted.' No. 357, in page 146, line 27, at end insert—

'Evidence of accused in criminal proceedings

. In section 1 of the Criminal Evidence Act (Northern Ireland) 1923 (competency of accused to give evidence in criminal proceedings)—

(a) after the words "Provided as follows:-" there shall be inserted the following proviso—

"(a) A person so charged shall not be called as a witness in pursuance of this Act except upon his own application;";

(a) proviso (b) shall be omitted.'

No. 302, in page 147, line 38, at end insert—

'Payment of damages by police authority

. In section 48(4) of the Police Act 1964 (payment by police authority of damages awarded against constables), after the words "section 14 of this Act" there shall be inserted the words "or section 127 of the Criminal Justice and Public Order Act 1994".'

No. 303, in page 148, line 10, at end insert—

'Payment of damages by Scottish police authority

. In section 39(4) of the Police (Scotland) Act 1967 (payment by police authority of damages awarded against constables), after the words "section 11 of this Act" there shall be inserted the words "or section 127 of the Criminal Justice and Public Order Act 1994".'

No. 88, in page 150, line 16, at end insert—

' .—(1) The Protection of Children (Northern Ireland) Order 1978 shall be amended as follows.

(2) In Article 4(1)—

(a) after the word "photograph" there shall be inserted the words "or pseudo-photograph"; and

(b) after the word "photographs" there shall be inserted the words "or pseudo-photographs".

(3) In Article 5(3) and (5), after the word "photographs" there shall be inserted the words "or pseudo-photographs".

(4) In Article 6(1), after the word "photographs" there shall be inserted the words "or pseudo-photographs".

(5) In Article 7(1), after the word "Order" there shall be inserted the words "relating to indecent photographs of children".'.

No. 177, in page 150, line 20, at end insert—

'Procedure for young offenders in cases of grave crimes

. In section 24(1)(a) of the Magistrates' Courts Act 1980 (exception to summary trial of children or young persons) the words "he has attained the age of 14 and" shall be omitted.'

No. 360, in page 152, line 46, at end insert—

'(1A) In Article 4—

(a) in paragraph (1)—

(i) for the words "to (7)" there shall be substituted the words "and (4)";

(ii) in sub-paragraph (b), the words "be called upon to" shall be omitted;

(iii) for the words from "if" onwards there shall be substituted the words ", at the conclusion of the evidence for the prosecution, his legal representative informs the court that the accused will give evidence or, where he is unrepresented, the court ascertains from him that he will give evidence";

(b) for paragraphs (2) and (3) there shall be substituted the following paragraph—

"(2) Where this paragraph applies, the court shall, at the conclusion of the evidence for the prosecution, satisfy itself (in the case of proceedings on indictment conducted with a jury, in the presence of the jury) that the accused is aware that the stage has been reached at which evidence can be given for the defence and that he can, if he wishes, give evidence and that, if he chooses not to give evidence, or having been sworn, without good cause refuses to answer any question, it will be permissible for the court or jury to draw such inferences as appear proper from his failure to give evidence or his refusal, without good cause, to answer any question.";

(c) in paragraph (4)—

(i) at the beginning there shall be inserted the words "Where this paragraph applies,";

(ii) in sub-paragraph (a), for the words "from the refusal as appear proper" there shall be substituted the words "as appear proper from the failure of the accused to give evidence or his refusal, without good cause, to answer any question";

(d) in paragraph (5), for the words "refusal to be sworn" there shall be substituted the words "failure to do so";

(e) paragraphs (9) and (10) shall be omitted.'

No. 185, in page 156, line 14, at end insert—

'Contracted out prisons: exclusion of search powers

. In section 87(3) of the Criminal Justice Act 1991 (provisions of Prison Act 1952 not applying to contracted out prisons), after the word "officers)" there shall be inserted the words "and section 8A (powers of search by authorised employees)".'.

No. 57, in page 156, line 33, at end insert—

'Secure training orders: cost of supervision by probation officer

. In section 17 [illegible] Probation Service Act 1993 (probation committee expenditure)—

(a) in subsection (1), for the words "and(5)" there shall be substituted the words "(5) and (5A)"; and

(b) after subsection (5) there shall be inserted the following subsection—

"(5A) Nothing in sections 18 or 19 requires there to be paid out of the metropolitan police fund or defrayed by a local authority any expenses of a probation committee which are defrayed by the Secretary of State under section 3(5A) of the Criminal Justice and Public Order Act 1994."'.'—*[Mr. Maclean.]*

Schedule 11

Repeals

Amendments made: No. 356, in page 156, line 39, column 3, leave out 'provisos (a) and (b)' and insert 'proviso (b)'.

No. 358, in page 156, line 40, at end insert—

'1923 c.9 (N.I.).	Criminal Evidence Act (Northern Ireland) 1923.	In section 1, proviso (b).'

No. 204, in page 157, line 14, at end insert—

'1965 c. 69.	Criminal Procedure (Attendance of Witnesses) Act 1965.	Section 1.'.

No. 178, in page 157, line 41, column 3, at end insert—

'In section 24(1)(a), the words "he has attained the age of 14 and".'

No. 205, in page 157, line 44, column 3, at end insert—

'Section 102. Section 103. Section 105. Section 106. Section 145(1)(e). In section 150(1), the definition of "committal proceedings". In Schedule 5, paragraph 2.'.

No. 206, in page 158, line 27, at end insert—

'1988 c. 34.	Legal Aid Act 1988.	In section 20(4)(a), the words "trial or". Section 20(4)(bb). Section 20(5).'.

No. 359, in page 158, line 27, at end insert—

'1988/1987 (N.I.20).	Criminal Evidence (Northern Ireland) Order 1988.	In Article 4, in paragraph (1)(b) the words 'to be called upon to" and paragraphs (9) and (10).'

No. 207, in page 158, line 34, at end insert—

'1991 c. 13.	War Crimes Act 1991.	In section 1(4), the words "England, Wales or'. Part I of the Schedule.'.

No. 353, in page 158, line 43, column 3, at end insert —

'Section 57(4)(b), together with the word "and" preceding it.'

No. 347, in page 158, line 45, at end insert—

'Note: The repeals that are to come into force on the passing of this Act are the following, namely, the repeals in the Caravan Sites Act 1968 and the Public Order Act 1986.'—[*Mr. Maclean.*]

Title

Amendment made: No. 133, line 30, after 'prisons;', insert

'to amend the law relating to homosexual acts'.—[*Mr. Maclean.*]

Manuscript amendment made: In line 30, after 'prisons' insert

'to penalise certain uses of germ cells or embryos'.—[*Mr. Maclean.*]

Motion made and Question put, That the Bill be now read the Third time.—[*Mr. Howard.*]

The House divided: Ayes 220, Noes 44.

Division No. 210] [2.34 pm

AYES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Allason, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fox, Dr Liam *(Woodspring)*
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hogg, Rt Hon Douglas *(G'ham)*
Howard, Rt Hon Michael
Howarth, Alan *(Straf'rd-on-A)*
Hughes Robert G. *(Harrow W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lidington, David
Lightbown, David
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacKay, Andrew
Maclean, David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Matse, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Ryder, Rt Hon Richard
Sackville, Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shersby, Michael
Sims, Roger
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Timothy Kirkhope and Mr. Derek Conway.

NOES

Abbott, Ms Diane
Austin-Walker, John
Barnes, Harry
Benn, Rt Hon Tony
Burden, Richard
Chisholm, Malcolm

Clapham, Michael
Clarke, Eric *(Midlothian)*
Clelland, David
Connarty, Michael
Corbyn, Jeremy
Corston, Ms Jean
Cunningham, Jim *(Covy SE)*
Davies, Rt Hon Denzil *(Llanelli)*
Dunnachie, Jimmy
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Gunnell, John
Heppell, John
Home Robertson, John
Hood, Jimmy
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jones, Lynne *(B'ham S O)*
Kennedy, Jane *(Lpool Brdgn)*
Lewis, Terry
Livingstone, Ken
Loyden, Eddie
McAllion, John
Macdonald, Calum
Madden, Max
Mahon, Alice
Marshall, Jim *(Leicester, S)*
Michie, Bill *(Sheffield Heeley)*
Pickthall, Colin
Sedgemore, Brian
Simpson, Alan
Skinner, Dennis
Watts, John
Wise, Audrey
Wray, Jimmy

Tellers for the Noes:
Mr. Neil Gerrard and
Mr. Andrew Bennett.

Question accordingly agreed to.
Bill read the Third time, and passed.

Russia and Neighbouring States

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lightbown.]*

2.43 am

Mr. Michael Fabricant (Mid-Staffordshire): Even at this late hour, and after two very late evenings, I welcome the opportunity to raise the subject of the Government's policy towards Russia.

Before I became a Member of Parliament, I was deputy chairman of a manufacturing and broadcasting group, and had the opportunity to work and live in many parts of the world. It was my privilege to count the Government of the former Soviet Union as one of my clients, which enabled me make many visits to that vast and enigmatic country.

I had the exciting opportunity to see the birth of a new nation at close hand, and on one occasion even became involved in a massive demonstration in Red square in the dying days of the Gorbachev era. I was also able to play a small part in the training of Radio Moscow news personnel in western news gathering techniques and editorial policy.

But no one—neither I nor my Russia friends, many of whom I have had the opportunity of entertaining here at the Palace of Westminster since my election—could have imagined the changes which have taken place during the past few years. The immediate aftermath of the failed August coup gave the impression that the new rulers of Soviet Russia were intoxicated with the liberalising ideal.

While Yeltsin banned the communist party, the statue of the hated Felix Dzerzhinsky, founder of the first communist secret police, was being pulled down in the Lubyanka square. Shortly afterwards, a thorough reform of the KGB was announced by its newly appointed head Vadim Bakatin.

A new dawn had at last arrived—or so it seemed. A couple of years after the coup, we witnessed the rise of Vladimir Wolfavitch Zhirinovsky. Hardliners have again been elected to the Russian Parliament, the Russian reform programmes have stalled, and KGB spies have been unearthed in America. Clear examples of Russian meddling have been exposed in the near abroad.

As Professor Martin Malia argued in an essay in 1989, Russia is caught between two worlds: an old world which refuses to die and a new one which is too weak to be born. Is it any wonder that the famous organ *Pravda* stated on the dissolution of the old Soviet Union:

"Some joyfully exclaim: Finita la comedia! Others are heaping their hands on their heads and ask what will be"?

I welcome the opportunity in this debate to try to answer that question. In doing so, I intend first to comment on the unstable and dangerous political situation in Russia; secondly to examine Russian intervention in the near abroad; and finally, to offer proposals as to what the Government and the west can do to help ensure that the post-Soviet union moves progressively forward.

First, the current position. In 1990, Solzhenitsyn declared:

"Time has finally run out for communism, but its concrete edifice has not yet crumbled. May we not be crushed beneath the rubble instead of gaining liberty."

Sadly, there are clear signs that the rubble is increasing. The election that took place on 12 December 1993, instead of ushering through a new era of democratic politicians, brought about the emergence of sovereign communism or

communo-patriotism, as Zhirinovsky's misnamed Liberal Democratic party and other pro-communists gained 40 per cent. of the seats in the state duma.

The pro-reform forces won just 35 per cent. of seats in the lower chamber of Parliament. While the forces of darkness gained the upper hand in the Parliament, the forces of reaction took hold of the reins of power in government. Reformers like Prime Minister Yigal Gaidar and Finance Minister Boris Fydorov were usurped by grey men in wide lapels from the military-industrial complex. Those included men from the Brezhnev and Gorbachev era, such as Gerashenko as head of the central bank and Alexander Zaveryukha in charge of agriculture. The prospects for economic reform look bleak when the head of the central bank is beholden to the military-industrial lobby. The former western economic adviser to Yeltsin, Jeffrey Sachs, described Gerashenko as

"the worst central bank Governor in history."

Is it any wonder that genuine economic reform in Russia has faltered? Is it a surprise that the talk in Moscow is not of democracy and liberalisation, but of coups, President Yeltsin's ill health and Russia's impending slide towards dictatorship?

What are we going to do to stop that slide? What can we do? Before coming to any conclusions, we must also consider the continued flourishing of the Russian intelligence services and the strength of its military forces. As we cut back on our defence budget, we would do well to remember the maxim:

"The price of liberty is eternal vigilance."

Russia has continued to developed weapons of germ warfare at special laboratories—known as the Biopreparat project—in defiance of international agreements. In late 1992, a Russian defector told the Central Intelligence Agency that, despite Yeltsin's claims, Russian researches into and development of new strains of genetically engineered super-weapons were continuing apace.

As James Adams wrote in *The Sunday Times* on 27 March 1994, a secret new facility is being built in St Petersburg. Far from the Biopreparat biological warfare programme being shut down, it has undergone considerable modernisation. When we give financial aid to Russia, should we not first consider how much money is being spent on such programmes?

Can my right hon. and learned Friend the Minister confirm the report in *The Spectator* of 23 January 1993 that the Foreign Secretary and the former United States Secretary of State, Mr. Lawrence Eagleburger, wrote a letter on 24 August 1992 to Andrei Kozyrev, stating:

"We are very concerned that some aspects of the offensive biological warfare programme, which President Yeltsin acknowledged as having existed and which he banned in April, are in fact being continued"?

Since that letter, far from any scaling down of that research, Russian scientists have been put on trial as recently as February this year for revealing a "state secret" in the *Moscow News* about a lethal new chemical weapon called Novichok.

What are we to make of the revival of the activities of the Russian intelligence services? Last November, Michael Smith—an electronics engineer—was jailed for 25 years on three charges of spying for Russia, including giving Russian intelligence notes about the star wars project. When speaking for the prosecution, our Solicitor-General said:

"The political situation in Russia was, and still is, unstable and Russia cannot be ruled out as a potential future enemy."

In the United States too the CIA has been rocked to the seams by one of the worst spying breaches in history.

Soviet and anti-democratic revivalists are sadly still on the march, and while some progress is being made towards reform, for many people in the former Soviet Union, the end of the cold war has not yet thawed much of the political system. Cold thaw politics must not be allowed to evolve into a cold peace.

What about Russian activities in the near abroad? The Government should note with increasing concern the actions of Russia in the former Soviet republics. Do we want a genuine commonwealth of independent states, or are we content to sit by and see a new Soviet Union mark 2 emerging—a new Russian empire in which the republics are mere satellites of the Kremlin once again?

Recent months have witnessed a resurgent Russia, intent on ensuring that the republics remain in Russia's sphere of influence. Russian troops seem intent on staying in Estonia and Latvia. In other republics, such as Georgia, Moscow has established virtual protectorates, signing so-called treaties of "friendship, good neighbourliness and co-operation." The treaties allow the Russian army to establish three military bases in Georgia.

In other republics, such as Azerbaijan and Belarus, by engineering local coups, Moscow has made certain that democratically elected presidents are replaced by leaders sympathetic to Moscow. That is why former Politburo member and ally of Brezhnev, Geidar Aliev, now rules Azerbaijan, and why the reformer Stanislav Shushkevich was replaced by a former senior Soviet policeman, Mecheslav Grib.

In the Ukraine, Russia seems intent on stirring up civil war by encouraging and supporting pro-Russia candidates.

Will the west stand by as Russia attempts to regain its old colonial empire? As the famous historian Richard Pipes has remarked,

"One can understand Russia's resistance to international forces operating on what had hitherto been her domain ... But by what right does Moscow assert the privilege of intervening in neighbouring countries whose sovereignty it recognises?"

Pipes makes an important point here. Why should the Russian army be allowed to intervene in sovereign states like Moldavia?

So I come to my third and final point: what can be done? What should be Government policy towards Russia? Churchill said that Russia

"is a riddle wrapped in a mystery inside an enigma".

Yet there are some things that the Government, together with other countries in the west, can do to persuade Russia to embark on a genuine programme of reform and liberalisation.

Schemes like the know-how fund are excellent and should be expanded. It is a shame that Members of the European Parliament have frozen half the European Union's TACIS budget. I very much welcome the excellent activities of the all-party group the Future of Europe Trust. These should be supported every step of the way.

We need to link aid more to the behaviour of Russia in the near abroad. We have to be careful that Russian aid does not allow the Russian Government to evade hard economic policies such as the cutting of subsidies. Money should be more specifically targeted and ring-fenced for the purpose for which it is intended—for education, for training and for clearing up the environment, and so on. As

[Mr. Michael Fabricant]

George Soros recommends, aid should be given in the form of hard currency, and should go directly to the people, by-passing Parliament.

The successful reforms carried out by the governor of Nizhy Novgorod should be examined closely by the west as a model of successful reform. The governor of the region, Boris Nemtsov, has achieved miracles in his economic reforms, and should be encouraged in every way possible. We should encourage the development of modern politics even more than we do already. We should actively encourage democratic political groups to present clear and cogent proposals for reform and end their internal divisions.

A vigorous coalition of pro-democracy forces would present a real threat—as it did during the 1991 August coup—to the forces of reaction. Such a coalition, with a sensible programme of reform, would gain respect and support from western nations. In turn, this would bolster and encourage the granting of aid to help smooth the difficulties created by price liberalisation and unemployment. If President Yeltsin is to fulfil the ideas so cogently argued in his memoirs "Against the Grain" he must be persuaded once again to ally himself with the democrats and to move away from the cold embraces of those opposed to reform.

The balance of constructive support with internal interference is a difficult tightrope to tread. We must all be aware of that fact. Mother Russia and her people have a long and heroic history, and we must be ever aware that no citizen of any country, let alone of a super-power, welcomes interference from a foreign power.

Yet, while wishing the Russian Federation and its people godspeed in their long trek to democracy and prosperity, we must be ever alert to prevent that nation's slide into another hell, which could drag the whole world into its inferno. As Milton said in "Paradise Lost",

"Long is the way and hard that out of hell leads up into light".

2.55 am

The Minister of State, Foreign and Commonwealth Office (Mr. Douglas Hogg): This issue is indeed an important one. I congratulate my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) on the knowledge and learning that he has displayed, and on his understanding of the problems that beset modern Russia. He has illuminated the debate. As the hour is wholly inappropriate for discussion of a matter of such gravity, I propose to be very brief.

My hon. Friend focused on three issues—the current position, the near abroad and main pillars of policy. I shall make just a few remarks under each heading.

First, on the current position, my hon. Friend is pessimistic, and there is cause for pessimism. I am less pessimistic than him. I believe that policies of reform are still alive. However, if there is not substantial economic progress within the next two years, prospects are pretty bleak.

My hon. Friend went on to discuss the near abroad. Russia has legitimate concerns within the former Soviet Union, but we must never accept that Russia has the right to assert political or military hegemony over the countries of the former Soviet Union. It is essential that we recognise that the countries of the former Soviet Union are independent sovereign states.

That recognition should underpin our policy towards Russian policy in what they refer to as the "near abroad". In so far as Russian forces may be committed within the Commonwealth of Independent States, it is important that those forces are committed either with the genuine consent of the countries where they operate or under proper international mandate and authority—by which I mean either the mandate of the United Nations or the mandate of the Conference on Security and Co-operation in Europe, should that body be in a position to grant a mandate.

On the third question—the main pillars of policy that we should adopt—my hon. Friend made a number of sensible suggestions. I agree entirely with the need for technical aid, and I am glad that my hon. Friend was complimentary about the know-how fund.

I believe that encouraging trade—Russia's ability to trade with the west—is of critical importance. Unless Russia has access to western markets, it will be extraordinarily difficult for it to attract inward investment. Unless it can attract inward investment, the prospects of developing its own indigenous industry so that it matches western standards in terms of quality and design are, again, pretty bleak.

I agree, too, with what my hon. Friend said about financial support. We should be careful about giving financial support because Russia is the proverbial black hole, and if we are underpinning the Russian economy, we must be sure that, for its part, it is fulfilling the programmes established by the International Monetary Fund and the World bank. There is a high degree of conditionality between the two.

Finally, on security, the concept of partnership for peace —establishing a working partnership or relationship between NATO and the countries of the former Warsaw pact, or former Soviet Union, depending on one's classification for those purposes—is of critical importance. It is central to that issue that NATO and Russia develop a full partnership for peace agreement that covers the whole range of co-operation, joint exercises and strategic discussions, which are essential if Russia is not to feel isolated and somehow excluded from the European security institutions.

I know that I have been brief, and have not done justice to my hon. Friend's speech, but the hour is extremely late, and I have tried to reply to the main points that he made with great eloquence.

Question put and agreed to.

Adjourned accordingly at three minutes past Three o'clock.

House of Commons

Thursday 14 April 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

UNIVERSITY OF LONDON BILL (*By Order*)

Order for Second Reading read.
Read a Second time, and committed.

FEDERATION OF STREET TRADERS UNION (LONDON LOCAL AUTHORITIES ACT 1990) (AMENDMENT) BILL (*By Order*)

Order for Second Reading read.
To be read a Second time on Thursday 21 April.

Oral Answers to Questions

TREASURY

Taxation

1. **Mrs. Angela Knight:** To ask the Chancellor of the Exchequer how much more in income tax and national insurance contributions would be paid by a married man on average earnings with two children under (a) the 1977-78 tax regime indexed to current prices and (b) the 1978-79 tax regime indexed to current prices, than under the present tax regime.

The Financial Secretary to the Treasury (Mr. Stephen Dorrell): If a married man with two children and on average earnings paid tax and national insurance contributions in 1994-95 on the basis of the 1977-78 tax regime indexed to current prices he would be £18 a week worse off; on the same basis, the 1978-79 regime would make him £13 a week worse off.

Mrs. Knight: I thank my hon. Friend for that reply, which shows how much better off families have become under our tax policies. Would not any additional public spending above the Government's plans simply add to taxes? Will my hon. Friend confirm that nearly two weeks ago he wrote to the hon. Member for Dunfermline, East (Mr. Brown) asking him to confirm or deny the billions of pounds-worth of additional spending pledges that have been made by his Front-Bench colleagues? Has he received a reply yet?

Mr. Dorrell: My hon. Friend is quite right to say that I wrote to the hon. Member for Dunfermline, East (Mr. Brown) drawing attention to the fact that many of his Front-Bench colleagues are travelling around the country promising that a Labour Government would spend extra taxpayers' money but that he himself has not made any proposal to the House or to the country as regards how he intends to finance their spending plans. His position, and that of his party, is fundamentally dishonest.

Mr. Skinner: The Minister has got a cheek to talk about 1978-79 because since then the Government have had more than £100 billion-worth of tax revenue from North sea oil, about £50 billion of which finished up in the pockets of the richest 10 per cent. of people. Does the hon. Gentleman agree that the answer to the present problems is not to inflict further hardship on ordinary people and pensioners but to take that £50 billion from the richest pockets and build a welfare state with it?

Mr. Dorrell: The hon. Gentleman neglects to mention the fact that since 1978-79 the man on average earnings has seen his take-home pay rise by £83 a week in real terms. That increase is the result of the Government's policies and has come about because the great majority of the British people, including the hon. Gentleman's constituents, do not take his advice when it comes to critical issues concerning the future of this country.

Mr. Lester: Does my hon. Friend agree that borrowing is in fact deferred taxation and that the previous Labour Government borrowed so much money that we had to use the taxes from 1979 to pay for it?

Mr. Dorrell: My hon. Friend is absolutely right. The Labour party believes that it can promise to spend extra money without having to finance that spending. That holds out the prospect that a Labour Government would borrow or mortgage future tax revenues in the hope that someone else would pick up the tab.

Ms Harman: Is the Minister aware that the Chancellor wrote to me on 28 February saying:

"Under the Conservatives living standards . . . will go on rising in the years to come"?

Will the Minister admit that Treasury figures show that, because of the tax increases of £10 a week, living standards will fall? Why should anyone believe the Chancellor or any of his Treasury Ministers when they are clearly incapable of telling the truth about their own tax increases?

Mr. Dorrell: The hon. Lady cannot even get through a question without misleading people about the scale of the tax increases. The tax bills of the average household will increase this year, compared with the previous year and as a result of the two Budgets, by £5.75 a week. I shall answer other questions from the hon. Lady when she uses accurate figures in relation to the scale of the tax increases introduced last year.

Mr. Harry Greenway: Will my hon. Friend confirm that the Government will continue to ensure that people keep as much as possible of what they earn and are able to decide their own expenditure, rather than following the principle, "What's yours is mine and what's mine's my own," which has always been the Labour party's policy in local and national government alike?

Mr. Dorrell: My hon. Friend is absolutely right, and we shall do that for two reasons: first because it is right and, secondly, because it leads to a more successful economy and to the delivery of precisely the improved living standards that my right hon. and learned Friend the Chancellor promised the hon. Member for Peckham (Ms Harman).

Value Added Tax

2. Mr. Lewis: To ask the Chancellor of the Exchequer if he will make a statement on his future plans for extending the range of goods and services on which value added tax is charged.

The Paymaster General (Sir John Cope): The position remains as set out in my right hon. and learned Friend's Budget statement.

Mr. Lewis: Will the Paymaster General assure us that when the Chancellor and his Ministers next have a tax hike, it will not be in relation to VAT, especially on the printed word, children's clothing and food?

Sir John Cope: The hon. Gentleman misunderstands. The real threat to Britain's zero rates on food and all the other things that he listed comes from the socialist European manifesto, which supports qualified majority voting on tax matters, and would hand the decisions over to Brussels.

Mr. Bill Walker: Does my right hon. Friend agree that in 1979 we stood on an election platform that included transferring taxation from direct to indirect taxes, and that that meant VAT? Have not we successfully fought the general elections since then on that basis? Even more important, we have demonstrated clearly that when take-home pay keeps increasing and people have the opportunity to spend, they are happy to pay VAT rather than direct tax.

Sir John Cope: That is quite right.

Mr. Andrew Smith: Will the Paymaster General now answer the question that my hon. Friend the Member for Worsley (Mr. Lewis) asked? Will the Government give an undertaking not to extend VAT further, in view of the Chancellor's previous stated enthusiasm to do just that?

Sir John Cope: I have explained exactly what my right hon. and learned Friend the Chancellor said. The hon. Gentleman must answer the question about handing over the decisions to Brussels. That is what the European manifesto would do—and, incidentally, what the Liberal Democrats' manifesto would do, too.

Mr. Waterson: Will my right hon. Friend confirm that those on full retirement pensions and on income support are now receiving generous compensation for VAT on fuel —rather more generous than that demanded by the Opposition spokesman?

Sir John Cope: Yes, indeed they are; it started at the beginning of this month.

Treasury Revenues

3. Mr. Flynn: To ask the Chancellor of the Exchequer what changes there will be in revenue to the Treasury over the next 10 years as a result of the incapacity Bill and the Child Support Act 1991.

The Chief Secretary to the Treasury (Mr. Michael Portillo): Focusing incapacity benefit on those genuinely incapable of work and requiring absent parents rather than the taxpayer to take responsibility for maintaining their children will save taxpayers at least £3 billion a year in the long term.

Mr. Flynn: The Chief Secretary has not answered the question. Are not the two measures both Trojan horses, because hidden inside them are two massive tax hikes that will be paid for by the sick and by parents—£2 billion in new taxes every year? That is not child support or incapacity benefit but two Treasury support measures to pay for the Government's financial incapacity.

Mr. Portillo: The hon. Gentleman's question—

Mr. Flynn: Answer the question.

Mr. Portillo: I shall answer the question, but the question on the Order Paper asked not about taxation but about the incapacity Bill. If the hon. Gentleman is now talking about the taxation of incapacity benefit, of course that has revenue consequences. It has been the stated Government intention since 1981 to bring invalidity benefit into tax. The benefit is an income replacement benefit, comparable to unemployment benefit and retirement pension; both of those are taxed, and I do not believe that there is any dispute between the Government and the Opposition spokesmen over the idea that income replacement benefits should be taxed when they are in the hands of those who have the means to pay the tax on them.

Mr. Congdon: In view of the enormous impact of Department of Social Security spending on public expenditure, and the fact that it has grown by 75 per cent. in real terms since 1979, does my right hon. Friend agree that it is right and proper to seek any possible way of reducing that enormous bill? Do not the measures outlined in the question represent a proper way of trying to ensure that we get better value for money from the enormous amount that we spend on social security benefits?

Mr. Portillo My hon. Friend is right. The important thing is to ensure that the moneys that we pay in benefits are concentrated on the people who need them. The state will not be able to afford to pay people who do not need benefits. Everybody knows that invalidity benefit has become broadly extended, and has gone much further than was intended when it was first created. The numbers on benefit have trebled over the past 15 years, while the nation has been becoming more healthy. Clearly the time has come to concentrate the benefit on those for whom it was intended—the people who are incapable of going to work.

Growth

4. Mr. Trimble: To ask the Chancellor of the Exchequer what further measures he proposes to increase the rate of growth in the economy.

The Chancellor of the Exchequer (Mr. Kenneth Clarke): The economic recovery continues to be robust and the Government's economic policy will ensure that it is sustainable.

Mr. Trimble: I thank the Chancellor for his decision to publish the minutes of his meetings with the Governor of the Bank of England. May I refer him to references in the January and February minutes? In January, he said that the rate of growth had clearly not picked up and in February, he said that the advice that he was receiving from the Bank of England was excessively cautious or at least erred on the side of caution. May I assure him that his instincts on that matter are right, and suggest to him that he should back those instincts and take further measures to increase the

present inadequate rate of growth, rather than continuing to compromise on the basis of the poor advice that he is receiving?

Mr. Clarke: I am glad that the hon. Gentleman is studying the minutes that I have published; he will be greatly enlightened by them, I am sure. I certainly published minutes which show the genuine discussion, at the end of which I reached agreement with the Governor. However, I naturally took my decision on interest rates because that is the responsibility of the Chancellor of the Exchequer.

The hon. Gentleman asks about the discussions in January and February—two months and three months ago. It is right to say that the Governor tends to start the discussions by taking a cautious view of the outlook for the inflation rate. That is what one would expect the Governor of the central bank to do. I was taking a cautious view of the outlook for growth and not relying solely on anecdote, which I think is sensible in the present circumstances. Since that time, an ever-increasing flow of information has shown that we are on course for low inflation and that the recovery is steadily strengthening. It is quite clear that I took the right judgment in the Budget in November and quite clear that I took the right decision on interest rates in February. We are well set to be the fastest growing economy in western Europe this year and the year after.

Mr. Budgen: As the main forum between those who want increased growth and those who want to contain the future rate of inflation is the monthly meeting between the Chancellor and the Governor of the Bank of England, may I warmly congratulate my right hon. and learned Friend on publishing the minutes of the meetings? May I suggest that the way in which he has achieved that—by slow, steady, incremental change—is probably better than the statute that some of us proposed earlier in the year and certainly better than the move towards an independent central European bank which he has so often advocated?

Mr. Clarke: I am glad that I am in total agreement with my hon. Friend on the desirability of greater transparency of decisions on monetary policy. I am glad, too, that I am carrying his consent in the cautious, step-by-step approach that we have taken towards that transparency. However, I would take up his suggestion that there is a conflict between those who want low inflation and those who want lasting recovery. What is interesting about the discussions is that they confirm what ought to be reassuring to anybody with any common sense. Both the Governor and I are talking about that essential balance between being safe on inflation and getting the right pace of recovery that will last. I hope that when people study these minutes and future minutes, we shall have a better quality of debate on these issues in the country.

Mr. Beith: Does the Chancellor still believe, as he believed at the time of the February meeting, that there is a significant risk that his fiscal measures will slow the rate of recovery? What will minutes look like in about a year's time if there are significant inflationary pressures, if growth is not great enough to meet the Government's targets and if the Chancellor is arguing for a greater reduction in interest rates than the Government believe will be safe?

Mr. Clarke: The February minutes go back to the time when someone took me up on a phrase that I used about the possibility of the fiscal squeeze checking the growth in consumer expenditure. At that time, there was a lot of debate about whether consumer expenditure was picking up or falling down. Those things move on. I have had a meeting since then and we are all making our judgments now about the outlook for consumer expenditure, given the tax increases coming in. By the end of the year, I shall be making judgments and trying to perform the same balancing acts in the way that I have just described.

I accept that it will be interesting about 12 months ahead to see how often the Governor of the Bank of England got it right and how often he got it wrong, how often the Chancellor got it right and how often he got it wrong and how often, occasionally, absolutely everybody got it wrong. By that time, we shall be moving into the necessary steps to keep us on course for steady recovery and low inflation.

Mr. Bellingham: Does my right hon. and learned Friend agree that the recent output figures were very encouraging indeed? Does he also agree that various socialist measures such as the social chapter would damage growth? Will he make that point time and again in the run-up to the Euro-elections?

Mr. Clarke: I entirely agree with my hon. Friend. In addition to the major economic policy decisions that I have just described, it is essential that we do everything to keep down British industry's costs and help our employers and businesses to make themselves competitive. At present, we have lower costs on top of wage costs than other European countries. By fighting away the social chapter, we ensure that we keep that competitive advantage. That is an absolutely key issue in the European elections.

Mr. Gordon Brown: Given that in January the Chancellor said in public that recovery was becoming robust, whereas we now know that in private he was telling the Governor of the Bank of England that it was feeble; given that in February the Chancellor was telling us that a 0.25 per cent. interest rate cut was sufficient, whereas we now know that he was telling the Governor that twice as much was necessary; and given that by March the Chancellor was telling us that tax rises would not have a substantial impact on the recovery, whereas we now know that he expressed the fear in his words with the Governor that it would be substantial, how can the country ever trust the Chancellor, not only on tax but in anything he ever says about management of the economy?

Mr. Clarke: That bizarre use of the minutes explains why in the past people have been so cautious about openness in these matters. As the hon. Gentleman well knows, that is a total misuse of all the accounts of the discussions that he has read. I have always spoken cautiously about the recovery. I have always stressed the need for it to be sustained. I have also always stressed the need to keep low inflation as a target. All the hon. Gentleman has ever said is, "Cut interest rates", "Cut interest rates" and "Cut interest rates." At times of boom and at times of recession, he would have caused recurrent financial crisis. He says nothing on tax, he says nothing on borrowing and he says nothing on supply-side measures. The possibility of the hon. Gentleman's taking responsibility in these matters would cause a serious crisis of confidence in the country and set back all the hopes of recovery that we are nurturing.

Family Incomes

5. **Mr. Wells:** To ask the Chancellor of the Exchequer what effect the changes in interest rates since 1990 have had on the disposable income, after mortgage payments, of an average family with an average mortgage.

The Economic Secretary to the Treasury (Mr. Anthony Nelson): The halving of the mortgage rate since October 1990 has reduced interest payments on a typical £33,000 mortgage by about £160 a month.

Mr. Wells: Does not that mean that, despite deliberately misleading statements by the Labour party and the whingeing and whining of the media and the Archbishop of Canterbury, the people of this country—poor, middle-income and rich alike—are better off under Conservative economic policies?

Mr. Nelson: It does, indeed. My hon. Friend is on to a good point because it is not only the reduction in mortgage interest rates that has delivered higher net disposable income. Total disposable income for the average family with an average mortgage has increased by considerably more than the saving on mortgage payments—indeed, it has gone up £270 a month or 33 per cent. in just over three years.

Mr. Sheldon: I welcome the disclosure of the minutes of the meetings between the Chancellor of the Exchequer and the Governor of the Bank of England. Is the Minister aware that those minutes disclose what is always a fact—in general terms, there will always be that difference between a Governor who wants high interest rates and a Chancellor of the Exchequer who we hope wants interest rates at a level that can sustain manufacturing industry? It is up to the Chancellor to keep pursuing that point.

Mr. Nelson: Decisions on monetary policy lie firmly and safely in the hands of my right hon. and learned Friend the Chancellor. That is and will remain the position. As the Government conducting monetary policy, we have nothing to fear from transparency and clarity. Indeed, it is an act of some courage to be able occasionally to show that there are slight differences of opinion. That is a matter about which the markets will make their own decisions anyway. We have nothing to fear and everything to gain from greater clarity.

Film Production

6. **Mr. Nicholas Winterton:** To ask the Chancellor of the Exchequer when he last met representatives of the British film industry to discuss capital allowances and other tax incentives to encourage investment in film production.

Mr. Nelson: My right hon. and learned Friend the Chancellor of the Exchequer has had no recent meetings with representatives of the British film industry.

Mr. Winterton: Does my hon. Friend accept that the British film industry has a proud record of tremendous achievement and the potential to make a major contribution to the British economy? Does he further accept that there must be an appropriate fiscal regime to enable not only the film industry but manufacturing industry to make that contribution to the economy? Does he agree that a review and reform of capital allowances would attract investment not only from this country but from overseas?

Mr. Nelson: I am sure that the whole House will agree with my hon. Friend that the British film industry has a record of excellence, and there is a wealth of talent here which it can employ.

My hon. Friend may be aware that changes introduced in 1992 for qualifying EC films provided for the immediate write-off of pre-production expenditure and one third per annum of production costs, and the reforms were welcomed by the industry. We are of course always prepared to look carefully at further proposals. My hon. Friend will be aware that my right hon. Friend the Secretary of State for National Heritage is conducting a wide-ranging review of the British film industry and we look forward to considering his findings.

Mr. Grocott: Does the Minister agree that one helpful thing that he could do for the film industry would be to scrap the ludicrous Broadcasting Act 1990? Can he confirm that, since the passing of that Act, half the workers at ITV have lost their jobs while a small number of people have made an absolute fortune? Is it too much to hope for that the Government will put the interests of the programme makers and viewers first and make sure that the advertisers and money men take a back seat?

Mr. Nelson: The Government give considerable weight to the issues raised by the hon. Gentleman, and they will be considered by my right hon. Friend the Secretary of State for National Heritage in his review.

The hon. Gentleman will know that there are certain special tax provisions that relate to television companies, as well as reliefs that relate to film companies, in this country. Those provisions were introduced by the Government to attract expertise and stars from abroad to film in this country and to contribute to our economy. There is no reason why that should not be the case in the television industry domestically, as well as in the international film industry. Both will prosper under the Government's measures.

Key Industries

7. **Mr. Riddick:** To ask the Chancellor of the Exchequer whether he will name the countries which have requested advice on (a) privatisation or (b) nationalisation of key industries; and if he will make a statement.

Mr. Portillo: Governments all over the world now favour privatisation over nationalisation. A very wide range of countries seek to share the United Kingdom's unparalleled privatisation expertise.

Mr. Riddick: Is my right hon. Friend aware that countries around the world are creating free markets, reducing tariffs, abolishing regulations and privatising state-run companies because they know that such policies will lead to increased prosperity and freedom? Are not those countries following Britain's lead? Is not that free enterprise approach complete anathema to the socialists on the Opposition Benches? That is why, despite our current difficulties, the Opposition will stay exactly where they are.

Mr. Portillo: My hon. Friend is right. Countries in every corner of the world are following policies of competition, deregulation, privatisation, lower tariffs, free trade, free markets and political freedom. They believe that the United Kingdom's invented many of those concepts and has exported those concepts to them. There is no question of the United Kingdom being isolated within Europe—the United Kingdom is fighting every day to make sure that Europe, and the Labour party, is not isolated in the world against that trend.

Mrs. Mahon: Is the Chief Secretary seriously telling the House that he is proud that the mines have been privatised? Does he think that that is a success story? Is he aware that my hon. Friend the Member for Cynon Valley (Mrs. Clwyd) is currently meeting miners underground at the only remaining pit in Wales? Is that something of which he is proud? Will he now—even at this late stage—persuade his right hon. and hon. Friends to tell the Coal Board to stop playing cat and mouse with the decent men and women whose livelihoods depend on that pit and to put that pit into the coal review procedure?

Mr. Portillo: I am proud of every privatisation that has taken place. All the public services that have been privatised have become no less public—and the services have become a great deal better.

In the past few months, the United Kingdom has been asked to give advice to Brazil, Chile, Japan, South Korea, India, Indonesia, Croatia, Gambia, Angola, Australia, Ecuador, Sweden, France, Singapore and New Zealand. I assume that North Korea and Cuba look to the Labour party for their advice.

Sir Peter Tapsell: Yesterday's announcement on interest rates will be widely seen as a possible further step towards the privatisation of the Bank of England. Will my right hon. Friend bear in mind the real danger that, if discussions and disagreements between the Chancellor and the Governor on interest rates are to become publicised within six weeks of the event, it will almost certainly have an unsettling effect on the bond, stock and currency markets?

When such disputes become public, especially when one of the participants is arguing for an increase in interest rates, it could easily lead to an immediate collapse of the gilt market and a large inflow of hot money into sterling. Is my right hon. Friend aware that, to me, that looks to be a speculator's charter like the exchange rate mechanism?

Mr. Portillo: My hon. Friend's views on the subject are known and I look forward to studying some of his speeches again. It is undoubtedly the case that my right hon. and learned Friend has taken a courageous decision by publishing those minutes. In the past 18 months, we have taken decisive steps forward in increasing transparency and the credibility of our monetary policy. That is necessary to give investors and business men confidence. The fact that such confidence exists is shown by the healthy inflow of funds and by the number of countries and companies willing to invest in Britain because they have confidence that monetary decisions here are taken for economic and not political reasons.

Mr. Nicholas Brown: When the French, Germans and Japanese ring him to ask how they can make their countries more like Conservative Britain, does the Chief Secretary draw to their attention the Public Accounts Committee reports that followed each and every privatisation? Does he draw their attention to the fact that the PAC found that many of the privatisations were pump primed at the taxpayers' expense, that privatisations did not represent true value for money and that, in the case of the public utilities, the prices of electricity, gas, telephones and water have all increased ahead of inflation since 1979?

Mr. Portillo: Most of the countries are well able to read the facts for themselves and have seen that prices have been falling in the former nationalised industries and standards of service rising. Quite honestly, if the French Minister who has been presented with a bill for FF 20 billion by Air France rang up, he would think that whatever we had done in this country was good value.

Dr. Spink: Just to get it clear, can my right hon. Friend confirm that since privatisation in 1986, the price of domestic gas has fallen in real terms by 23 per cent. and that the price of electricity has fallen in the past two years by 6 per cent. and is set to fall again this year? Is not that good news for the economy and for domestic consumers?

Mr. Portillo: My hon. Friend is right and his figures are extremely close to the ones that I have in front of me. Not only have prices been falling, but standards of service have been rising and the satisfaction of customers is the most decisive factor of all. When hon. Members comment today, as they sometimes do, about infrastructure in Britain they are not saying that the infrastructure of British Telecom and the gas, water and electricity industries is poor. Members of Parliament and my hon. Friends do not receive complaints about those industries because they are making the necessary capital investment and providing a good standard of service to their customers.

Indirect Taxes

8. **Mr. David Marshall:** To ask the Chancellor of the Exchequer how many representations he has received concerning his plans to impose indirect taxes on air travel and most general insurance premiums.

Sir John Cope: About 600 letters have been received by Ministers and officials and we have also met representatives of the industries concerned and other interests.

Mr. Marshall: Why has air travel been singled out for that tax? How does the Minister justify such discrimination and what does he intend to do about the scandalous double taxation on a return journey involving Glasgow, London and Edinburgh or vice versa—a journey that many people make? Will he take steps to end that iniquitous and vindictive anomaly?

Sir John Cope: We introduced the tax because, as my right hon. and learned Friend said in his Budget statement, taxation on air travel is low and it is therefore a suitable source from which to raise revenue. On the second half of the hon. Gentleman's question, that is a matter which we shall have the opportunity to return to when we debate the Finance Bill on Report in the next few days. We also discussed it in some detail in the Standing Committee considering that Bill.

Pay

9. **Mr. Luff:** To ask the Chancellor of the Exchequer by how much real take-home pay has risen for a married man on average earnings with two children since 1979; by how much the same measure rose between 1974 and 1979; and if he will make a statement.

Mr. Kenneth Clarke: Real take-home pay for a married man on average earnings with two children has risen by around £83 since 1978-79; it rose by only £1.50 between 1973-74 and 1978-79. The policies that we have in place create the conditions for sustained recovery which means more jobs and higher living standards.

Mr. Luff: Will my right hon. and learned Friend confirm that it means, if my mental arithmetic is right, that real take-home pay has increased each year on average something like 20 times faster under the present Government than under the last Labour Government? Does not that mean that the increase would have been absolutely impossible if we had to meet the bill for the extra £38 billion of public expenditure that was promised by the Opposition at the last election?

Mr. Clarke: My hon. Friend is right but, with his typical fairness, he asked a question that was rather generous to the Labour party when he referred to its period of office. If one uses the examples of single people and married couples without children, their real take-home pay fell while Labour was in office, so even the generous comparison that my hon. Friend makes cannot be made at all for a large section of the population.

Mr. Stevenson: Will the Chancellor accept that the real take-home pay to which he refers has been affected by the amount of money that is required for the common agricultural policy—for example, £28 per week is taken out of the take-home pay of the average family? It is estimated that an increase of some £6 billion will be required between 1992 and 1995 because of the agricultural policy. Will the Chancellor now give a commitment that that very effective indirect taxation on take-home pay will be resisted by the Government?

Mr. Clarke: The hon. Gentleman knows that he and I agree to a large extent on the common agricultural policy and that we have committed ourselves to reforming it. We shall continue to do so and I very much trust that, as the tight constraints that now exist on the European budget begin to take effect, we will achieve more progress. While we seek to achieve that improvement in European conditions, however, we also seek to ensure that the costly and unhelpful provisions of the social chapter do not apply to this country, that we deregulate the circumstances in which business operates and that we make the single market work properly by giving it state aids. Unfortunately, no member of the Labour party gives us any support on those issues, which have a big effect on increasing jobs and prosperity.

Mr. Duncan: Has my right hon. and learned Friend had the opportunity to study the impact on average earnings that would follow the imposition of a minimum wage as proposed by the Labour party? Does he agree with me that, ironically, if there were such a minimum wage one might see the statistics for average earnings going up simply because hundreds of thousands of low-paid workers would be thrown straight on to the dole?

Mr. Clarke: I entirely agree with my hon. Friend, whose analysis is totally correct. Although members of the Labour Front-Bench team continue to say that they are in favour of a minimum wage, the more candid continue to concede that it would cost jobs. Unfortunately, as with everything else, the Labour party will not say what the minimum wage would be, so we can only guess at the scale of the damage that it would do to employment in the United Kingdom.

Mr. Darling: Given that an increasing amount of take-home pay is being eaten up by value added tax, is the Chancellor aware that in 1979 the typical family paid £2.50 a week in VAT, whereas in 1994 the same family will pay £20 a week in VAT? Why should we believe a single word that he says when he promises not to increase the rate or scope of VAT again?

Mr. Clarke: First, as I have already said, the average net take-home pay is up by £83 since 1978-79 and, as a lot of this bandying of figures tends to demonstrate, if real incomes go up people pay more tax. That is undoubtedly the case. The taxation that we are now imposing, however, is necessary in order to bring our borrowing under control and it will not affect the rising prosperity and continued growth of the economy in the medium term. As regards what we may impose VAT on in the future, that silly game is starting rather early before a November Budget and no doubt it will be played again between now and then, and I shall continue to say that I never give any advance undertakings on what may be in the Budget. As my hon. Friend the Paymaster General said, the biggest threat to zero rates, whatever anybody decides to do here, would come if the Labour party had its way, as set out in its European manifesto, and a majority vote in the European Parliament would decide whether we have zero rates.

Pensioner Bond

10. **Mr. Nicholls:** To ask the Chancellor of the Exchequer if he will make a statement on the take-up of the pensioner guaranteed income bond.

Mr. Nelson: I am delighted to report that more than 125,000 pensioners have bought the new guaranteed income bond, to a value of more than £1 billion. That is an excellent result for the initiative that my right hon. and learned Friend the Chancellor announced in the November Budget.

Mr. Nicholls: I welcome that reply, but can my hon. Friend confirm that the introduction of that measure was prompted by the realisation that although falling interest rates were good for business and people at work, they could be very bad indeed for pensioners on fixed incomes? Does not that show that the Government do listen to the concerns of the pensioner community, and will my hon. Friend confirm that they will continue to do so?

Mr. Nelson: Yes, I can so confirm on both accounts. For a long time, many of our elderly constituents had asked for a bond that would give them a guaranteed long-term fixed assured rate of return. We have delivered that and it has been extremely popular, as shown by the figures that I have given today. I am sure that its popularity will be maintained in the future.

Tax Policies

11. **Mr. John Evans:** To ask the Chancellor of the Exchequer how many representations he has received concerning the impact that Government tax policies will have from the beginning of April on the economic well-being of the average family, with two children and one spouse on average male earnings.

Mr. Kenneth Clarke: I have received a number of representations.

Mr. Evans: Is the Chancellor of the Exchequer aware that millions of weekly-paid workers on average earnings will today receive their first wage packet containing the delayed Budget tax increases, and that all of them will be able to see the sheer magnitude of the lies and deception that were fed to them by the Tory leadership at the last election? Does the Chancellor agree that no one with any intelligence will believe the word of a Treasury Minister on taxation, or anything else, in future?

Mr. Clarke: At the last election we committed ourselves to sound economic policies producing growth, prosperity and more jobs, and we will deliver that. We committed ourselves to reducing taxes when it was "prudent" to do so, in the words of our manifesto. We have a tax-cutting record over our period of office compared with our predecessors and we have a tax-cutting destiny before us as the recovery strengthens, as and when it is sensible to resume our agenda. People know that we tax less than the Labour party because they know that the Labour party spends more than the Conservative party. Any objective consideration of the course of the present Government is wholly consistent with the successful delivery of our policies ever since 1979.

Mr. Tracey: Does my right hon. and learned Friend agree that far more households will be heavily burdened by the excessive council tax bills from Labour and Liberal councils than they are from anything that the Government and the Treasury will deliver through income tax bills?

Mr. Clarke: Certainly, and when it comes to the credibility of the political parties, it is bizarre for the Opposition parties to go on as though they have suddenly discovered that they are tax-cutting parties after all, when they are about to defend the record of councils that, throughout the country, consistently produce greater expenditure and greater council tax bills for the equivalent properties in the councils that they control.

Mr. Gordon Brown: Will the Chancellor now answer the question that my colleagues have asked about the extension of VAT beyond fuel? Will he confirm that he has personally voted for VAT on children's clothes? Will he confirm also that he has said that it is anomalous not to have VAT on food, on books and newspapers, on rail and bus fares? In the light of those statements, will he now give the House an unconditional assurance— *[Interruption.]* Given the contradiction in Government statements on VAT, will he now give the House an unconditional assurance that he will not extend VAT to other basic essentials?

Mr. Clarke: I am glad that the hon. Gentleman is so stuck for damaging quotations against me that he goes back to my voting record 21 or 22 years ago to cite a vote against me when I was on the losing side of the House and we sought to impose VAT on children's shoes and children's clothing. Returning to more up-to-date material, I shall continue to say that I will give no advance hint one way or the other about my tax intentions at the Budget.

If the hon. Gentleman already, in April, has to rely for a summer's campaigning on scares about VAT next November, he is in a desperate state. Why does not he say something about his tax and spending and borrowing plans —perhaps even something in defence of those high-spending local authorities putting everyone's council taxes up—rather than trying to raise those ridiculous scares?

Mrs. Gorman: Does my right hon. and learned Friend agree that the average family these days has two, not one, wage earners because of the growth in the economy under Conservative management over the past decade, so that most families are miles better off than they were? Should not any increase in taxes be seen against the general growth in prosperity as a result of our policies?

Mr. Clarke: My hon. Friend is right. She has seen through the talk of the typical family, which Labour Members portray as a working man with a non-working wife and two children, with other circumstances that happen to suit the purpose of the questioner. That describes a tiny section of the population. A higher proportion of the population is in work than in any other major European economy. Average incomes are, in real terms, £83 more than they were when we came to power. My hon. Friend is right to put the present situation and future prospects in their right perspective.

PRIME MINISTER

Engagements

Q1. **Mr. Duncan Smith:** To ask the Prime Minister if he will list his official engagements for Thursday 14 April.

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Duncan Smith: Is my right hon. Friend aware that my socialist-controlled council of Waltham Forest, which is now being investigated by the ombudsman for malpractice, set a council tax for band D of £587, supported by the Liberal party, whereas the Conservative group would have set one of more than £100 less? Does not that demonstrate clearly, first, that people pay in bands, not averages, secondly, that Conservative councils would cost people less and—

Madam Speaker: Order. I am determined that this should be Question Time, not speech time. I therefore appeal to all hon. Members for brisk questions and answers.

The Prime Minister: Well, my hon. Friend is quite right. Whatever bands they may be concerned with, council tax payers will pay more under Labour and Liberal authorities than they would under any Conservative authority. I am sure that voters will note that on 5 May.

Mrs. Beckett: Is not it a scandal that, because of the changes that the Government have made in the health service, elderly people are being denied the right to hospital treatment on the ground of their age?

The Prime Minister: The right hon. Lady is either ill-informed or scaremongering. As my right hon. Friend the Minister for Health said this morning, the reports to which the right hon. Lady refers, no doubt from this morning's "Today" programme, are wholly irresponsible. Neither patient in the BBC report had been refused treatment; both had been offered better options. It is utterly wrong of the right hon. Lady to raise the matter in that manner and to continue to cause needless anxiety to millions of people.

Mrs. Beckett: What is scaring people is not what we are saying but what the Government are doing with the health service. The Prime Minister should know that people are being refused treatment because of what the British Medical Association calls the "undeniable fact" that there is now a two-tier health service. The GP of one of the people to whom the Prime Minister referred said:

"Since contracts were introduced, this kind of predicament arises all the time."

What is that but a two-tier health service?

The Prime Minister: Despite the fact that the right hon. Lady has peddled an untruth and continues to do so, there is no policy—

Hon. Members: Withdraw.

Madam Speaker: Order. I am sure that the Prime Minister will reflect and I hope that he will withdraw that last remark.

The Prime Minister: Despite the fact—*[Interruption.]*

Madam Speaker: Order. I will have order in this House.

The Prime Minister: Despite the fact that what the right hon. Lady says is inaccurate and she has just been told so again—*[Interruption.]*

Madam Speaker: Order. I do wish that the House would listen to the comments that are being made and not make such a row. I have asked the Prime Minister politely to reflect and I hope that he will withdraw what he said. *[Interruption.]* Order. I am sure that if the House were to listen, it would hear him do that.

The Prime Minister: The right hon. Lady is aware, from what I said a few moments ago, that in both cases she has misled the House. [HON. MEMBERS: "Withdraw."] In neither instance was treatment withheld from those patients. In both instances, they were offered better treatment. I hope that the right hon. Lady will now withdraw the imputation of a few moments ago.

Hon. Members: Withdraw.

Mrs. Beckett: I am not aware that I have misled the House. Indeed, there is a letter from one of the hospitals concerned apologising for the way in which the patient in question was treated. That does not sound to me like something which did not happen.

I ask the Prime Minister: why will he and his colleagues not recognise reality? Elderly people are being clobbered by VAT on their gas and electricity and when they are ill they are being refused treatment in hospital. What has the Prime Minister got against the elderly?

The Prime Minister: The fact that the right hon. Lady changed tack shows most clearly that she knows that she is wrong. Once again, the Labour party is needlessly alarming people, precisely as it did before the election by claiming that we would privatise the national health service. The Labour party will use any scare, at any time, for any reason, providing it believes that it will help its own party-political ambitions.

Mr. Robathan: What action will my right hon. Friend take to ensure that taxpayers' money is not wasted on ludicrous pay-outs to former service women who joined the armed forces on the understanding that they would be obliged to leave should they become pregnant?

The Prime Minister: I am not aware of the particular case to which my hon. Friend refers, but, as he has raised the matter, I will ask my right and learned hon. Friend the Secretary of State for Defence to examine it and report to me about it.

Q2. Mr. Turner: To ask the Prime Minister if he will list his official engagements for Thursday 14 April.

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Turner: Does the Prime Minister have any plans to visit Wolverhampton in the near future? If he has, I am sad to have to tell him that the good folk of Wolverhampton are completely brassed off with his Government's policies and, I am sad to say, with him. I have to ask the Prime Minister whether, if the local elections go badly for him, he will do the noble thing with his Government and resign.

The Prime Minister: I know that the hon. Gentleman would want his constituents to know the truth about matters, so perhaps he might mention to them that, under this Government and the last few years of my predecessor's Government, unemployment in his constituency fell by 23 per cent. Perhaps he could tell his constituents that. Perhaps he could tell them that there is now no one waiting for more than two years for health service treatment as there once was. Perhaps he could tell them about the extra millions of pounds allocated to the health authority to help reduce waiting lists. Perhaps if the hon. Gentleman carried some of those messages to his constituents in Wolverhampton at the next election he would no longer be here.

Mr. Hawkins: Does my right hon. Friend agree with me that the Labour party, where it is in office in local government, is to be judged on its record? Will he also agree with me that Manchester, under socialism, now owes nearly as much as El Salvador—a country which has been ravaged by 10 years of civil war?

The Prime Minister: If the Labour party in local government is judged on its record it will not be in power any longer in local government.

Q3. Mr. Keen: To ask the Prime Minister if he will list his official engagements for Thursday 14 April.

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Keen: Is the Prime Minister not ashamed to appear to take so lightly the accusations that, in this year when we are specially remembering those who gave so much 50 years ago in the last war, because of the Government health reforms the people who made those sacrifices are now being denied the treatment that they so desperately need?

The Prime Minister: What the hon. Gentleman says is wrong. Perhaps he might reflect that, although the elderly population has risen in numbers in England and Wales by about 9 per cent. since 1979, expenditure on elderly people has risen by approximately 40 per cent. over the same period. That is to accommodate the fact that more treatments are now available, better treatments are now available, waiting times are shorter and no one is denied proper treatment at any stage in the national health service.

Q4. Mr. David Evans: To ask the Prime Minister if he will list his official engagements for Thursday 14 April.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Evans: Is my right hon. Friend aware that Janice takes quite a lot of interest in this place and she would like to know whether it was a Conservative party that won the last four general elections, with a record 14 million votes in the last election? Could he also tell Janice whether it was a Conservative Government who imposed a higher rate of tax in 1978? Was it 40p? [HON. MEMBERS: "No."] Was it 60p? [HON. MEMBERS: "No."] Was it 70p? [HON. MEMBERS: "No."] Was it 90p? [HON. MEMBERS: "No."] Was it 98p? [HON. MEMBERS: "Yes."] And if it was not a Conservative Government, was it that lot opposite?

Hon. Members: Yes.

The Prime Minister: I believe that the answer is yes, and I think that my hon. Friend can safely tell Janice that.

Ms Glenda Jackson: Is the Prime Minister aware that the chief executive of the Royal Free hospital trust in my constituency today issued a statement apologising for the fact that, as a result of the Government's obscene internal market policies, a 70-year-old man was denied treatment at that hospital? Is he inferring that the chief executive of the Royal Free is attempting to mislead the House and the country and is scaremongering?

The Prime Minister: Perhaps the hon. Lady would like to tell the House how many more patients the Royal Free has treated since the health service reforms. Perhaps she would like to do that and stop mis-stating matters.

Q5. Mr. Gallie: To ask the Prime Minister if he will list his official engagements for Thursday 14 April.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Gallie: Does my right hon. Friend recall the words of doom, gloom and condemnation—the words of the right hon. and learned Member for Monklands, East (Mr. Smith) —at the time of the Leyland DAF collapse a year or two ago? Is my right hon. Friend aware of the successful rebirth of the activities previously undertaken by that company? Is he aware of the considerable increase in axle sales from Scottish Stampings in my constituency of Ayr as a consequence?

The Prime Minister: I am aware of that and I think that it is extremely encouraging. It is part of what I believe to be a bright future for the Scottish economy. Equally, it shows how right we were to resist the demands from all the Opposition parties to spend extra money on Leyland DAF. They still have the same old interventionist, corporatist, 1960s policies. Leyland DAF has done far better without the sort of help that they would have forced down its throat.

Mr. Mullin: Has the Prime Minister had a chance to read yesterday's report of the Select Committee on Home Affairs on the funding of political parties, particularly the minority report that starts on page 38? Is No. 10 Downing street still being used for Tory party fund-raising dinners? If so, is not that a misuse of public property?

The Prime Minister: I use Downing street to meet business men in the same way as the Labour party used Downing street to meet the trade unions.

Ministerial Visits

Q6. Mr. Heald: To ask the Prime Minister what plans he has to visit north Hertfordshire.

The Prime Minister: I have no immediate plans to do so.

Mr. Heald: Will my right hon. Friend join me in congratulating Letchworth Garden City on its 90th anniversary, which is currently being celebrated with a musical extravaganza called "Why Aren't We All Dancing?"? Does he agree that, with unemployment down by 13 per cent. in the last year, with house prices up by 4 per cent. and with a council tax half that of the neighbouring Labour-controlled Stevenage borough council, people in Letchworth and north Hertfordshire have every reason to be dancing—dancing on the Labour party in May and June?

The Prime Minister: My hon. Friend makes a compelling case, and I have no doubt that that is what local people will do on 5 May.

Points of Order

Mr. Madden: On a point of order, Madam Speaker.

Madam Speaker: Order. We always have business questions at this stage.

Mr. Madden: It is related to Prime Minister's questions.

Madam Speaker: No.

Mr. Madden *rose—*

Hon. Members: Sit down.

Madam Speaker: Order. We have a procedure whereby points of order always come after business questions. *[Interruption.]* Order. Will hon. Members, for goodness' sake, listen. The hon. Gentleman has been asked to resume his seat, and I ask him to do so. The procedure is always that business questions are a continuation of Question Time. Therefore, I take points of order after business questions.

Business of the House

3.30 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): Will the Leader of the House state the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business for next week will be as follows:

MONDAY 18 APRIL—Second Reading of the Trade Marks Bill *[Lords]*.

Motion on the Isle of Wight (Structural Change) Order.

TUESDAY 19 APRIL—Progress on remaining stages of the Finance Bill.

WEDNESDAY 20 APRIL—Conclusion of remaining stages of the Finance Bill.

Motion on the Maternity Allowance and Statutory Maternity Pay Regulations.

THURSDAY 21 APRIL—Opposition Day (10th allotted day). There will be a debate on "Transport" on an Opposition motion.

FRIDAY 22 APRIL—Private Members' Bills.

MONDAY 25 APRIL—Until about Seven o'clock, private Members' motions.

Motion on the Travellers' Allowances Order.

Motion on the HMSO Trading Fund (Amendment) Order.

The House will also wish to know that European Standing Committee A will meet at 10.30 am on Wednesday 20 April to consider European Community document No. 4311/94 relating to the Court of Auditors special report No. 8/93 on the common organisation of the market in raw tobacco.

Mr. Brown: I thank the Leader of the House for his statement and for the Opposition day. Can he arrange an early debate on the Select Committee report on political party funding? In particular, will he arrange for a discussion of the requirement that

"illegally obtained money would not be acceptable and, if discovered to be so obtained, would be returned"?

There is a great deal of interest in the House and in the country in this matter, and an early debate would be appreciated.

Can the right hon. Gentleman also arrange for an early debate on the political independence of the civil service, particularly in the light of the letter from Mr. Bob Welch, of the social services inspectorate of the Department of Health, to other civil servants, in which he says:

"A continuing flow of positive messages about community care would pay political dividends at both local and national levels"?

It is not the function of the civil service to take part in party-political matters of this kind. An early debate would be appreciated.

Finally, will the Leader of the House find time in the near future for a discussion of the Procedure Committee's report relating to parliamentary scrutiny of deregulation orders and the important constitutional principles that are involved?

Mr. Newton: On the question of a debate on the Select Committee report on party funding, which was published yesterday, it would be sensible, before further consideration, to study the report properly.

On the question of the letter from the social services officer, the hon. Gentleman will know that the social services chief inspector has said:

"I acknowledge that this letter concludes with an inappropriate paragraph. The author is in no doubt of his error."

I hope that that reassures the hon. Gentleman.

My colleagues and I are carefully studying the Select Committee on Procedure's proposed procedures in respect of deregulation orders, and I am sure that it will in due course be appropriate to advert to them in debate—not least in debates during the remaining stages of the Deregulation and Contracting Out Bill.

Sir Anthony Grant (Cambridgeshire, South-West): Will my right hon. Friend make yet another attempt next week to encourage a sensible attitude by the Opposition to reforming the House along the lines of the Jopling report? Is he aware that it is wanted by hon. Members in all parts of the House, and that the way in which we conduct our affairs is regarded by the outside world with derision?

Mr. Newton: I am sure that my hon. Friend is right when he says that our ways are regarded by many people outside, and quite a number inside, as somewhat strange at times—although they are a good deal less strange than in earlier years when my hon. Friend and I were in the House. My hon. Friend will know and appreciate that I am much concerned to make the progress that he seeks. He knows also of the difficulties and that I will do anything that I can to overcome them.

Mr. Matthew Taylor (Truro): Will the Leader of the House ensure that Ministers at the Department of the Environment explain at the earliest opportunity what is happening about the overdue submission to Europe on natural dispersion areas and the possible downgrading of pollution clean-up plans for beaches, which are of considerable concern around the country? I understand that a list has been prepared, but that the House is not yet aware of it.

Mr. Newton: I am not in a position to give the hon. Gentleman a substantive answer immediately, but I will draw his question to the attention of my right hon. Friend the Secretary of State for the Environment, who is due to answer questions in the House next Wednesday.

Mr. Patrick Cormack (Staffordshire, South): Is my right hon. Friend satisfied with the amount of time that the House devotes to foreign affairs? Can he say when we shall debate the Balkans?

Mr. Newton: I cannot at the moment tell my hon. Friend—to whom I have paid tribute on a number of occasions for his interest in those matters—when there will next be an opportunity for such a debate, but I will certainly bear his implicit request in mind.

Mr. David Clelland (Tyne Bridge): The Leader of the House will have noted that during Prime Minister's questions the issue of council tax was raised several times. May the House debate that subject at an early date, to seek further clarification? For example, are the Leader of the House and his colleagues aware that if Gateshead and Newcastle councils had been given the same level of Government support as Tory-controlled Westminster, they could not only have charged substantially less council tax but given back their band D council tax payers up to £1,000, while still providing the same levels of service? Does not that demonstrate that council tax statistics, like unemployment statistics, are yet another Tory fiddle?

Mr. Newton: In view of the way that things have been going, there is a strong temptation to provide time for such a debate. I thought that the debate had been brought to a decisive and crisp conclusion by Mr. Peter Kellner in *The Sunday Times* with his brisk comment:

"The fact is Gummer is right and Straw is wrong."

Mr. Roger Gale (Thanet, North): Does my right hon. Friend share my disdain at last night's attempt by BBC television to present the D-day celebrations as some kind of European election stunt? [Hon. Members: "Hear, hear."] If he does, will he find time for an early debate on media standards, so that the House can remind the BBC that the date of European elections is fixed by Europe, D-day is a fixed date in history, many brave and elderly ex-service men and women are looking forward to those celebrations and that such creative reporting can only damage the BBC's reputation?

Mr. Newton: I did not see that programme, but it is obvious from the response of hon. Members on both sides of the House that my hon. Friend's remarks enjoy a good deal of sympathy. I hope that they will be studied with care by those at whom they were directed.

Mr. Robert Hughes (Aberdeen, North): Is the Leader of the House aware of the great alarm and despondency generated by stories emanating from Europe that access by Spanish and Portuguese fishing fleets will be accelerated from the time agreed when Spain and Portugal joined the European Community? Since that would appear directly to contradict the promise given by Ministers before they entered negotiations, may we have an early statement or, even better, a proper debate to examine thoroughly exactly what is happening?

Mr. Newton: I will certainly bring that request to the attention of my right hon. Friend.

Mr. Anthony Coombs (Wyre Forest): In the light of recent comments by the chairman of Ford Europe to the effect that his British plants were overtaking the Germans in cost efficiency for the first time, may we have a debate on the increasing competitiveness of our manufacturing industry so that we may discuss not only that but the effects of the social chapter and Labour's taxation policies on all corporations in this country, which have been estimated by the head of the CBI as increasing business taxation by no less than 25 per cent. from present levels?

Mr. Newton: Again, my hon. Friend makes an attractive case for a debate, which I will certainly bear in mind. He made some very valid points about the increasing attractions of this country—over a long period now—for manufacturing and in other investment, reflected in the number of Japanese, American and, indeed, German decisions to bring their money here.

Ms Dawn Primarolo (Bristol, South): Will the Leader of the House arrange an urgent debate next week on age discrimination in the national health service? Will he bear in mind the fact that the evidence today, which gives clear indications of age discrimination, has not been brought to

[Ms Dawn Primarolo]

the attention of either the Department of Health or the Prime Minister? Therefore, an urgent debate to clarify that matter and prevent it is the best way forward.

Mr. Newton: The hon. Lady will have heard what my right hon. Friend the Prime Minister said a few moments ago. I will not repeat that, but just make the point, in addition to the points that he made about the very large increase in expenditure on people over retirement age, which is much larger than the increase in their number, that people over 65 in England make up only 16 per cent. of the population, but enjoy about 40 per cent.—some £6 billion—of hospital and community health expenditure.

Mr. Nicholas Winterton (Macclesfield): Will my right hon. Friend arrange for the Secretary of State for Health to come to the House and make a statement about junior hospital doctors, in the light of the tragic death of my constituent, Dr. Alan Massie, at the age of 27? He was a talented and able young doctor, the son of George and Margaret Massie of Byrons Lane, Macclesfield, and died on 31 January of this year at Warrington district general hospital. Clearly, the pressure on junior hospital doctors—the number of hours that they are still expected to work—is too great. Action needs to be taken.

Mr. Newton: Perhaps the first thing that I should do—I am sure on behalf of the whole House—is to join in offering our sympathy to Dr. Massie's family and friends. He was clearly a very dedicated young man. I understand why my hon. Friend raised the question, but we do not yet know quite why he died. It would be wrong to speculate before we know more about the facts. As my hon. Friend knows, my right hon. Friend has made very clear her commitment to reducing junior doctors' hours, and is working with the profession on the so-called new deal and its timetable.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): May we have a statement next week from the Secretary of State for the Environment, because the Scottish Office announced this morning that it will be illegal for the new water quangos that are to be set up in Scotland to disconnect domestic consumers? Should not that also apply to the rest of the United Kingdom, where, as I understand it, more than 50,000 people have had vital water supplies disconnected?

Mr. Newton: I will certainly draw that matter to the attention of my right hon. Friend the Secretary of State for the Environment, but I am bound to make the point that I spent quite a lot of time in the small hours of this morning listening to the hon. Gentleman's colleagues—though not, I think, to the hon. Gentleman—protesting mightily about things being the same in Scotland as in England.

Mrs. Cheryl Gillan (Chesham and Amersham): My right hon. Friend knows of my excellent Chesham chamber of trade, which has its finger on the pulse of small and medium-size businesses. In the light of its representations to me, there stands on the Order Paper early-day motion 912 in the name of my hon. Friend the Member for Langbaurgh (Mr. Bates), myself and 275 other hon. Members from both sides of the House.

[That this House welcomes the publication of the consultation paper Late Payment of Commercial Debt, as announced by the Chancellor of the Exchequer in his Budget statement; notes the negative impact which late payment of commercial debt has on the job creation potential of, in particular, smaller businesses; recognises the importance of the small business sector in generating growth in the United Kingdom economy; and believes that the only effective solution to the problem of late payment of business debts is the implementation of a statutory right to interest on overdue commercial debts.]

I ask for an urgent debate on the right to statutory interest on commercial debt, particularly for small and medium-size businesses, as the recovery will come from them. At the moment, they are struggling because of late payment from larger organisations. Will my right hon. Friend please press for an urgent debate on that subject?

Mr. Newton: My hon. Friend expresses a concern which is not confined to her constituency. She will, of course, know that the Government have instituted a consultation process on this very matter and I think that perhaps the appropriate time for further debate is after that process has been completed.

Rev. Martin Smyth (Belfast, South): Will the Leader of the House arrange for the Secretary of State for Northern Ireland to make a statement next week to clarify his understanding of surrender and the cessation of violence for good and to state whether the Northern Ireland Office has in mind an amnesty to allow people to hand in their weapons to show their good faith in going forward for peace?

Mr. Newton: I will, of course, bring the hon. Gentleman's question properly to the attention of my right hon. and learned Friend, but it is my understanding that his remarks in no way sought to go beyond what has already been said about the joint declaration.

Mr. Nigel Evans (Ribble Valley): Will my right hon. Friend find time, if not next week then as soon as possible, for a debate on the Home Affairs Select Committee's report on the funding of political parties? I believe that the vast majority of taxpayers will agree that taxpayers should not fund political parties, but that we should go to the electorate ourselves to raise those funds. Would not they also be interested in the direct and disturbing link between the trade union movement, which provides more than half the money spent by the Labour party, and the fact that it has one third of the votes in the election of the leader of the Labour party and two thirds of the votes at the Labour party conference?

Mr. Newton: My hon. Friend makes some very good points which would command widespread support. However, as for a debate, I cannot at this stage add to what I said to the hon. Member for Newcastle upon Tyne, East (Mr. Brown) at the outset of our exchanges.

Mr. Tam Dalyell (Linlithgow): Are we to suppose that the first that the right hon. Gentleman knew about the statement by Scottish Ministers on water disconnections was what my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) said just now? Did the right hon. Gentleman know what had been said?

Mr. Newton: I am rather surprised by the hon. Gentleman's surprise, but the straightforward answer to his question is that I had not seen a copy of what Scottish Ministers said this morning.

Mr. Richard Tracey (Surbiton): With the local elections pressing hard upon us, does my right hon. Friend agree that one of the most important considerations for the electors to bear in mind is the very high level of debt facing many local authorities, the interest payments on which are the reason why so many Labour and Liberal councils are having to levy much higher council taxes than Conservative councils? Will he find time for a statement to be made by my right hon. Friend the Secretary of State for the Environment on local authority debts so that the public are well aware of which authorities have the highest debts?

Mr. Newton: I am happy to say that one of our great national newspapers has this morning published a substantial chart showing exactly that. I hope that it will be widely studied, but I am sure that my right hon. Friend the Secretary of State for the Environment will do his best to extend the spread of that information.

Mr. Eddie Loyden (Liverpool, Garston): Will the Leader of the House reflect on the answer that he gave to my hon. Friend the Member for Bristol, South (Ms Primarolo) and on the fact that the Prime Minister's responses to the allegations are not satisfactory? People in the category in question—I am one of them—will be concerned about what is happening to elderly people in the health service. The least that the Government can offer is for the Secretary of State for Health to explain the position and verify the statement made from the Government Benches.

Mr. Newton: I had resisted simply repeating points that my right hon. Friend the Prime Minister had made, but I remind the hon. Gentleman that my right hon. Friend made it clear that neither patient in the BBC report had been refused treatment and that both had been offered better options.

Dr. Liam Fox (Woodspring): Will my right hon. Friend find time for a debate on the principles of GP fundholding, because even if one were to accept the Opposition's argument that there is a two-tier system, the logical course would be for all patients to be raised to the top tier? Would not such a debate show that only the Conservatives are willing to trust GPs to know how to spend money in the best interests of patients—rather than the bureaucrats whom the Labour party would rather trust?

Mr. Newton: Understandably, with his professional expertise, my hon. Friend makes a good point. It is up to doctors and other clinicians to make decisions about patient treatment, taking account of a variety of factors, and no doubt that is what happened in the case concerned.

Mr. D. N. Campbell-Savours (Workington): Has the Leader of the House seen early-day motion 1007?

[*That this House questions the NVQ system of training certification in conditions of fraud by training agents; notes that TECs simply do not have the resources to ensure that quality standards in training are fully maintained; believes that a verification procedure, over which TECs seem to have no control, and where the national examination boards are dependent on the honesty of training agents, invites widespread abuse; believes that a system of remunerating training agents on the basis of performance payments invites fraud; notes that Cumbria TEC spends more resources on financial checks than the funds provided by the Department of Employment for this purpose; notes that the system of priorities adopted by Cumbria TEC is acknowledged by training providers nationally; and believes that despite the work of Cumbria TEC and others with national organisations, such as NCVQ, to create watertight systems for training administration the quality of training in this country is being gravely undermined by a number of training organisations who are prepared to go to any length to cheat the taxpayer.*]

May we debate that motion, especially in the light of the fact that I have here a business administration level two NVQ provided by a training company in west Cumbria for one of my constituents who was never trained by that company? The document is one of a number of fraudulent certificates sponsored by that company. We should debate such matters, because many of us believe fraud of that nature is happening in industrial training throughout the United Kingdom.

Mr. Newton: The hon. Gentleman will be aware that the National Council for Vocational Qualifications requires awarding bodies to maintain appropriate standards in the awarding of NVQs. He made serious allegations, and I am sure that my right hon. Friend the Secretary of State for Employment will want to ensure that they are appropriately investigated.

Mr. Peter Luff (Worcester): Has my right hon. Friend had a request from the Labour party to use one of its Supply days to discuss its education policies, which advocate, among other things, the abolition of the assisted places scheme, which helps about 30,000 children from less well-off families to attend excellent schools such as the Alice Ottley school, the Royal grammar school and the King's school in my constituency of Worcester?

Mr. Newton: I am receiving from my hon. Friends a steady stream of tempting suggestions for debates. My hon. Friend's suggestion is tempting, because there is much else in what the Opposition say about education that could do with being more fully exposed on the Floor of the House.

Mr. John McAllion (Dundee, East): Following this morning's announcement that the Scottish Office will introduce legislative proposals to give a legal guarantee against water disconnections in Scotland, will there be time next week for the Prime Minister to make a statement on whether he and the rest of the Cabinet were aware at the time that that commitment had been given? That would also allow him to give a commitment to the House that, as there is to be a legal guarantee against the barbarism of water disconnections in Scotland, the same protection and legal guarantee will given to our fellow citizens in England and Wales.

Mr. Newton: I made a couple of comments on that matter earlier, and I am not in a position to add to them now.

Mr. Harry Greenway (Ealing, North): May I support the call of my hon. Friend the Member for Surbiton (Mr. Tracey) for a debate next week on borrowing in local government, especially in London boroughs, centring on the borough of Ealing, where between 1986 and 1990 the members of the Labour administration, loonies as they all are, borrowed £2,000 per head for every man, woman and

[Mr. Harry Greenway]

child in Ealing? That has meant heavy debts for all future generations, and the facts should be brought out before the House, so I ask for an urgent debate.

Mr. Newton: That is a re-run of a previous tempting request, and I shall bear my hon. Friend's request in mind, too.

Mr. Derek Enright (Hemsworth): The Leader of the House will be aware that, yet again, the sitting of European Standing Committee B scheduled for next week has been cancelled without reference to the Chairman of the Select Committee on European Legislation. Will the right hon. Gentleman please urgently investigate why, at the behest of Members on either Front Bench, that happens without reference to the people who attend week in, week out?

Mr. Newton: Yes.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): Has my right hon. Friend had a request from either the Liberal or the Labour party for a Supply day debate on those parties' European manifesto policies, which would lead to the possibility of our veto being removed? That could jeopardise, among other things, this country's £3 billion rebate negotiated at Fontainebleau. If he has not been asked, will he consider such a request anyway so that the general British public can be crystal clear about what Opposition policies would mean?

Mr. Newton: I am afraid that I have not had such a request and it seems somewhat unlikely that I shall receive such a request from the Opposition Front Bench. Should I receive such a request, I would consider it warmly.

Mr. Max Madden (Bradford, West): Will the Leader of the House arrange for a debate in Government time on the burgeoning growth of quangos under this Government? Such quangos are often characterised by sleaze and corruption and leave many taxpayers bewildered and angry over why so much of their money is being paid to friends, cronies and political allies of quango middle managers. Will he arrange for an early debate so that those matters may be brought to his attention and to the attention of the Government as a whole?

Mr. Newton: I do not accept the broad generalisations that the hon. Gentleman is making. Indeed, many of the bodies to which he refers have been greatly improving the service that people have been receiving in various ways. I certainly have no intention of providing time for an early debate of the kind that he suggests.

Mr. Gary Streeter (Plymouth, Sutton): May I add my voice to those calling for a debate on the council tax to enable the Liberal Democrats to explain in the Chamber how on earth—[HON. MEMBERS: "Where are they?"] None of them appears to be in the Chamber at the moment. May we have that debate so that the Liberal Democrats may explain how, with inflation at only 2.4 per cent., Liberal-controlled Devon county council has increased its council tax by 8.8 per cent. in the current year? The debate would enable us to take a view on whether the Liberal Democrats spend other people's money as though it is going out of fashion.

Mr. Newton: My hon. Friend has made some good points. If I may say, if the hon. Member concerned does not mind his comment from a sedentary position being quoted, I have been provided with a good answer by the Labour Deputy Chief Whip: the first requirement is to get any Liberals at all in the Chamber.

Dr. John Reid (Motherwell, North): Is the Leader of the House aware of reports that have been received over the past few hours that two American helicopters have been shot down in northern Iraq, possibly by the Iraqis, and with the possible loss of life of 12 United Nations officials? In view of the seriousness of that incident and of its implications, should not time be made available today either for a debate or a statement, so that we may find out from the Government what discussions are taking place about a potential response? Is not the event serious enough to merit that, especially as most hon. Members will be leaving the House tonight and not returning until Monday? Most hon. Members would agree that there is every likelihood of some military response, which would occur without the House having debated the matter.

Mr. Newton: Certainly, the reported incidents to which the hon. Gentleman refers are of some considerable seriousness. The correct serious response for me to make is to draw his remarks immediately to the attention of my right hon. Friend the Foreign Secretary and my right hon. and learned Friend the Defence Secretary.

Mr. Michael Bates (Langbaurgh): Will my right hon. Friend consider the way in which the 20 Supply days are allocated among the Opposition parties? Given the decision of 42 Opposition Members to vote against the Third Reading of the Criminal Justice and Public Order Bill last night, only two months after 53 of them called for a mass socialist commitment to massive public spending, many of us are interested in an opportunity to debate the views of the real Labour party.

Mr. Newton: There is a gathering number of strange decisions in the voting patterns of the Opposition, and my hon. Friend has referred to two of them. We could well use some explanation, but it would be a triumph of hope over experience to expect to get it.

Mr. Paul Flynn (Newport, West): May we have a debate on the role of Select Committees in the light of the decision in the report of the Home Affairs Select Committee after its study of political funding over 13 months and after visiting three countries? The majority report disregarded 95 per cent. of the evidence with which it was provided, probably because of political views, rather than reporting that evidence, as Select Committees should, for the benefit of the House and the country. Is not it a matter of the greatest urgency that we inspect and investigate the allegation, which any fair-minded person would conclude from that report, that the Conservative party is funded by criminal and other immoral organisations?

Mr. Newton: That is bordering on the scandalous in terms of remarks made on the Floor of the House. Perhaps more to the point in terms of the proprieties of the House, it seemed to be a substantial attack on the integrity of a Select Committee and I hope that the hon. Gentleman will reflect on his remarks.

Mr. David Shaw (Dover): May we have an urgent statement by the Home Secretary on the number of Labour councillors and former Labour councillors who are now in gaol in this country, and how much that is costing the nation's taxpayers?

Mr. Newton: I will alert my right hon. and learned Friend to the fact that he has been given an advance indication of a question that he may be asked next Thursday.

Mr. Greville Janner (Leicester, West): May I draw the right hon. Gentleman's attention to early-day motion 1004, which has been signed by more than 50 hon. Members on both sides of the House, condemning the outrageous treatment by the Greek Government of former King Constantine and his family?

[*That this House condemns the declared intention of the Greek Government to destroy the rights of former King Constantine of the Hellenes as a Greek citizen, by removing his citizenship and his passport, by appropriating his property without compensation including his family graveyard, through use of edicts imposed by the colonel dictators, and by denying him his basic human right of recourse to the courts of his own country to challenge the validity of these edicts and laws.*]

Is not it totally wrong to treat anyone, whether a king or a commoner, like that—a person who has lived in this country with his family since his exile? The Greek Government propose to take their passports away and remove their citizenship, to appropriate their property without compensation and, above all—and worst of all—to infringe their basic human right to take the problem and their complaints to their courts.

Mr. Newton: I have seen the hon. and learned Gentleman's early-day motion. Indeed, I have read it with care and noted what it says. He will understand, however, that it is a matter for the Greek authorities and the former king. I am sure that they will also take note and consider what the hon. and learned Gentleman said.

Mr. Dennis Skinner (Bolsover): May we have a further statement about the coal industry and the continuing closure of pits with specific reference to Tower colliery, where miners in south Wales decided last week to continue to fight to keep the colliery open? British Coal management then decided to use various devious means—they threatened to close the pit completely, to take it out of the colliery review procedure and then to put it back again, and they then said that they would continue production—to confuse the miners with the clear intention of trying to get them to reverse their vote. In view of all that, will the Leader of the House ensure that the President of the Board of Trade makes a statement here and keeps the pits open in Britain? We do not have enough pits as it is. But one thing is certain—the last pit in south Wales is worth fighting for.

Mr. Newton: With due respect to the hon. Gentleman, that sounds like a rather tendentious account of affairs. Of course, I will bring it to the attention of my right hon. Friend, together with the request for a statement.

Mrs. Margaret Ewing (Moray): Does the Leader of the House recall that he, together with his Cabinet colleagues, endorsed the concept that there should be transparency in all negotiations within the Councils of the European Union? In that context, why has there not been a statement on the Fisheries Council meeting on 12 April, or the opportunity to debate the matter? Will we have to wait until the normal fisheries debate in November, or will we have an early clear statement or debate on issues such as relative stability, historic rights which appear to be sold out and the policing of the Spanish armada, which will now have access to the North sea? That is a matter of great concern to people in my area whose livelihoods depend on the catching and processing of fish.

Mr. Newton: Obviously, I understand why the hon. Lady has raised that question; indeed, some of my hon. Friends raised related matters yesterday afternoon. I am sure that my right hon. Friend the Minister of Agriculture, Fisheries and Food will wish to make things as clear as she can to the hon. Lady at the earliest possible opportunity.

Mr. Nick Ainger (Pembroke): May I emphasise again to the Leader of the House the need for a statement or debate on the future of the fishing industry, particularly with regard to the treaty of accession and its implications, not only for the North sea and the Scottish fishing industry but for the fishing industry in Northern Ireland, Scotland and the south-west of England? It is an important issue. I hope that, because three Members of Parliament have raised the issue today, the Leader of the House will impress on the Minister of Agriculture the urgency of the situation and the need for a full statement and debate.

Mr. Newton: The hon. Gentleman will understand that I mean it when I say that I will ensure that my right hon. Friend is made aware of the concerns expressed from various parts of the House, as she was made aware of the concerns expressed from the Government Benches yesterday.

Mr. Andrew Miller (Ellesmere Port and Neston): I suspect from his evidence that the Leader of the House will agree that the recent report from the Information Committee could significantly improve the way in which hon. Members give service to their constituencies and the way in which they perform their duties within the House. Will he arrange for an early debate on that report, which is supported by a large number of hon. Members from all parties?

Mr. Newton: I will, of course, look at the matter. It is an important report and the House must consider, when judging it, whether the relevant expenditure is appropriate. Some important issues are involved and, of course, I understand that they need to be debated. I cannot make an immediate promise about when.

Mr. Peter Hain (Neath): May I draw the Leader of the House's attention to early-day motions 874—

[*That this House, recalling the Times report of 22nd January 1986 that a Conservative Minister, the honourable Member for North Wiltshire, had heavy losses paid for by parties within Lloyd's and believing that honourable Members should not be given beneficial treatment unavailable to their constituents driven to destitution, bankruptcy and even suicide by similar losses, condemns the decision of at least 12 honourable Members to refuse to disclose their membership on Lloyd's syndicates in the 1994 Register of Members' Interests which, by keeping secret their liabilities, alarms those both inside and outside this House that another special arrangement is being made to alleviate the*

[Mr. Peter Hain]

liabilities of honourable Members alone, therefore avoiding possible bankrupicies and subsequent by-elections; and believes that, because of their refusal, information from Lloyd's Blue Books and the independent Chatset League tables estimating potential Lloyd's losses, using the average premium per member of each syndicate in the absence of a disclosed figure, should be revealed showing combined losses of over £6 million for the honourable Member for Holland with Boston, the honourable Member for Finchley, the honourable Member for Romsey and Waterside, the Right honourable Member for Old Bexley and Sidcup, the honourable Member for North Norfolk, the Right honourable Member for Wirral West, the honourable Member for Stroud, the honourable Member for North Wiltshire, the honourable Member for South Hams, the honourable Member for Bosworth and the honourable Member for Weston-Super-Mare.]

and 894 and 1008 standing in my name, and may I ask for an early debate on Lloyd's?

Is the Leader of the House aware of the calculation by a former Lloyd's underwriter that 51 Conservative Members who have been investors with Lloyd's have losses of £22 million, and that these may be being paid by retrospective stop loss policies, by drawing on Lloyd's central funds and by the Members' agencies in a way that is not the case for other external names, who face destitution and bankruptcy and have even committed suicide? Surely we need an urgent Government statement on the matter, or at least a proper inquiry.

Mr. Newton: I am obviously aware of the early-day motions to which the hon. Gentleman referred. I am frankly reluctant to commit myself to what he wants in view of the way in which—in my judgment—he has been conducting himself in relation to the matters.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): Does the Leader of House accept that the meeting of the UN Commission for Sustainable Development in May this year is a vital and, indeed, historic occasion? The commission is, of course, the prime mechanism for enabling the countries of the world to confront the grave environmental crisis which faces us all. It has been receiving reports from all the signatories of Agenda 21, and there scarcely could be a more important subject. May we please have a debate on that meeting, either before or after it takes place?

Mr. Newton: We showed our commitment to environmental policies and our willingness to have debates in the House when possible and appropriate at the time of the Rio summit. In that spirit, I will look at what the hon. Gentleman has said, although I cannot make a promise to him this afternoon.

Points of Order

4.6 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): On a point of order, Madam Speaker. During Prime Minister's Question Time, the Prime Minister referred to my right hon. Friend the Member for Derby, South (Mrs. Beckett) in a way which you felt was unparliamentary. At your request, the right hon. Gentleman rephrased his earlier point. However, I think that the record will show that the Prime Minister did not withdraw his unparliamentary remark and did not apologise for it. I respectfully ask you, Madam Speaker, to check the record and to ask the Prime Minister formally to withdraw his remark and to apologise for it on the Floor of the House.

Mr. David Shaw (Dover): On a point of order, Madam Speaker.

Madam Speaker: Order. Is it related to the previous point of order?

Mr. Shaw: Yes.

Madam Speaker: In that case, I will hear it.

Mr. Shaw: Further to that point of order, Madam Speaker. On the issue of lies about the national health service, of which we are getting an increasing—

Madam Speaker: Order. The hon. Member for Newcastle upon Tyne, East (Mr. Brown) raised a quite correct point of order. If the point of order from the hon. Member for Dover (Mr. Shaw) relates to that, I will hear it. However, we are not concerned with lies about the NHS. We are concerned about the point of order, and the hon. Gentleman's point of order must relate to that.

Several hon. Members *rose—*

Madam Speaker: Order. I am hearing an hon. Gentleman.

Mr. Shaw: My concern relates to the ability of an hon. Member—whether he is the Prime Minister or a Back Bencher—to say, where a clear lie has been stated in the House, that a lie has been stated without in any way wishing to be derogatory about the person who may have made the statement.

Madam Speaker: Order. If the hon. Member looks carefully, he may be able, under certain circumstances, to put down a substantive motion.

Several hon. Members: Further to that point of order, Madam Speaker.

Madam Speaker: Order. There can be no further points of order on this. I have captured the spirit of the House on this matter from the point of order of the hon. Member for Newcastle upon Tyne, East.

Of course, I heard clearly the Prime Minister's remarks which, I have to say, I felt were unparliamentary. However, it is for me to decide whether the rephrasing that he offered was acceptable and I deemed that it was acceptable.

In any event, I should like to remind the entire House —this relates to Back Benchers as well as Front Benchers —of the very wise words of "Erskine May":

"Good temper and moderation are the characteristics of parliamentary language."

All Members—both Front Bench and Back Bench, however long they have been here and whether or not they are new Members who came here at the last election—should remember those fine words. Let us conduct ourselves in that spirit in future.

Mr. David Winnick (Walsall, North): On a point of order, Madam Speaker.

Madam Speaker: It does not relate to the previous point of order, does it? That has been dealt with.

Mr. Winnick: I want to ask you a question, on a point of order. I have heard you, like your predecessors, ask hon. Members who used expressions that are not allowed in this Chamber to withdraw them immediately. You have insisted on that. Does not the same apply to the Prime Minister?

Madam Speaker: Order. The hon. Gentleman is a good parliamentarian. I dealt with the point of order raised by the Opposition Front-Bench spokesman and have firmly made my views known in the House on a number of occasions. I shall take no further points of order on the matter, which has been dealt with. I will, of course, listen to any other points of order.

Mr. Tam Dalyell (Linlithgow): On an entirely different point of order, Madam Speaker. During Prime Minister's Question Time, is it in order for a Prime Minister to cast a slur on a member of another place? I refer to the right hon. Gentleman's reference to Labour Prime Ministers' use of No. 10 Downing street for fund-raising purposes. Ought that to be drawn to the attention of Lord Callaghan, because there might be great resentment at the insinuation that the noble Lord acted improperly?

Mr. Shaw: He did not say that.

Madam Speaker: I heard very clearly what was said at Prime Minister's Question Time. I refer the hon. Gentleman to the report in *Hansard* where he will see very clearly what happened.

Mr. Dennis Skinner (Bolsover): In view of the new flexibility in the rules, can we have a retrospective ruling on the eight separate occasions on which I ran into difficulties with the Speaker—only once with you, Madam Speaker—and wipe the slate clean?

Madam Speaker: I try to wipe the slate clean on each occasion. That is why the hon. Member for Bolsover (Mr. Skinner) and I are such good friends today—[*Laughter*] —so far, but there is some time to go before the end of the day.

Opposition Day

[9TH ALLOTTED DAY]

Family Policy

Madam Speaker: I have selected the amendment in the name of the Prime Minister.

4.12 pm

Miss Joan Lestor (Eccles): I beg to move,

That this House, in this the International Year of the Family, condemns the failure of the Conservative Government to bring forward policies which give real and lasting support and encouragement to families; notes with alarm the damage to family life resulting from Government policies over the last 15 years which have produced substantial high levels of long-term unemployment, undermined health, education and housing services, increased the tax burden on ordinary families despite Government promises to the contrary, widened the gap between rich and poor, contributed to the significant increase in the incidence of marital breakdown, and threatened family security as a result of soaring crime rates; and calls on the Government to develop as a matter of urgency a comprehensive family policy which invests in training and job creation, extends welfare services, particularly pre-school provision, and meets the targets of the International Year of the Family and the UN Convention on the Rights of the Child.

I welcome the opportunity to open this debate on family policy, although it is a pity that Ministers did not feel strongly enough about the issue to raise it themselves at an earlier date. After all, we are already one quarter of the way through the year, which has been designated by the United Nations as the International Year of the Family—a year in which we are encouraged to make this a more family-friendly country and to develop policies to that end.

Perhaps I should not be surprised by the Government's slow reaction. The Secretary of State might need more time to ease herself into her new tagged-on role—how did No. 10 describe it?—

"with responsibility for the family".

Despite all the ministerial rhetoric—much of which struck me as hypocritical, sickening and ill-judged—the "back to basics" fiasco and the subsequent squirming of prominent representatives of the Conservative party, the Government do not have a coherent family policy.

As we can judge from the Government amendment, they are prepared to sacrifice support in the names of independence and offering choice, but that is appropriate only when families feel that they have a choice.

In the circumstances, the Secretary of State's new responsibilities can be seen only as a reflection of Government public relations panic. Who better to reassure us of the Government's good intentions towards families than the Minister who made the remarkable claim that she shopped in Marks and Spencer earlier than the rest of us to avoid the embarrassment of being mobbed by crowds congratulating her on the running of the health service?

Mr. Gary Streeter (Plymouth, Sutton): Cheap and nasty.

Miss Lestor: I do not find Marks and Spencer cheap. I find it very good quality, but rather expensive.

I have no doubt that the Minister's rhetoric will be confidently delivered, coming from someone whom my hon. Friend the Member for Dulwich (Ms Jowell), writing in the *Evening Standard* last night, described as

"living in a fantasy world, a world of her own, with its own language, its own culture and now its own bizarre customs and practices."

The reference, by the way, was to a visit made by the Secretary of State for Health to a new general practice clinic in Dulwich. The timing of the visit was switched at the last moment so that the Minister could avoid any unpleasant demonstrations—clearly, not Marks and Spencer customers.

But even Tory Ministers cannot run away from the truth for ever. For the past 15 years, the Conservative party has consistently undermined families. Policy after policy has chiselled away at the optimism of families, withdrawn hope for their future and that of their children, sapped the confidence of individuals to cope. In their place has come fear—fear of crime in our streets, of repossession of homes, of homelessness itself, of bankruptcy of small businesses, redundancy and unemployment, and of the ever-increasing tax burden on ordinary people. The social impact of all these influences on young people who are robbed of hope before they reach adulthood is reflected in increasing alienation. I am surprised that so many cope and emerge as good citizens.

People are distressed by the sight of young homeless beggars on our streets, a sight that I never saw in my childhood. They are appalled by the knowledge that sick people are treated on trolleys in hospital corridors, wondering whether that will be their fate too. They are frightened by the prospect that, with incapacity and old age, will come bills that eat into their hard-earned savings. Yet only two years ago the Prime Minister boasted of his ambition to bring about an economic climate in which wealth would flow down from generation to generation. Increasingly, elderly people find their savings swallowed up by care charges or nursing home fees.

These are inescapable facts. The Secretary of State for Health will no doubt try to dismiss them as anecdotal evidence, but I can tell her that they are genuine fears and experiences shared by millions of people. They are more meaningful and true to people's lives than any of the carefully selected figures supplied by Government Departments.

The Conservative philosophy on families is quite straightforward. What have they to offer? Independence, opportunity and choice, they say.

Mr. Peter Thurnham (Bolton, North-East): The hon. Lady is talking about making policies clear. Will she make it clear what the Labour party's policy is on child benefit? Does she agree with the hon. Member for Glasgow, Garscadden (Mr. Dewar) that child benefit should be scrapped? On 14 December 1993, he was quoted in the *Daily Express* as saying that scrapping child benefit was an option that ought to be looked at.

Miss Lestor: The hon. Gentleman must ask my hon. Friend. I have not seen that statement. If he asks me what my view is, I am a believer in and supporter of universal child benefit. I always have been, and I always will be.

Mr. Thurnham: What about policy?

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Perhaps my hon. Friend would like to explain to hon. Members on the Government Benches that, unlike them, we do not make up policy on the cuff of our shirt sleeves, and that the difference between a Back-Bench Member,

however distinguished, voicing his own opinion on social security benefits and the Front-Bench team of the Labour party announcing an agreed policy is considerable.

Miss Lestor: I am grateful to my hon. Friend. I was asked what my views were, and I have given them. I have made them perfectly public and will continue to do so. I am a supporter of universal child benefit.

Before I was so uncharmingly interrupted, I was saying that Conservative policy on families is straightforward. Conservatives say that they have independence, opportunity and choice. But where are the "dramatic" improvements in living standards mentioned in the Government's amendment? Where are the opportunities that empower families? What are the choices? The amendment is a blatant attempt by the Government to offload their share of responsibility. That attitude places an extraordinary burden on individuals. It is an act of extreme irresponsibility; of moral and social cowardice by the Government.

Small wonder that the Government have no family policy—in its place, a rag-bag of unrelated legislation and guidelines; requirements on local government to pick up the pieces without the resources to make a good job of it; and an enthusiasm by the Government to blame anyone who falls short of the ideal. It is always someone else's responsibility—someone else's problem—as I will show.

To listen to some Ministers, we might be forgiven for thinking that it was not the Conservative party that brought in the socially damaging poll tax, bungled our entry into the exchange rate mechanism, with disastrous results, or fundamentally undermined local government, health and education services. The worst failings are now presented by Government spin doctors as the failings of individual Ministers who resign, are sacked or, in the remarkable case of the current Chancellor, are given the chance to collect a full set of departmental disasters. Let us hope that he learns from his experiences.

That approach to scapegoating individuals when Government policies go wrong is followed through right along the line. Juvenile crime? The fault of individual parents. Under-achieving at school? The teachers' fault. Teenage pregnancy? Moral lassitude by young girls anxious to get a council house. Let us not overlook the lasting impact of the swinging sixties—they have been brought in as well. You name it, they will find something or someone else to take the blame. It is a simple approach, but it is not a very honest one.

Mr. Tim Devlin (Stockton, South): Who does the hon. Lady blame for poor educational standards if it is not the teachers?

Miss Lestor: The Government have been in power for 15 years. During that time, as the Government have said themselves, an increasing number of young people leaving school have had educational difficulties. There is no one else to blame but the Government. The overwhelming majority of children in our schools now have experienced no other Government than the current one. I blame the Government for the lack of educational opportunity in our schools.

The absence of a co-ordinated approach to family-friendly policies, the absence of a commitment to developing a network of preventative support services to families and their individual members, leaves a huge policy gap.

Several hon. Members *rose—*

Miss Lestor: The hon. Gentlemen will have the chance to make their own speeches.

Mr. Streeter *rose—*

Miss Lestor: I think that I have been very generous in giving way.

Mr. Streeter: The hon. Lady has only given way twice.

Miss Lestor: The evening is young. If the juvenile lead over there wants to get up, I will let him.

Mr. Streeter: I should like to introduce the hon. Lady to the hon. Member for Glasgow, Garscadden (Mr. Dewar), who has just entered the Chamber, who is a Front-Bench spokesman on social security—not, as the hon. Lady said, a Back Bencher. He wants to reform child benefit; she wants it to stay as it is. What is the Labour party's policy on child benefit?

Miss Lestor: I think that the hon. Gentleman is getting his women muddled up. I was asked what my views were on universal child benefits. I said that I believed in them. I do believe in them. [Hon. Members: "Let him tell us."] With great respect, and the affection that I have for my hon. Friend, it is not his debate. It is mine, and I am making my speech. Therefore, I will not ask him to get up and participate in the debate.

Mr. Thurnham: On a point of order, Madam Speaker. Should we adjourn for 10 minutes while hon. Members on the Opposition Front Bench discuss what their policy is?

Madam Speaker: That is one of the most frivolous points of order that I have ever heard.

Miss Lestor: I happen to believe that families matter. I happen to believe that children matter. Conservative Members are showing the country at large how little they care about children and about families. If they could see the stupid grins on their faces, which will be on their television screens, they might like to take notice of the fact that many of the people whom we are here to represent are suffering under the Government, and that their children are suffering. I hope to hear from some Conservative Members positive policies to do something about it.

No doubt the Secretary of State for Health will refer to the major advances made as a result of the Children Act 1989. I and all of us were great supporters of the Children Act. What a pity, however, that such a potential for good should be undermined by lack of appropriate funding. Unfortunately, many of the safeguards in the Children Act 1989, particularly those aspects dealing with preventive work, have been underfunded, as any social services department will confirm.

It is no surprise that a Government so dominated by short termism should be panicked into producing over-the-top, ineffective and inappropriate statements. Media reactions to social issues say more about the ignorance of Ministers and their superficial grasp of the issues than anything else.

The International Year of the Family presents us with a golden opportunity to take stock of how effectively the Government support families. The organisation co-ordinating events during this year has identified three main areas of concern, which I commend to Ministers: families

[Miss Lestor]

and work; families, poverty and resources; and families and relationships. They are, of course, closely interlinked and require cross-departmental responses.

On the issue of families and work, one of the most important changes in employment trends over the past 20 years has been the rise in the number of two-earner families, from 43 per cent. of families with children in 1973 to 60 per cent. of families in 1993. That has come about partly by choice and partly by necessity. In only a minority of cases do both parents work full time. Indeed, only 14 per cent. of mothers have a full-time job.

Lone mothers are more likely to work full time than women in two-parent families, partly because they lose pound for pound of income support against earnings of more than £15 a week. They are therefore less likely to follow the more usual pattern of a mother easing her way back into work first through a part-time job.

Mothers, particularly lone mothers, cannot win with this Government. If they are lone parents on income support, they must go out to work. If they fail to find adequate child care and, in extreme cases, wrongly leave their children unattended, they are treated as monsters rather than having their needs attended to.

If they return to the labour market to enhance their children's living standards and opportunities and increase choice for them, and their children get into difficulties, as many children do through no fault of working parents, the first person to be blamed will be the mother. Women need and deserve a change in attitude by the Government. Most parents work hard to be good parents; most mothers work hard to be good mothers, and that should be recognised.

But how do the Government help parents to combine the need to earn with their responsibility as parents? There is little publicly funded child care in this country. Indeed, our record is among the worst in Europe. Local authorities provide day care facilities for less than 2 per cent. of our under-threes and, in the main, those precious places are allocated to children already identified as in need. That leaves private provision, which, being expensive, rules out low-wage workers. It is patchy and not always appropriate.

In 1991, for example, only 1 per cent. of families with children under five used workplace nurseries. One option that is becoming increasingly popular is the admission of young children into reception classes at primary schools. Children as young as just four are expected to cope with school life in what I regard as an inappropriate setting. That is nothing more than a back-door attempt to disguise the lack of proper nursery education. If we are to take children into school at the age of four, they should be taken into proper nursery classes, not given nursery education on the cheap.

Lady Olga Maitland (Sutton and Cheam): Is the hon. Lady not aware that, for small children under the age of five, we need a diversity of provision at the pre-school stage? At that stage, 90 per cent. of children under the age of five do have some sort of highly effective provision.

Miss Lestor: The hon. Lady has the honour of having talked out the Bill introduced by my hon. Friend the Member for Newham, South (Mr. Spearing) dealing with the provision of nursery education and special needs. I am glad that she is a convert to the belief that we need, as I was about to say, a variety of provision for our under-fives. It is hypocritical to take children into school at the age of four and then not allow them to have proper nursery education, when we all believe—the Government have said this—that nursery education is good for children up to the age of five.

All the research shows that nursery education is good for children. Nobody in this House disputes that. All children need it. Not only does it encourage their social and educational development—*[Interruption.]* Does the Minister want me to give way?

The Parliamentary Under-Secretary of State for Employment (Miss Ann Widdecombe): I am most grateful to the hon. Lady for giving way. As she has said that all children need nursery education, is she committing her party to providing nursery education for every child? Is she committing herself to the funding of such education? If so, how much will it cost, and by what means is she going to raise the money?

Miss Lestor: I will answer that question, because it is an interesting one. But we could do with some clarification from the Conservatives on this point, because the Prime Minister says one thing and the Secretary of State for Education says something else. I am totally bewildered. Our policy at the last election—which will continue to the next election—was that we will provide nursery education for all children over the age of three whose parents want such education for their children. That is our policy. Is the hon. Lady happy with that?

Lady Olga Maitland *rose—*

Mr. Gyles Brandreth (City of Chester) *rose—*

Miss Lestor: No, I am not giving way again.

We all agree that nursery education and a variety of pre-school provision is good for our children. It also allows problems within families to be identified quickly and allows the needs of those families to be met at a very early stage. It should be an essential part of any strategy which aims not only to promote and provide educational opportunity—children need educational stimulation early in their lives—but also to aid in the detection of abuse, neglect, special needs and family problems. The Government know this to be true.

Mr. David Wilshick (Walsall, North): Does my hon. Friend agree that it is rather sickening that those such as Tory Members who have the financial means and can give their children every advantage—and rightly so—should resent the provision of nursery and pre-school groups and take every opportunity to try to challenge us about where the money will come from? If their children can be looked after properly, why should the large majority of children, many of whom are being brought up in the most difficult circumstances, not be looked after also?

Miss Lestor: My hon. Friend knows that he and I agree about this matter. Not all mothers want to work; nor should they, if they do not wish to. But their children, too, benefit from attendance at pre-school nurseries and from participation in other activities. This is a service for children and should not be dependent on the working status of their parents. A Government committed to a family policy would have full employment as a goal.

Mr. Oliver Heald (Hertfordshire, North) *rose—*

Miss Lestor: I will not give way again; I have given way on several occasions. The hon. Gentleman is not as persuasive as my hon. Friend, but if he keeps it up, who knows, I may give way.

Mr. Heald: The Select Committee on Employment has heard evidence that half the women who work and who have young children would like to see the establishment of workplace nurseries and would use them. As the hon. Lady knows, the Government have given tax relief in that area. At the moment she is talking about the position of non-workers, but on the question of promoting workplace nurseries, what more would she or the Labour party do to encourage them than has been done already?

Miss Lestor: I think that the whole question of workplace nurseries and the way they fit in with the needs of young children should be looked at very closely. Many people would welcome them. We want a complete survey of what is taking place in pre-school education, because many children's needs are not being met. I know what the Select Committee has said, and I am very interested in it. But we do not make policy standing at the Dispatch Box or on the hoof.

Ms Hilary Armstrong (Durham, North-West) *rose—*

Miss Lestor: I will go on for a few moments, and then I will give way to my hon. Friend.

As I have said, a Government committed to a family policy would have full employment as a goal because that is what many families need. The poverty and demoralisation of families living with unemployment, particularly long-term unemployment, cannot be over-stressed. Hopelessness and lack of self-esteem are experienced in almost equal measure by parents and children alike.

One quarter of Britain's children are living in poverty today—many of them in families headed by a lone parent. In the vast majority of cases, this is not by choice: the parents started off in a stable relationship, and things went wrong. After a decade and a half of Tory government, 5.5 million people are in receipt of income support—the minimum safety net benefit—which amounts to more than £8.75 million. In 1979, there were 2.8 million people receiving the equivalent supplementary benefit. This country not only has the highest rate of poverty among the better-off countries in the Economic Union, but has also managed to achieve the sharpest rise in poverty throughout the European Union—what a record of achievement.

Predictably, families with children and pensioners form—

Lady Olga Maitland: Will the hon. Lady give way?

Miss Lestor: I shall not give way to the hon. Lady. She has already interrupted me. She had a chance to have a go at me on television, but did not take advantage of it. She had better keep quiet for a little while.

Lady Olga Maitland *rose—*

Madam Deputy Speaker (Dame Janet Fookes): Order. I think that the hon. Lady has been here long enough to know the rules.

Miss Lestor: Predictably, as we all know, families with children and pensioners form the majority of those living in poverty in this country. If someone is in full-time employment but on a low wage, he or she is poor; if someone is caring for a child with a disability, he or she is at greater risk of poverty because of the need to provide full-time care. According to the International Year of the Family Organisation, in 1989, 32 per cent. of people who were caring for a child with a disability had no earners in the family, compared with 18 per cent. of the general family population.

Poverty has increased dramatically under the Tories, as have homeless families. During the 1980s, the number of homeless families with children rose by 46 per cent. We run the risk of a return to the days when children were taken into care because their parents were without a home—a concern raised by the Department of the Environment in its recent paper on access to local authority and housing association tenancies.

There is a real fear that is shared by the Children's Society, among others. If, as a result of Government dictate, housing departments no longer have a responsibility to provide accommodation for those families, local authority social services will be hard put to keep families together, with appalling consequences. I urge the Minister to raise the matter with her colleagues at the earliest opportunity.

The International Year of the Family Organisation says that educational failure is directly linked to poverty. It says that, in 1991, one in five 21-year-olds were innumerate, and one in seven were illiterate. Those are young people who spent all their school lives under a Tory Government. The introduction of testing is not the answer. The Government must tackle the problem and target resources to lift families out of poverty, widen access to pre-school provision and educational opportunities after the statutory school leaving age, and improve the status of parents.

A start could be made on that policy by the Minister giving some advice to her colleagues about the derogatory language they use when referring to parental status and the skills of others. I was disgusted by the way in which Ministers fell over themselves last year to scapegoat parents, particularly lone mothers.

The Secretary of State for Social Security referred to his "little list" of young ladies who became pregnant deliberately to jump the housing queue. What a shock he must have received when his theory was blown out of the gutter by the Government's own research. Who could forget the notorious visit of the Secretary of State for Wales to the St. Mellon's estate in Cardiff? He professed himself profoundly shocked by the squalor and deprivation, and laid most of the blame at the door of lone mothers.

I too have visited St. Mellon's estate. I found the poverty shocking, but I was also struck with admiration for the way in which that much-reviled community was working to help families and individuals. What a pity that the Secretary of State was unable to recognise the obvious sense of community that runs through that estate and did not encourage the efforts and obvious achievements of the residents. I suspect that such an approach would not have fitted in with his pre-ordained view, but I hope that he has reconsidered the subject.

This is a significant month for families. Since 1979, the Conservative party—the party of the family—has been promising to reduce taxation. It has lied. Conservative taxation policy has hit ordinary families hardest, while giving huge tax handouts to the already rich. Over the next two years, the typical family will pay £1,330 more in tax

[Miss Lestor]

—the biggest tax hike in history. Yet people earning more than £64,000 a year will pay less tax from this month than they did in 1979.

The Treasury's own figures show that, from this month, a married couple on average earnings and with two children will be left with £331.76 a year less in take-home pay or real disposable income. This time next year, another £85.80 will go in the next phase of Tory tax increases. This month, national insurance contributions will rise from 9 per cent. to 10 per cent—an increase that will hit the low-paid even harder than the increase in the basic rate of income tax, as it impacts on every pound they earn over £57 a week, whereas an increase in the basic rate of income tax does not affect earnings of less than £124 a week. Four hundred thousand low-paid workers will now pay tax for the first time as a direct result of the Government's decision to freeze personal allowances for two years running.

Following the imposition of VAT on electricity and gas bills, a typical family is set this year to pay 5.8 per cent. of its income on VAT. That represents an increase of more than £600 on the 1978-79 figure, at today's prices. VAT on fuel bills is set to reach record levels, yet it hits hardest those who can least afford to pay.

According to the Institute of Fiscal Studies, the poorest households spend 13 per cent. of their income on fuel, while the richest spend only 2 per cent. The Government's compensation scheme is tragically inadequate. The 50p a week for pensioners is only half of what is needed to compensate them.

Mr. Brandreth *rose—*

Miss Lestor: I shall give way to the hon. Gentleman, but this is the last time I shall do so for any Conservative Member.

Mr. Brandreth: Does the hon. Lady appreciate that she is now touching upon her central dilemma? She is deploring tax increases only moments after having told us that she wishes to guarantee education for every three-year-old. The Government have increased from 43 per cent. to 53 per cent. the number of under-fives in maintained nursery education. How does the hon. Lady square the anomaly? She says that she does not want to tax more, yet she wants to spend more. Does she not see that taxation and spending are one and the same thing?

Miss Lestor: The hon. Gentleman has got himself into a little difficulty.

What is the trouble about the Government's taxation policy? First, Ministers told people that they would not increase taxation, but promptly did so. Secondly, people who are least able to pay have to contribute more than those who are able to pay. That is the contradiction. I suggest to the hon. Gentleman that if money is needed he look towards those who have done so very well under the Conservative Government as a result of tax handouts and all sorts of other benefits.

Mr. Max Madden (Bradford, West): And writing off debts.

Miss Lestor: Yes, just as my hon. Friend says.

From this October, we shall all have to pay an extra 2.5 per cent. for home, car and travel insurance. Again, people living in Britain's poorest areas will be hardest hit. They already pay seven times more in home insurance premiums than families in better-off areas. My hon. Friend the Member for Peckham (Ms Harman) cited the family living in central Liverpool who will face a bill of up to £540 for a standard £30,000 contents insurance, whereas a family in Congleton may pay as little as £77. Later this year, the Liverpool family will face an insurance tax of £16.20, whereas for the family in Congleton the figure will be just £2.30.

In November, the Government will bring in an air passenger tax, which will put an extra £5 on the cost of all holiday flights in Europe, and £10 on the cost of flights elsewhere. This is another typically unfair Tory tax. As a flat rate tax, it hits ordinary families hardest. There are exceptions, however, and these illustrate a point that has been made. Those lucky enough to use executive or private jets will all be exempt.

In the meantime, tax abuses are ignored. A prime example is tax relief on executive share options. Last year, the average chief executive received £620,000 in share options. Thousands of pounds of this is tax-free. That is where the money is. Incidentally, I should like to draw attention to an item of news in *The Daily Telegraph* last week. This revealed that six privatised PowerGen directors cashed in £3.5 million-worth of share options over a four-day period. Their profit would pay the VAT on the fuel bills of 70,000 families this year. That is the contradiction.

Without a doubt, the gap between rich and poor has steadily widened under the Tories. The gap between top and bottom wage earners is wider than it has been for more than 100 years—since records began. What an achievement. When Labour left power, those earning an average of £6,000 a year—the lowest 20 per cent.—paid less tax as a percentage of their income than did any other group. Now they pay more as a percentage of their income.

The Tories have broken their promises on taxation because their economic policy has failed miserably. Since 1979, the amount of North sea oil and gas revenues received and wasted by the Tories is the equivalent of every family in the country giving the Government £5,000. It costs £9,000 a year in lost taxes and benefits to keep someone on the unemployment register. Unemployment now costs every taxpayer £20 a week.

What a waste of money, and what a waste of human resources. The knock-on effect of long-term unemployment on all the members of families should never be underestimated. One child in every four is now growing up in poverty, yet is surrounded at every turn by the trappings of a wealthy society which measures the value of an individual by his or her possessions.

According to the National Children's Home, the National Children's Bureau and the voluntary agencies, the number of children receiving free school meals has gone up, but, with the removal of nutritional standards in schools, their contribution to a healthy diet is now very variable. We are told that one out of every nine children goes to school without breakfast. One in six does not have a cooked evening meal. More and more rely on junk fast food to fill them up, with the consequent threat of heart disease in middle age.

We see the return of childhood illnesses and diseases which are associated primarily with extremes of poverty and which most of us thought we had left behind—for example, rickets resulting from malnutrition. The number

of reported cases of dysentery has increased by 10 per cent. since water privatisation. The number of water disconnections has rocketed in the same period. In 1973, Thames Water cut off 850 households, compared with 61 in 1991-92.

Mr. Irvine Patnick (Lords Commissioner to the Treasury): It's being so cheerful keeps you going.

Miss Lestor: The Government Whip says that it is being so cheerful that keeps me going. I am not cheerful about what I see happening to children and families. If the hon. Gentleman thinks that this is something to be cheerful about, it is little wonder that the Government are failing as they are.

Health visitors are reporting rising levels of diarrhoea, nappy rash and thrush as a result of poor hygiene. If hon. Members can sit back and be complacent because this does not happen to their children, I can only say that they are not fit to be in government. I see these things day in and day out. I talk to health visitors, and I know what is going on.

Lady Olga Maitland *rose—*

Miss Lestor: I shall not give way to the hon. Lady, who does not represent the sort of children I am talking about.

These are not remarkable coincidences; they are the direct result of the Government's years of neglect of families. The strains on individuals as a result are enormous.

This leads me to the third aspect of the International Year of the Family—families and relationships. As we all know, parents are the greatest influence on the child's development, yet the Government do little to encourage good parenting practice. Instead, Ministers confine themselves to blaming poor parenting for all social ills, whether school truancy, juvenile offending or under-age sexual activity.

I realise that this issue concerns some Members on all sides of the House, and I should like to pay tribute to my hon. Friend the Member for Hammersmith (Mr. Soley) and to the hon. Member for Torridge and Devon, West (Miss Nicholson) for their work in setting up the all-party parliamentary group on parenting, which was launched a week or two ago. This is something that ought to be spread to a much greater extent throughout the country.

It is difficult being a parent. Parenting skills do not arrive with the baby; they have to be learned. Good parenting comes from a blend of love, the best of one's own childhood experiences and support. That is what is lacking. Much is therefore left to chance. We should be providing today's children—tomorrow's parents—with the chance to consider the responsibilities of parenthood before they take that important decision.

It is also important to remind young people that they do not have to make this choice until they feel ready. We spend enormous sums of money teaching skills in other areas of adult life: why not this one? I believe that preparation for parenthood should be part of the core curriculum, and I commend the recent "Education for Parenthood" pack produced by the Children's Society.

The broad issue of sex education and educating children for life is a classic example of the need for closer co-operation between Ministers. In "The Health of the Nation", the Secretary of State set targets for the reduction in teenage pregnancies, but how is that to be achieved? Not by opting out of sex education in schools, closing down family planning clinics or refusing to answer children's questions on sex, health and relationships.

The panic that arose following publicity over an incident in a Leeds school recently was typical of the Government's failure to think issues through. The same newspapers that some weeks previously covered their front pages, for any child to see, with the most explicit details of an actress's alleged expertise in oral sex were up in arms at disclosures by a nurse. What a surprisingly shockable lot journalists are.

The Secretary of State for Education reacted strongly, if predictably, and one Health Minister ordered the pulping of a sex education publication aimed at young people. If young people are denied the knowledge they need, how are the targets set in "The Health of the Nation" to be met? That is another urgent co-ordinating job for the Secretary of State, wearing her "responsibility for the family" hat. The Government must get their act together and agree a positive policy towards families, in whatever shape they come. Government Departments must talk to one another.

All families are in some sort of need. Most need confidence to get on with their lives, raise their children and contribute positively to society. That comes from the secure knowledge that the Government of the day understand and appreciate the problems that all families face from time to time, and from the knowledge that there are no nasty surprises around the corner—no hidden tax bombshells, for example, to throw finely judged budgets off course.

Families need to be sure that there is in place a flourishing welfare state that not only provides a safety net for people in difficulty but strives to set standards and to help people achieve them. Families need access to a range of support services flexible enough to meet their individual family needs—whether that is help with caring for elderly or infirm relatives, or conciliation advice when relationships break down. Families need to know that cost will not be a barrier to good-quality, accessible services.

Families need to feel that they are in active partnership with the Government, based on mutual understanding and respect. This Government are clearly failing to face up to their proper share of responsibility.

In a radio interview yesterday, the Secretary of State for Health said that she did not know whether she had been handed a poisoned chalice. Her job, she said, was to co-ordinate policies, because different Ministers hold different pieces of the jigsaw. That is the problem. I have some advice for her. Solving jigsaws takes time and thought, and one does not solve them by forcing the wrong pieces together in a hurry. At the end, there will be gaps with nothing to fill them—just as there are policy gaps today.

The Secretary of State frequently takes the opportunity to remind us how well qualified she is to speak on these matters—her pre-parliamentary training and experience fits her for the role. She may even take the opportunity to do so today.

On this side of the House, we also have well qualified people—former teachers, social workers, ex-directors and deputy directors of social services, nursery school teachers, people who have fostered children and so on. The difference between them and Conservative Members—and often, I suspect, the right hon. Lady—is that they have learnt from their experiences and know the real world.

[Miss Lestor]

I hope that the Secretary of State will prove today that she has not forgotten her experiences and training, and that she can relate it to the real world. Nothing would give me greater pleasure than for the right hon. Lady to present, after 15 years of Tory rule, a co-ordinated family policy that takes on board the needs of all families. Families deserve such concern.

4.53 pm

The Secretary of State for Health (Mrs. Virginia Bottomley): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the International Year of the Family and urges the Government to continue to pursue policies which ensure that the family remains the cornerstone of society; recognises that what families most want is independence, opportunity and choice and congratulates the Government on its economic and social policies which have led to dramatic increases in living standards and health, rewarded enterprise and endeavour and given families greater power over their own lives; welcomes practical measures such as the child care disregard announced in the Budget; and believes that the best way to support families is to assert the authority and responsibility of the family itself while providing help for families where it is most needed.'.

I welcome this opportunity to debate family issues. The hon. Member for Eccles (Miss Lestor) mentioned the International Year of the Family, and she will know that the Government are an enthusiastic and practical supporter of the year. I am particularly looking forward to 15 May, which the United Nations has designated as International Day of the Family. The hon. Lady and I were with the British committee for the launch of the year, and it was a very constructive and productive event—although during much of the hon. Lady's speech she appeared to have a somewhat different day in May in mind. Nevertheless, I congratulate her on the choice of subject for this debate. I hope that she will not be disappointed if I do not allow my remarks to degenerate into a stream of vituperative personal abuse aimed at her and her colleagues; the subject is too serious for that.

As the House knows, I have been given the role of speaking for the Government on family issues. It is also appropriate that I respond to this debate given that my Department's health and social services responsibilities touch on all members of the family, often at the most critical points of their lives. The House may be less familiar with the fact that I also answer for the Registrar-General who records all births, deaths and marriages.

The hon. Member for Eccles lays at the Government's door every single social ill affecting modern society. I find that curious given that the subject of this debate—the family—is fundamentally a private institution. There is no recognition of that in the Labour party motion, just a call for more public spending. Labour's answer to every problem remains the general application of someone else's cheque book—not an approach that would survive long in any family. In today's debate the hon. Lady may already have got herself into some difficulties with other Opposition Members. The hon. Member for Dunfermline, East (Mr. Brown) believes that progress could not be made until growth allowed it. We have already debated disagreements with the hon. Member for Glasgow, Garscadden (Mr. Dewar) over the possible scrapping of child benefit. But I shall not enter further into Labour party internal disputes.

The Labour party prescribes more state intervention and spending as the knee-jerk cure for every ill. That is scarcely surprising from a party whose funding, constitution and philosophy is dominated by organised labour and the man at work. Labour is unable to focus on the needs of the family at home. Labour will not accept that individuals are ultimately responsible for their own actions and must accept the consequences. The proper role of the family is to provide the learning and the stable, loving environment where that responsibility is mastered and turned to good effect.

Before dwelling on what divides us, we should acknowledge the substantial degree of cross-party support for some of the Government's most important family policies. That support was evident recently when I unveiled the Government's White Paper on adoption. When I first joined the Department, the hon. Member for Eccles called to see me on the vexed subject of trans-racial adoption and expressed her resentment of the politically correct attitudes to be found in that particular regard.

The hon. Lady may also have forgotten that, when the Children Act 1989 was introduced, personal social services saw a 15 per cent. increase in spending to make sure that its provisions were properly funded. We reproduced the central tenets of that legislation in our adoption policies, and that was widely welcomed on both sides of the House, as were the underlying principles of our community care reforms, which aim at caring for elderly and vulnerable people in privacy and dignity and, wherever possible, at home—close to their families and friends.

I understand that Labour has given its broad support for the Lord Chancellor's consultative proposals for reshaping divorce and mediation. In all the discussion in the House about the Child Support Agency, not one right hon. or hon. Member has, as far as I know, demurred from the principle that responsibilities begin with parents and must remain with parents.

The policies introduced by this Government constitute a far-reaching body of enlightened social reform that places families at its heart. Their uniting principle is the family as a force for social and moral good.

In adoption policy, we make it clear that prejudicial views about the age, race or social class of potential parents should not come before what is best for the child. Children need families, not text book theories. In the Children Act 1989, the presumption is that children thrive with their parents. Together with our strong support for the UN convention on the rights of the child, that shows our deep commitment to the rights of children within the family. Any intervention that breaks that family relationship should be undertaken only if the needs of the child absolutely justify it.

Since the 1989 Act came into force, the number of children taken into care by local authorities under court orders has fallen nearly 50 per cent. The House should recognise, as the Government do, the contribution of social workers, often in awesomely difficult circumstances, in making the implementation of the Act such a success.

The Child Support Act stresses the ongoing responsibility of parents, even after divorce or separation. It rejects the cynical assumption that the state should pick up the pieces, and the taxpayer the bill, where the individual cannot be bothered. But there is an underlying tension between the

family and the state—not one that I would expect the Labour party to understand or recognise. In his book, "The Subversive Family", Ferdinand Mount spoke of the family as,

"a last ditch from which to resist the state."

The family is the most powerful and venerable institution in the land. It predates churches, monarchies—even Parliaments. Long before legislators took to pronouncing on family values, the family was already transmitting those values down through the generations. Trying to substitute the state for the role of the family risks undermining the authority of the family itself and eroding the vital social cohesion that it provides.

Mr. George Stevenson (Stoke-on-Trent, South): How does the Secretary of State equate the record increases in taxation that the Government are imposing on the average family with her contention that the Government seek to reduce the tensions within families? Is not it a fact that those massive and record increases, which are bound to hit hardest those on the lowest incomes, will increase rather than decrease the tensions in families?

Mrs. Bottomley: Once again, the Labour party misunderstands and misrepresents the situation. I think that most families would understand without great difficulty that the real take-home pay today of a man on average earnings has risen by more than £80 a week compared with the figure in 1979. *[Interruption.]* We can expect an onslaught from the Labour party: Opposition Members will not want me to inform the House that the figure rose by £1.60 in the years during which they were in power. The comparison between £80 a week and £1.60 a week speaks for itself. Families will certainly know which party will support their interests most strongly. *[Interruption.]*

Madam Deputy Speaker (Dame Janet Fookes): Order. Is the hon. Member for Hemsworth (Mr. Enright) seeking to intervene? If he is, he should do it in the normal way.

Mr. Derek Enright (Hemsworth) I apologise, Madam Deputy Speaker.

Mrs. Bottomley *rose—*

Mr. Devlin: Is my right hon. Friend aware that, if the Labour party had won the previous general election, it would have added more than £38 billion to the tax take, on top of the tax increases that are now going through? That would have been a much greater burden on family life in this country than anything that people are likely to face under the Conservative party.

Mrs. Bottomley: As ever, my hon. Friend is exactly right. The British public well understand that the Labour party raises taxes out of conviction. We have seen only today a string of further spending pledges. No doubt the debate will rage far and wide in the Labour party as to how account is to be given for the commitments that the hon. Member for Eccles gave today. I can assure her that we have taken note of the spending pledges to which she has already committed herself.

The hon. Lady argued, predictably, that what has happened in the years since 1979 has undermined the family; she is wrong. On the contrary, it was the post-war decades before 1979, with their insidious cancerous extension of the state into every nook and cranny of our lives, that were so damaging to the family. Those were the years when, despite the noble intentions of the welfare state, dependency gained the upper hand over independence, freedom and choice. The House will have noted that, when the hon. Lady referred to independence, freedom and choice, she did so with a certain sneer in her approach to those concepts.

It was in those same years that fashionable nostrums in education, housing and law and order took hold. Non-judgmental, permissive values undermined respect for the values of responsibility, community and self-help —the very values that families had honed and passed on down the centuries. It is in those years that we can trace the origins of so much extra family breakdown and the erosion of respect for order and law.

Mr. Devlin: The Opposition do not care, either.

Mrs. Bottomley: And they do not care, either.

Such trends have, regrettably, continued in the 1980s and 1990s. They have been a phenomenon shared to a greater or lesser extent by comparable developed countries over that period. The social changes that brought them about are complex. Unfortunately, many lie beyond the power of Parliament to reverse. But what Governments can do is to provide the right environment to support and strengthen families and uphold their independence from the state. It is here that Conservative Governments since 1979 have made the decisive break from their predecessors.

Mr. Malcolm Wicks (Croydon, North-West): Given our broad agreement that the state should not take the place of the family, and the Secretary of State's concern about the dependency culture, how worried is she that a record number of families with children are totally dependent on the state for income, and that the dependency culture has increased during the past 15 years?

Mr. Alan Duncan (Rutland and Melton): A good argument for the Child Support Agency.

Mrs. Bottomley: As my hon. Friend rightly says, that is a good argument for the CSA. It is also a good argument for the measures that my right hon. and learned Friend the Chancellor announced in the Budget in terms of assistance with child care, and, indeed, for the dramatic improvements in family credit—whereas around 80,000 people benefited when the Labour party was in power around 500,000 people benefit now. *[Interruption.]*

Madam Deputy Speaker: Order. The hon. Member for Durham, North-West (Ms Armstrong) seems to be engaged in a running commentary.

Mrs. Bottomley: Conservative Members are familiar with the fact that, when Labour Members have no arguments, they either make a dreadful noise or start saying that the figures have been fiddled; we always know that we are home and dry when that is their response.

We have made a great number of changes to improve the situation for families. We have opened the doors to opportunity and enterprise, which gave families the chance to assert their independence and strength. Socialism nationalised choice, taking it away from individuals and families. We gave it back. Some 1.4 million families have been able to buy their homes under our right-to-buy policy —1.4 million families freed from the serfdom of the state and able to experience the independence and responsibility of home ownership; the tenants of Labour local authorities

[Mrs. Bottomley]

in particular found the tyranny, patronising attitude and lack of concern quite deplorable. That is something about which I know a great deal.

To its shame, the Labour party fought us at every stage. More powers to families meant less power to the baronies of the Labour movement and to the trade unions and municipal socialists. We know why the Labour party fought so hard to avoid the sale of council houses: it thought that, when people were in them, they were within its power. Those who used to see the difficulties that people faced in getting their council houses repaired by some Labour local authorities will know exactly why it thought that.

We still see today how entrenched is Labour's opposition to genuine independence and choice for families. In education, for example, the Labour party has opposed, and continues to oppose, every single measure that gives parents more choice, more influence and more control over their children's schooling. The Labour party opposed the right that we gave parents to choose their children's schools. It opposed grant-maintained schools and city technology colleges. It opposed testing. It carps at and criticises the publication of school performance tables, which give parents the information that they need to make informed choices.

The Labour party may claim to support the family, but what families want is information and influence over their children's schooling. They do not want to be frozen out. They want to participate. They want to be involved. They want information. But the Labour party resists every single measure that we pass that gives families power.

Ms Estelle Morris (Birmingham, Yardley): Is the Secretary of State aware that the money for city technology colleges could have provided many more pre-school education places for the under-fives? She raised a point about housing, which I think represents one way in which the state can support family life. Does she agree that the question that we should ask is how many families are in adequate housing, regardless of the ownership of those houses? Is not it a tragedy that, when commenting on housing, she seeks to make political points about home ownership and ignores the very real fact that more families now live in disgraceful and appalling housing than at any time since the second world war? What support are the Government going to give to get people out of housing misery?

Mrs. Bottomley: Presumably, the hon. Member for Birmingham, Yardley (Ms Morris) will now not feel the need to make a speech in her own right to start denigrating city technology colleges as always. The Opposition hate choice, diversity and variety, and that is why the public have no confidence in them. The public realise that the Opposition believe that they always know best. The Opposition never trust the people; that is why they deplore every opportunity that empowers the public and families and offers diversity. I shall in a moment deal with the points about child care that the hon. Member for Yardley raised.

In the health service, family doctors are being empowered through GP fundholding. True to form, the Labour party opposes the scheme and does so with a vehemence that can only foreshadow an ignominious U-turn in two or three years' time when it realises that the argument is lost.

It is an instinctive part of human nature to want to live an independent life and to provide for one's own family. Our economic and taxation policies since 1979 have supported that instinct.

Mr. Enright: Is the Secretary of State aware that the Catholic bishops' social conference has placed at the door of current Government policies the problems experienced by families and difficulties of criminality? Has the Under-Secretary of State for Employment, the hon. Member for Maidstone (Miss Widdecombe), made her aware of it, or is that hon. Lady very selective in the Catholic policies that she accepts?

Mrs. Bottomley: I fear that I shall have to deal with that point in more detail later. However, to attribute criminality to the Government is exactly the approach that the Opposition always pursue. Criminals are responsible for criminal behaviour. One matter on which I warmly support the hon. Member for Eccles is on the significance of parenting and parents' ongoing responsibility to control as well as to care for their children.

As I was saying, our economic and taxation policies since 1979 have supported the family instinct to want to live an independent life—a fact that the Opposition clearly fail to understand. The Opposition believe that families want to be dictated to and to be under the control of the Labour party. Fortunately, families have supported our party in the past four general elections.

Our policies have encouraged and rewarded individual enterprise and endeavour. We have reduced tax rates on income and savings to promote incentives, to encourage saving and to ensure that wealth, as well as values and traditions, can be passed down the generations. The Labour party denounces that as the so-called "greedy society".

We remember how, suddenly in the late-1980s, all the social problems which for years the Labour party had been telling us were caused by people not having enough money appeared to be caused by people having too much money. Today, as the hon. Member for Eccles reminded us, we are back to the poverty argument. We do not need economists to tell us where we are in the economic cycle—one has only to read the latest Labour speech on the causes of crime.

The hon. Lady might like to read what her noble Friend Baroness Dean said when introducing a recent debate on the family in another place:

"poverty is not just about a lack of money; it is also about a lack of opportunity".—[*Official Report, House of Lords*, 23 February 1994; Vol. 552, c. 637.]

Because the Government have pursued economic policies of opportunity and enterprise, families are substantially better off than they were in 1979. The income of the average family has increased by 35 per cent. ahead of inflation. Moreover, the increase extends to a large number of people on below-average incomes.

On another key measure—the ownership of household goods—it is also clear that the picture painted by the Opposition is highly selective. Seven out of 10 of the poorest 10 per cent. of families by income now have central heating, compared with four in 10 when the Opposition were in power. Half have cars, compared with

40 per cent. in 1979, and 60 per cent. have videos. Again, the sneering and scoffing of the Opposition shows just how out of touch they are with what really matters to people.

The advances to which I have referred are mirrored by improvements in health. The hon. Member for Eccles was rather wise to avoid too much discussion about health because there is clear evidence of improvements in the health of all people in our society since our party has been in power—especially since the successful implementation of our NHS reforms. Life expectancy is greater by about two years than it was a decade ago. The rate of infant mortality has halved since 1979 and is now at its lowest ever level; it has fallen in all social classes and in all regions and, although it remains higher in social classes 4 and 5 than in others, the gap has narrowed significantly in the past 12 years.

More than 90 per cent. of children are now immunised against the major childhood diseases, which is a stunning achievement. I am sure that the House will recall the Opposition opposing the introduction of payments for immunisation targets. They said that the targets were too high and too heroic and that they should be lower in inner-city areas. That is the Opposition's two-tier health service—lower targets in the inner cities. We would have none of it: we said that to help the inner cities we would introduce deprivation payments so that GPs there would have extra assistance. As a result, childhood diseases have dropped to their lowest ever levels, saving lives and sparing thousands of children the fear of hospital treatment. I remind the House that much of the credit for that lies with the incentive payments introduced under the GP contract.

The best way to improve the well-being and the living standards of families is to make it more worth while for those who can and want to work to do so. Most parents —couples and lone parents—do not want to be dependent on benefit, locked into what can be a hopeless cycle of despair. Poverty occurs when the state drives out opportunity. Prosperity means breaking free—wanting to work, wanting to provide for oneself and one's family and wanting to put something back into society rather than merely taking out.

Mr. Heald: Does my right hon. Friend agree that one of the striking points to emerge from the press conference was—

Mr. George Howarth (Knowsley, North): Reading.

Mr. Heald: I am about to quote. The press conference dealt with the first year of the operation of the Child Support Agency. Kate Lister from Newbury is reported as saying that the CSA had allowed her

"to get off benefit and into a part-time job for the first time in six years."

It had enabled her to escape the benefit trap and have choice. Does my right hon. Friend agree that it is appalling that the Opposition, who talk so glibly about the rights of women, are not prepared to back the agency all the way down the line?

Mrs. Bottomley: I strongly support the views expressed by my hon. Friend. The Child Support Agency provides a much greater opportunity for women to live independently and is yet another aspect of the Government's success in recognising their need to do so.

The twin aims of the Government's social security reforms have been to target help on those most in need and to ensure that the system retains incentives for individuals to break out of the unemployment and poverty traps. The Government have sought to help parents who are less well off to take jobs. Family credit, which I have already mentioned, is currently paid to 500,000 families and ensures that low-income families with children are better off in work. On average, families are £23 a week better off on family credit than on income support.

All parties welcomed the announcement in the Budget that we shall provide additional assistance with child care costs from this October. One hundred and fifty thousand low-income families will benefit. It is a telling contrast: while the Government pursue practical policies, the Labour party's answer is a statutory minimum wage which would force families out of work.

The Labour party criticises the Government's record on child care because it cares only about public provision—it edits the independent and voluntary sectors out of the figures.

Ms Hilary Armstrong (Durham, North-West): I am sure that the right hon. Lady knows that there are good Labour local authorities, such as North Tyneside, which, far from believing in only one means of child care provision, have invested in a superb system that has attracted money from the public sector and which the Government themselves have used. I understand that at least eight Departments now provide creches. Such authorities have increased the quality of care available for the children of parents who cannot afford it by using imaginatively and creatively money from employers and the parents who can afford it. That is a superb example of what can be done to give children and their families opportunities and to raise standards, without additional cost to the taxpayer.

Mrs. Bottomley: It is encouraging to think that there are glimmers of hope in the Labour party from time to time. It is all a question of partnership, and it cannot be put at the feet of central Government to solve all ills. The key is partnership, diversity and choice, as my honourable and splendid Friend the Member for Sutton and Cheam (Lady Olga Maitland) said when she made that point so well. She also said that 90 per cent. of three and four-year-olds in England now attend some form of pre-school education or other group provision. That is one of the best records in Europe.

There has been a steady and welcome growth in private and voluntary day nursery provision. The intervention by the hon. Member for Durham, North-West (Ms Armstrong) revealed that there are glimmers of hope that perhaps here, as with the sale of council houses—and, I predict, with GP fundholding—it is possible in the fullness of time for the dinosaur's tail to twitch, and for change to take place.

The Government encourage the private and voluntary sectors, as well as individuals, to provide a variety of services that give parents choice. Parents, employers, the churches, voluntary bodies and the private sector should all play an active part. We help national organisations such as the Pre-School Playgroups Association, the National Childminding Association and Kids Clubs network to provide services for their members. Such organisations not only provide care for children but give confidence to parents.

Mr. Thurnham: Does my right hon. Friend agree that local authorities should not be over-zealous in interpreting the Children Act 1989 so that voluntary organisations such as the scouts do not suddenly find artificial difficulties placed in their way?

Mrs. Bottomley: My hon. Friend is right. The Children Act, which has been a great success in protecting and safeguarding children, has been so zealously implemented by some local authorities that people providing voluntary and private child care have been oppressively treated. My hon. Friend the Member for Suffolk, South (Mr. Yeo), when he was a Minister, did much to relieve people from some of the oppressive interpretations of the regulations under the Act, and now we hope to stop many such activities—certainly those organised by the scouts, guides and some of the other organised youth movements—from being controlled by that Act.

Child care is not the only way of helping parents to reconcile work and family responsibilities. The true family-friendly employer will consider a whole package of measures—child care, career breaks, flexible working and job sharing. I am pleased that in the national health service—one of the largest employers of women not only in this country but in the world—we are setting a good example. The NHS was one of the first employers to sign up for Opportunity 2000, and we are showing a lead in giving women more opportunities to develop their careers while discharging their family commitments. That is the right way. Progress is made not by Government edict but by employers realising that it is enlightened self-interest to be able to accommodate women who wish to give time to their families and their domestic responsibilities.

The hon. Member for Eccles spoke about nursery schooling. Well over half of all three and four-year-olds are now in state-funded nursery education, as opposed to just over 40 per cent. 10 years ago. Our long-term ambition is to widen access and choice, as and when we can afford to do so. We shall consider a range of options to achieve that ambition, concentrating on our key goals of quality, diversity and choice.

Parenting is a difficult as well as a rewarding task. I agree with the hon. Lady about that. The ability to be a good parent does not always come automatically.

Mr. David Nicholson (Taunton): There is no doubt that in due course the Child Support Agency will achieve a number of the objectives that my right hon. Friend has laid down, including those that she mentioned to my hon. Friend the Member for Hertfordshire, North (Mr. Heald). However, is she aware that in the shorter term there will be a number of difficulties within families, caused by the work of the CSA, and will she convey that to her colleagues in the Department of Social Security? For example, there will be tensions between separated parents who might otherwise have preserved reasonable relations, and there may be more contests over child custody. Will my right hon. Friend convey those concerns to her colleagues in the DSS?

Mrs. Bottomley: I take my hon. Friend's point, and of course I shall pass on his comments. Any new system will have a number of teething problems and any responsible Government will take time to adjust to them. However, the principle that fathers should have a continuing financial responsibility for their children is right, and I welcome the establishment of the agency.

I was talking about the difficulties faced by parents. Many parents, young and old, often need help from family and friends, from neighbours, from teachers and sometimes from professionals. Sometimes they are crying out for help and advice. One of the benefits of an aging population is that we should increasingly be able to look to grandparents and older members of the community to support the younger members in bringing up their children. It is encouraging that, according to a recent survey, 69 per cent. of older people in the United Kingdom have contact with their families at least once a week.

Let us not forget that the roles can be reversed, too. There are at present about 6 million informal carers in Britain, looking after elderly or disabled relations. In our community care reforms we took care to recognise their invaluable role and to support them in it.

The voluntary sector and the churches can and do play a role in helping parents to cope with their responsibilities. The Government support organisations such as Homestart and Newpin, which do such valuable work. We recognise befriending by volunteers, some of whom have overcome parenting difficulties in their own families. Other organisations set up self-help groups of parents.

The common element is the voluntary approach. We have a rich source of altruism in our society. Such effort provides the sort of practical help that can often prevent family breakdown. I welcomed a visit this week by my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) to talk about parenting, and to mark the establishment of the new all-party group.

One of the most persistent and persuasive advocates of community help to improve the quality of parenting has been my right hon. and noble Friend Lord Joseph. I was pleased to see that, despite his illness, he returned with characteristic gusto to that theme in a recent debate in the other place.

We need good parents and high-quality parenting to ensure that the values of the family and the values of society are passed on. Children need stable family relationships to help them develop into responsible and law-abiding citizens. Parents must provide children with warmth and security. But they must also provide boundaries—control as well as care. They must give their children a sense of order and predictability.

Parents who do not take their responsibilities seriously must face the consequences of their children's behaviour. In reviewing community-based sentences, we shall assess ways of strengthening parental involvement. The Criminal Justice and Public Order Bill will introduce the new parental bind-over, which will give the courts power to make parents responsible for ensuring that their child complies with any community sentence.

It is the duty of parents to instil in their children respect for the values of our society. But those messages must also come from beyond the family. For example, many people are rightly concerned about the pernicious effect of violent videos falling into children's hands. The welcome measures announced by my right hon. and learned Friend the Home Secretary earlier this week will provide extra safeguards, and tough penalties for those who expose children to video violence.

When young offenders commit crimes they should not be rewarded with holidays abroad or mountain bikes at the taxpayer's expense.

Schools should support parents in teaching children to tell right from wrong. The spiritual and moral development

of children in schools is no less important than academic achievement. I pay a warm tribute to my right hon. Friend the Secretary of State for Education for all that he has done to establish the moral and ethical climate in schools. He is right to stress that sex education should be taught within a clear moral framework. That is why my right hon. Friend the Minister for Health was right to withdraw from circulation the Health Education Authority's "Pocket Guide to Sex". Ensuring effective sex education is vital in helping to meet "The Health of the Nation" targets on under-aged pregnancy and sexually transmitted diseases. However, there must also be a proper emphasis on stable relationships and individual responsibility.

The Government's commitment to the family as the cornerstone of our society is unshakeable. That commitment is founded on two convictions: first, the family is the essential source of love and respect between individuals and of their development as citizens. Secondly, family relationships and family values are and must be essentially private. The public interest is to support the family, not to substitute or to undermine it. The Government's fundamental duty is to provide a legislative framework that underpins family relationships. Our programme of enlightened family law reform—the Children Act 1989, the adoption White Paper, our proposals on divorce law and mediation—does just that. Our reform of public services in health and community care, in education, in housing and in social security has put families in the driving seat. Above all, we must acknowledge and respect the privacy of family life and reinforce parental responsibility.

Our policies work to support families. No other institution is as important to our society or as important to our future. Families want independence. They want opportunity. They want choice. Our belief in those principles makes us the party of the family and of their hopes and ambitions. We trust the family and we trust the people. That is why the electors have trusted us in the past four elections and that is why they will be right to do so again.

5.31 pm

Mr. Malcolm Wicks (Croydon, North-West): I welcome the debate on family policy because I am sure that we would all agree that some of the most critical issues on policy agendas affect the family, whether we are concerned with the young or the old. Throughout the country, some important debates, often led by voluntary organisations, are going on about family policy. Members of Parliament would do well to listen—I emphasise listen—to those debates, because the quality of them is often high.

The other point that we should make is that we are not alone in the world in having to worry about such issues. Certainly throughout the western world, many of the trends that now affect the policy agenda are apparent and we have much to learn about positive and negative aspects from experience elsewhere. I hope that we use the opportunity of the International Year of the Family to have a serious and not a merely partisan debate about those questions.

There are three themes with which we should concern ourselves. One is that we should be interested in both the strengths and the insecurities of families. We often stress the negative aspects of family life, often because they pose the most critical policy challenges. Let us also emphasise the strengths, on which the Secretary of State touched. We often talk of aging in a negative and an agist way, but the fact that more and more of our children are growing up in three or four-generation families represents a strength. The fact that my three children grew up partly cared for by their grandparents as well their parents represents a strength which earlier generations were denied.

We need to learn far more, not only about the nuclear family of parents and children but about the dynamics of the three and the four-generation family, and even the five-generation family, which one occasionally meets, so that we understand the patterns of help and care in families in both directions—from young to old and from old to young. If one were to ask what is the most important child care agency in the country, it would not be those that readily come to mind. Rather, it would be the grandparent and, one must say, usually the grandmother. Let us remember the strengths and play to those strengths, because we neglect strength at our peril. One of the reasons why community care is so important to put into practice and not only into words is that it represents a strength if only we were to recognise it.

Secondly, we should try to discuss not only the rights of families but the responsibilities. Most of us, our citizens and our parents want to take on responsibilities and duties as well as to be able to exercise rights when necessary. That is why, in all the difficult debates about child support and the Child Support Act 1991, it is so important to get it right. Many hon. Members on both sides of the House are concerned about the practice of the Child Support Agency because we care deeply—not only in words but in sentiment—about the principle of parental responsibility. If we were to lose that parental responsibility and if it were overthrown, it would be a major loss to our generation.

Thirdly, let us also consider the association between the family and the wider society—not only the state, the private sector and the voluntary sector—and let us think about the partnerships that we need between the family and the state. If one is sensible, the argument is not about either the family playing all the roles in education, health and care, or the state doing so, but about necessary partnerships. If one has learnt anything from research and experience, it is that, often, issues such as education and health depend far more on the family than on formal services. Building partnerships is crucial.

At the moment, three major forces cause family instability. Although I have already noted that we should recognise the strengths, I hope that the House will forgive me if I focus on the instabilities, because it is important that we get those issues right.

Mr. David Nicholson: Before the hon. Gentleman talks about instability, may I point out that when I made an intervention about the Child Support Agency, the hon. Member for Birkenhead (Mr. Field)—I think that it was him—referred to travel costs. On that point, where we may be agreed, would the hon. Gentleman agree that the CSA is in some cases making it difficult for absent fathers to visit their children? The other day, a constituent of mine, who is resident in Taunton, told me that his family had moved to Leicester and that he faced considerable difficulty in funding regular visits to his children.

Mr. Wicks: It is not for me to grapple with the details of that issue, but I recognise that there are a number of factors, such as housing where the house has been made over to the mother, which somehow need to be recognised

[Mr. Wicks]

in the formula. I recognise that is difficult, but experience in Australia may help us. Travel costs are another difficult issue. Although I do not want to become too diverted on the issue of child support because the family policy debate is wider than that, I am bound to say that, while we should recognise different costs that the "absent" parent has to pay, the costs of bringing up his own children should be near the top of the list and not near the bottom—a factor that we forget.

I am concerned that, in the difficult debate on child support, the crucial voice at the moment, which is the silent voice, is often that of the lone mother with her children. We hear from men and sometimes from second wives but, at present, it is a male-dominated debate. Unless Parliament is wise enough to listen hard to the voices that are not shouting, we shall make mistakes. The hon. Member for Hertfordshire, North (Mr. Heald) quoted one lone mother who spoke at a recent press conference and gave her perspective of child support. I was pleased that I had the opportunity to chair that press conference, because some of us are trying to listen to those voices and construct a more considerate debate on child support. We can get it right and there are lessons to be learned from overseas.

I wanted to talk about the forces causing insecurity, of which there are several. One is family breakdown, to use that term as shorthand. Most hon. Members recognise that the social revolution of the family, which is affecting our society—all societies of which I know in Europe, as well as societies in the Antipodes, North America and so on—is not a bloodless revolution. I do not know whether some have felt that it may have been a bloodless revolution in the 1960s but it is not today. There are many victims and most of those victims—not all—are women and children. It is time to put women and children first in the debate. We know of the trends and that increasing numbers of our children are born outside wedlock. I am not saying that that is a negative factor, but I am giving it as a demographic fact. Some children are born to cohabiting parents, while some are born to the group that we often refer to as single, unmarried mothers.

We need to understand the trends. I was struck by the fact that the Secretary of State reminded us that her Department is responsible for the collection of official statistics. We need to be aware that our official statistics—they tend to register things like marriage and divorce—are increasingly not capturing the full family picture because those who cohabit do not have to register; I am not advocating that they should. Cohabiting parents with children whose relationships break up are not captured in the official statistics. We must recognise, and the Government must recognise, that the official data are capturing an increasing proportion of the dynamic family change, and much of the research is taking place in our universities.

We know that probably one in four young children—I suspect that that may be an understatement—will have before they reach the age of 16 parents who divorce. We should not imagine that that trend has something to do with a specific period in our history, such as the 1960s or whatever decade we are against this week. It is happening around the world. We must recognise that the forces are complex and fundamental. That does not mean that we always give in to them. We try to resist some of them.

The trend means that more of our children are living in one-parent families. There are different groups of one-parent families, and some are more insecure than others. The research that I have seen, and the experience that I have gained, suggests that we should not leap to simple conclusions about the issue. Poverty must be a factor. It would be absurd and partisan in the worst sense for anyone to deny that. Seven out of 10 one-parent families draw income support. None of us can be happy about that—the families are not happy about it.

Some of the insecurities that are associated with such families are not simply about poverty. The research evidence on educational attainment, the fact that some children in one-parent families leave home early and the fact that some girls form cohabiting relationships very early and become pregnant very young suggests that we are dealing with a more complex interaction between material, social and psychological things which we would do well to consider wisely—and perhaps more wisely than some of us would sometimes like to. That is important. About 2 million of our children are in one-parent families. We need not to attack or condemn but to understand what is happening. We must rigorously examine the evidence if we are to make wise judgments about social policy.

Mr. Streeter: I am listening carefully to the hon. Gentleman's speech and enjoying it because it is a thoughtful contribution. The hon. Gentleman is studiously avoiding making any value judgment at all about the statistics that he is bringing to the House—I am not saying that that is right or wrong. Does he agree that unless we can say that marriage is a good thing and in most cases two parents are better than one for raising children, and unless we can make value judgments, we cannot find a way through to provide solutions?

Mr. Wicks: I wanted, perhaps unwisely, to give some evidence and facts because I know that it is often a tradition in the House that facts should not get in the way of a good argument. Sometimes, facts make one more thoughtful about a particular argument. If necessary, I apologise for presenting some trends and facts.

I am sure that most of us agree that, wherever possible, if children can be brought up by two loving parents who stay together—many people would say married but they can be unmarried—they benefit from birth until young adulthood. That is good, and it must be right. However, we must be humble enough to recognise that not all marriages can be successful, and many people suffer from divorce. If we were wiser about those things, we would recognise that all of those experiences exist around all the powerful tables of our land, whether Cabinet tables or shadow Cabinet tables. We should draw on those experiences and make wise judgments about them. That is as far as I would go on a value judgment.

We all have a vested interest in recognising that many of our children are living in a range of family circumstances. We talk about one-parent families, and I have done so. One in 10 of our children—that is about the right proportion—are living in step-families or reconstituted families. There are issues in those situations that need to be discussed, but we often neglect them. Sometimes, the official data do not give us enough guidance on those issues.

Lady Olga Maitland: On the subject of broken families, does the hon. Gentleman agree that it takes two

for a family to break up and that the deserted wife is the victim of the husband or the partner who has disappeared, so that today we should be putting more emphasis on teaching young men responsibility?

Mr. David Nicholson: Sometimes it is the other way round.

Mr. Wicks: The hon. Lady is talking to the young man—the hon. Member for Taunton (Mr. Nicholson)—beside her. Later, I shall talk about some of the implications for parenthood which I think are important.

Obviously, there is so much blood and thunder in any relationship breakdown that it is often unwise for a Member of Parliament to make a judgment about who is at fault or whether the concept of fault is a valuable one. All I am saying is that breakdown is occurring in all walks of life and in some of the most senior families in the land. We draw lessons from that but we do not rush to judge and suggest that changing that social tide will be easy.

When I was at the Family Policy Studies Centre, where I spent 10 years of my life, we produced an estimate which sums up the force of some of the trends. By the end of the century only 50 per cent. of British children will experience what many of us might regard as conventional family life—in other words, being born to parents who are married to one another. They will also experience until their late teens living with a mum and dad who are still, hopefully, happily married to one another. By 2000, that will be the experience of only one in two—50 per cent. —of our children because of the rise in out-of-wedlock births, one-parent families, divorce and reconstituted families.

Family life is very complex. We may make our own judgments about it, but I hope that some of those judgments will be tough-minded ones when it comes to policy. I also hope that the milk of human kindness will be apparent in our debates. On some platforms, that substance does not always seem to be in great supply.

Family breakdown is one force of family insecurity. Another force is economic insecurity. We must accept that as a fact—if I may talk about facts once again. Recently, I asked a parliamentary question about the number of children living in families where the family head was unemployed. The answer was 1 million. Furthermore, a proportion of those children have family heads who have been out of work for some time. That is a major force for family insecurity. The two things combined are important. If many of us had the benefit of growing up in secure families in terms of happily married parents and also in families where parents were in work, we benefited from a double stability.

Too many of our children have neither the security of a strong family nor the economic security of at least one parent in full-time work. When we get so worried about the issues of crime, drugs and video nasties, it does not surprise me that there are indicators of social malaise and that family security and economic security is no longer present.

Mr. George Howarth: I was reluctant to intervene on my hon. Friend's speech because it is certainly having a powerful and educational effect. One point that I have observed from my constituency, which flows out of what my hon. Friend is saying, is that when men—I am not saying this in any way to make a value judgment—do not have an economic role in the family, women often take an utterly rational decision that, while they want a family, it is not necessarily a family in which a man has any sort of place. That has all sorts of consequences, not least of which is that men who find themselves in that position do not have the security and the responsibilities that go with being a parent in a family. That is an equally worrying trend.

Mr. Wicks: There is an issue now about the role of part of a generation of young men which should concern us. I recall that the hon. Member for Havant (Mr. Willetts) has made some comments about that too. Often in family debates, the focus is on women. I sometimes think that we would begin to get things right if we began to talk about boys and men also within the family.

One of the revolutions which we need to cope with within the family changes that I have been I discussing is not just that in the thinking of the Government or of other institutions but that in the thinking of men within the family. I do not say that in a silly anti-men way. There are some serious and difficult issues here for boys and men.

I talked about the economic insecurities of unemployment. One of the ironies is that when we need to grapple with the family of unemployment, there are other issues about the family of almost over-employment, or what I would call the over-active or over-busy family. That is one where the two parents are both in work while, at the same time, bringing in the bread to pay the rent or mortgage. They are also becoming parents and bringing up their youngest children. Given that we live for 80 or so years, there is something remarkably absurd about the way in which we attempt to pack so much into a relatively short time.

The pressures around the typical dual-worker family must be allowed for in policy. Otherwise, there will not be enough time to devote to bringing up children. Work pressures are the third theme in family insecurity.

Lady Olga Maitland: The hon. Gentleman refers to dual-working families. Does he agree that what is harmful to children is not so much having working parents but that they come from a broken home where they are not number one to any particular parent? Is not that far more harmful to the child?

Mr. Wicks: It may well be, but I am not trying to cast aspersions on the fact that a parent—whether the father or mother—goes out to work. I am trying to prepare the ground for an argument that policy issues about work and the family and the need for family-friendly employment policies must be among the agenda issues that we should be discussing.

We can have fun with one another across the Floor of the House about where the money will come from and about spending commitments. As a Back Bencher, I can make billions of pounds of spending commitments and no one will care. *[Interruption.]* My hon. Friend the Member for Peckham (Ms Harman), who speaks for the Opposition on Treasury matters, is looking rather aghast—I was obviously jesting.

Clearly if in the future we have to spend billions of pounds of public money on the consequences of family breakdown and family insecurity, none of us will ever be able to put into practice our social priorities. At the moment, we are spending billions of pounds not on a family policy, but on a family breakdown policy. We spend

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billions because too many of our families with children are dependent on income support or even—because of low wages—on family credit.

I am not sure that a rise in the numbers on family credit is always something to boast about, but we do spend billions on it. If one makes the link—I do not see why it is so controversial, because there is now evidence—between lawlessness, disorder and the rising crime rate and economic insecurity, it means that a good proportion of our lawlessness and disorder budget is now being spent on the consequences of breakdowns of different kinds. Much of the work of social services departments and health agencies, and too much of the time and trouble taken by education authorities, will relate to some of the family change issues which we are trying to discuss sensibly today.

It is not that we have not got the money to spend, but that we are spending much at the moment on what I call a family breakdown service, or services of different kinds. The challenge, which is not an easy one to grapple with, is how we divert those resources from family breakdown to what I would call family investment.

I shall mention briefly ideas about the policy agenda that we should be discussing. At the end of last year, I published a paper called "Putting families first: a 10 point policy agenda". That is not to say that there are only 10 points, or that I necessarily got them right, but I was trying to encourage some debate. I will summaries the issues now.

First, we will all agree that we must invest in care because if the family is about anything, it is about providing care for the young and, increasingly, for the old as well. How are we to invest more in care and play to the strengths that are apparent in many families? We must start at the beginning with the youngest—the under-fives. We must start to grapple—a little late in our social history—with how we provide nursery education and other forms of care for the youngest.

I do not believe that we want a uniform state service. Parents come in all shapes and sizes, children have different needs and parents must make their own judgments about child care. We need a range of services—statutory, voluntary and private, and also nursery and other forms of education to provide that care.

We must also remember that, in this age of the extended family, much of our debate now must be about carers. I do not know whether Ministers will be able to respond on this matter at the end of the debate. We know now about the impact that the Community Care (Residential Accommodation) Act 1992 has had on providing extra care for carers. That provides much of the rhetoric on the issue and is one of its key objectives.

Do we have evidence now as to whether the carers of the eldest and those with disabilities are now—in practice and not just in words—receiving more services? I have not seen the evidence in my constituency, but I would be interested to know of any objective material. The most important community care service—one that is sometimes taken too much for granted and is given just a pat on the back in speeches—is the family. It is far more important than the Departments of Health and of Social Security.

The second subject on the policy agenda is parental support, to which the hon. Member for Sutton and Cheam (Lady Olga Maitland) referred. When one buys a motor car, one gets a handbook which tells all about the car. I do not understand it much myself, but the handbook will explain how the machine works and what to do if things go wrong. One can join the Automobile Association or the Royal Automobile Club and get advice about motor cars. We take children and parenting less seriously than the motor car. There is not as much support for parents as there is for people who drive motor cars.

The agenda is about the work and family issues that we have been discussing. Given that workers have the annoying habit of being mothers and fathers, and given also that many workers are also carers of elderly people—another part of the debate that often we do not recognise—how are we to recognise the dual functions of the worker-carer? Are employers, trade unions and Government Departments trying to foster policies and practices that allow for that?

It must be worrying that probably the major reason that women are forced to leave their jobs before retirement age, although I have seen no recent evidence, is to care for an elder. It often would be better if they were enabled to stay in work as well as providing a caring role because of support from their employer and from the social services.

What about the preparation for parenthood in schools? What is the role there, and are we taking that seriously enough? Given the rates of teenage pregnancies, we are clearly making some mistakes.

I sometimes feel also that there might be a gap in provision during early childhood. When one has a baby, one gets support in the first weeks and months from the health authorities. Later, when the child goes to school, there is support from the education authorities. Is there a gap somewhere in the middle where parents sometimes do not get support from the wider welfare state? If there is a gap, who should bridge it? Inevitably, the fact that we have departmentalism, with education and health authorities, may not enable us to bridge that gap.

What about guidance counselling? Many marriages run into difficulties, and parents face problems. Do we have the right mixture of guidance and counselling? Is it true—as I have heard—that there is a waiting list for Relate and for other guidance services? Does that make any sense? A marriage in trouble cannot wait very long for good advice.

There is also divorce law reform, which raises important issues. I hope that we will soon get on with a divorce law reform that will put children first. Too often, divorce is a battle between adults behaving in an infantile manner, championed by their lawyers. The children are often neglected. Yet although most parents who divorce have children under the age of 16—each year 160,000 children under 16 have mums and dads who divorce—their voices and concerns are often not heard in court.

We should consider the Law Commission's proposal, which is discussed in the Green Paper, whereby there would be a cooling-off period of a year, in which the court would have to be satisfied that the best welfare of the children had been considered before allowing the divorce. Such a reform would require more services, such as mediation and counselling, but if we can provide that it will be another important step.

A third point on a policy agenda must be rebuilding economic security and independence. I asked the Secretary of State whether she was worried that more of our children than ever before live in families dependent on income

support—yet another of those facts. If I am wrong about that, I hope that someone will correct me, but if it is true it must give rise to concern.

At a time of increasing worry about the dependency culture it is ironic that more of our families are caught in it. When constituents ask me for a better council flat or access to the social fund I often do not consider that the families are the ideal epitome of the welfare state in action. They often live in poor council housing on income support and have to have dealings with the social services department. It is the reverse of the welfare state in action and I see it as the dependency culture. What employment and social policies do we need to build and rebuild economic security for our families?

Fourthly, we need a proper policy and programme for young people. It is heartbreaking to come across young people who have struggled hard at school for qualifications, with greater or lesser success, but who simply become unemployed. In 1993, 22 per cent., or more than one fifth, of our 16 to 19-year-olds were unemployed.

Equally heartbreaking is the fact that 40 per cent. of teenagers who were out of work in 1989 were still unemployed two years later. We are making a mistake when young adults start off unemployed—my hon. Friend the Member for Knowsley, North (Mr. Howarth) touched on that—and we should not be surprised that things go wrong. We should also not be surprised that, when a crisis affects a generation of young men, it has implications for women.

Surely we can do something about the fact that in 1990, 115,000 teenage girls became pregnant and that most of the pregnancies were certainly unplanned. The consequences are a horrifically high abortion rate and a large proportion of young, single, unmarried mothers, who start their adult lives in the worst possible circumstances. I believe that we can do something about those things.

Surely Britain needs a strategy for family policy. Many European countries grappled with such a policy generations ago and it is time that we caught up. Britain is undergoing a social revolution. The changes in families are substantial. I am not being partisan, but we are handling the changes badly. Because of our failure to develop a family policy and strategy, there are many victims. Families now come in all shapes and sizes. Yes, it is a cliché, but it is true to say that they are our most precious resource. I do not believe that we are investing enough in them. It is not about more spending commitments but about the issue that I touched on and how we move resources from a family breakdown service to a policy that invests in families, children and those who care for our old people.

We are dealing with one of the most important matters that the House will consider this year. I hope that we can discuss it seriously or at least as seriously as it is being discussed by voluntary groups and other organisations outside the House in the International Year of the Family. Surely it is time to put families first.

6.7 pm

Mr. Peter Bottomley (Eltham): The speech by the hon. Member for Croydon, North-West (Mr. Wicks) was well informed. In his work for the Family Policy Study Centre he did much outside the House to provide information and lines of thought on policy to those directly concerned with families.

Perhaps the kindest thing that I can say about the first speech in the debate is that the hon. Member for Eccles (Miss Lestor) has a good reputation as her party's spokesman for children. If she and her hon. Friend the Member for Croydon, North-West shared a place on the Opposition Front Bench, with the hon. Gentleman speaking for families, it might help the Labour party to have a two-pronged approach to such issues.

Many hon. Members present today will have missed the speech that I made on 17 December 1982, when I promoted a debate on the family—*[Interruption.]* I commend the speech, but I warn hon. Members that it took an hour to make. The issues are the same now as they were then. If we could have a two-day debate every year on the various aspects of family policy targets we might find that the House would speak with a degree of authority and purpose.

Mr. Thurnham: My hon. Friend suggests that we should have a two-day debate. Is it not extraordinary that when we have only an afternoon debate hardly any Opposition Members are present? Throughout this debate there have been more Conservative than Opposition Members present, yet this is supposed to be an Opposition debate. If the Opposition cannot fill their Benches for their own debates for one afternoon, how could they possibly fill them for a two-day debate?

Mr. Bottomley: I do not know what makes my hon. Friend think that he might tempt me into saying anything party political, but if he tries hard he might succeed.

The purpose of my earlier remark was that if we set targets we can then talk about the approaches that are likely to help people to achieve a reduction in avoidable disadvantage, distress and handicap and improve their well-being.

One can make the obvious point—as my right hon. Friend the Secretary of State did, and I was delighted to hear her speech—that the Labour party's institutions are basically built around the representation of people at work. However, that is not exclusively the case, and I pay tribute to a miners' leader in the 1930s, William Straker from Northumberland, who stressed the importance of introducing family allowances, in support of Eleanor Rathbone's long-term campaign for some sort of family endowment.

It is also true that the Conservative party, at its best, is built around the representation of people's family and household interests, which to some extent include their work interests, but also include solidarity between the generations, if I may be allowed to use another European expression from the year of social action.

If we were to set targets to reduce avoidable disadvantage, distress and handicap we would find it easy to reach an agreement across the Chamber, in the same way as we did when targets were set for reducing the number of people killed and seriously injured on our roads. We asked what the problem was, what could be done about it and whether it was feasible to reduce the number of deaths and serious injuries by one third by 2000.

During the past 25 years and the past 100 years there have been significant medical advances. In the first 75 years they came mainly from the plumbers, and in the past 25 years mainly from the pharmaceutical industry, doctors, nurses, health visitors and the like. There have also been significant economic advances during the past 25 years and the past 100 years for various reasons.

[Mr. Bottomley]

Have there been significant social advantages in the past 25 years? In some areas there have been, but not nearly enough. How many young people will commit a serious crime for the first time this week—a crime for which, if they were caught and convicted, they might be sent to gaol for six months or more? The answer is about 2,000—or 100,000 in a year. To put it differently, one third of men have already been convicted of a serious offence by the time they reach the age of 30.

Smoking is not a crime, but it is highly undesirable. Between 3,000 and 5,000 young people will take up smoking this week—this week, last week and next week. When the issue is discussed in the press we read only about tobacco advertising and how far it should be controlled. I have no arguments for continuing the promotion of tobacco—there are some arguments against banning it—but if it would make a difference of between 1 per cent. and 5 per cent., and if a child's parents' smoking makes a 250 per cent. difference and their not disapproving makes a difference of almost 700 per cent., how can we engage those people who might be in the Press Gallery or in broadcasting studios in focusing on the issues that matter most?

Other hon. Members properly and sensitively mentioned unwanted pregnancies. Of those people who are sexually active this week, 6,000 will contribute to a conception which will end in an abortion during the next two or three months. It was 6,000 last week and it will be 6,000 this week and next. To put it bluntly, we ought to be able to halve that number during a period of about a year and a half just by overcoming people's ignorance, apathy, embarrassment, shyness, activity or whatever. But we should give them the choices. I pay tribute to Lord Deedes, who came to my constituency to talk to people. He went into various newsagents and came across what I would describe as a "child mother" of seventeen and a half, caring for a child. He talked to her about her relationship with the father of the child, with her parents and with her community.

It crossed my mind that if that young mother went into a school assembly to talk about the sense of responsibility in caring for her child, it would do a great deal more for the young people listening to her, not as she preached about behaviour but as she described her sense of responsibility for a new birth and for a relationship between hearts that goes on until one heart stops beating. Such a sense of responsibility is far more likely to reduce the number of unwanted conceptions than almost any preaching by any politician or by many others.

I do not want to disregard the role of the churches and other faith communities. When Geoffrey Finsberg responded as Minister to the 1982 debate, he spoke about the importance of trying to be with people at all stages of their lives, and our churches, chapels, temples, mosques and synagogues do a great deal of that.

A former Archbishop of Canterbury, William Temple, spoke in his book "Christianity and Social Order" of the importance of the intermediate group, which we could characterise as being part of our parish system. It is our membership of trade unions with the volunteer shop stewards and others. It is our membership of parish groups of one kind or another, whether it is the Baptists, the Anglicans or the Catholics or whatever else it may be, where we can be with people who know what it means to give comfort and support when things go wrong. Things do not always go wrong because of people's actions.

Death comes to us all. Each of us will be told at some stage that a parent has died, a spouse is dying or a child is seriously ill. Nothing can be worse than that, so let us be open about these trials and tribulations.

If we take the purpose of politics as being to reduce avoidable disadvantage, distress and handicap, there is a role for the state and for local authorities and for many other groups, but the biggest influence of all, as my right hon. Friend the Secretary of State put it, is what happens within the closest relationships.

Let us consider the research reports. The Plowden report into primary education in 1967 showed that the biggest influence on the success of a child's primary education was not the kind of school it went to or the school's approach, whether modern or old-fashioned, but the interest and support that the parents gave. And it does not have to be parents who are well educated themselves.

We could perhaps learn more from some parts of our immigrant communities, Chinese or Asian or people from the Caribbean such as Neville and Doreen Lawrence, the parents of Stephen Lawrence who was tragically murdered in my constituency. If people like that could have five minutes on television every week to explain how they are bringing their children up, and what sort of standards they want for them, it would be helpful.

Many of us whose families may have been in these islands for the past 14 generations, to borrow a phrase, have learned something about dedication to the interests of those to whom they feel responsible.

Let us consider also the two reports on child health—the Black report and the Court report. It may be going too far back in time for some hon. Members, but those reports showed that what matters is what parents and families do and what they are able to do.

Without getting too far into polysyllabic sludge, facilitating matters, asking people to make choices, asking them their aspirations and ambitions, giving them time for reflection, allows their actions to match their ambitions and enables them to recognise that, when things go wrong, forgiveness and allowing people to start again are better than condemnation.

Any teacher, certainly some of mine, any tutor at university, certainly one of mine, and probably people in my own household, should know perfectly well that I am aware when I get things wrong. Giving that encouragement to go on and get them right next time or the time after that does matter.

Think of the transformations in people: commentators in newspapers nowadays may say that when they were young and independent and trendy they watched some David Bailey film, or whatever it was, in the late 1960s and they discovered where the Kings road was in Chelsea, but that now they have changed their minds as they approach 45 or 50 and they begin to believe that perhaps we ought to have the kind of control as well as the care that my right hon. Friend spoke about.

What we need is the kind of continuity of common sense that comes from what I believe was described by Lady Thatcher or by my right hon. Friend as the impact of streetwise grannies.

In my constituency there are some estates where the amount of public money spent on housing has been dramatically high and where the outsides of people's

homes often look like Beirut on a bad day in the middle of the Lebanese civil war. When we consider that young people have managed to create so much destruction, we are bound to ask what can make a difference.

The answer may be the equivalent of parish constables. If so, I hope that they will be 40 to 60-year-old grandmothers who have lived there for some time, who know the people, their parents, their uncles and aunts and who have some link with the primary schools.

I would make this suggestion to the Lord Chancellor. In any estate of more than 2,000 people there should be a requirement for people from the estate to be some of the local magistrates. The magistrates should not consist solely of grand ladies or gentlemen from the Labour movement, the Tories, the Liberal Democrats or whoever else coming in. Where two or three thousand are gathered together one ought to be able to find some who can go in for the disposal of those who are brought up for delinquency or for persistent vandalism or for being out of control.

I go a stage further. I welcome the references to the work of the Children's Society with which I served before I became a junior Minister. It found that, by putting a half-trained social worker into an unoccupied flat with a kettle and a washing machine, many parents could come together and meet for the first time.

What are the social interactions on some of these estates of ours? When I was first elected in south-east London, part of my constituency had 5,000 people put there by a benign local authority. The estate was two-thirds the size of Arundel but it had no pub, no post office, no church or chapel, no policeman and nowhere to work within a mile and a half. Then one wonders why the community does not work and does not even exist.

The National Council of Voluntary Organisations, then called the National Council of Social Service, in the 1930s had the village hall movement which began providing the kind of place where people could meet and do the kind of things naturally together that they might do in a village in Surrey but that they do not do quite so often on the Middle Park estate, the Page estate, the Sherard estate, the Woolwich Common estate or any of the other estates in my constituency.

People are the same and their ambitions are the same. The disadvantage of stress and handicap that we wish to avoid is often a result of alienation or, in some cases, anomie as well. It is important to get people involved together with their children, no matter whether it is a single-parent family, or one with two parents or a reconstituted family with step-parents. It is trying to give people fuller lives and a greater sense of achievement that matters.

One expert in family policy told me that the problem was not one of people experiencing failure but that some people have never experienced success. Give them a pat on the back for having done well with their children.

I pay tribute to the author of the first book on family policy in this country, Margaret Wynn, who since then has carried on the work with her husband Arthur—even though both are now in their eighties—of looking at the things that make a difference.

If people knew the simple things that they could do and which would make a difference, we would have a transformation in well-being. One does not change society by a few extraordinary people doing a few extraordinary things occasionally but by hundreds of thousands of ordinary people doing ordinary things often. The parallel with driving drawn by the hon. Member for Croydon, North-West was important. One need not know the lot to be able effectively to do most of the things that parents can reasonably achieve.

When I was involved in reducing drink driving—or in helping others to reduce it as I pretty soon cut it out myself—I learned that most of our information comes from the mass media: radio, television, newspapers and magazines. I also learned the importance of trying to work out where in the family life cycle people were most at risk. Perhaps I may use drink driving as an example. I do not want to build too much on it, but it is a good illustration.

In 1986 young men were twice as likely to drink and drive as their fathers. Now they are half as likely to do so. There has been a dramatic transformation in which the young people have done better, and the reason is clear. Most people over the age of 25 do not know what kind of radio most young people listen to. I conventionally asked which was the most popular radio station in the country, to which the answer for many years has been Radio 1. If I ask where it can be found on the dial, most people do not know that it is between 97 and 99 FM. Is it better to hear a public service message from a 44-year-old Minister, as I then was, or from a 58-year-old disc jockey presenting news and current affairs to young people in a programme called "Rhythm and Booze"? The answer is that the 58-year-old disc jockey wins every time.

Let us consider the importance within the M25 area of Kiss FM. One million young people a week listen to 100 FM. When one can ring up on the radio and have an exchange anonymously, when one can overcome embarrassment and ask the questions that matter most to one at the time about relationships or family formation, I believe that an audience will begin to react in a good way.

Fifteen years ago we missed out most discussion about business in public discussions and our broadcasting media. We had the *Financial Times*, *The Times* business news and 15 minutes a day on the radio, when no one was listening. That began to change because working life became integrated into public discussion and we learned a lot from that. Let us do the same with family policy issues.

Let us bring the family life cycle and the family perspective into account, and let us do it because of the numbers involved. If there are 7 million to 8 million live births a year in this country, that is about 1.5 million parents—more than 2 million people involved, at every stage in every year, half of them for the first time. If we have nearly two children per household, the second child may benefit from the experience of the experimentation of the first. If those 2 million people are this year for the first time involved in being an under-two or under-five or in a secondary school transfer or puberty or in learning to drive or in becoming sexually active for the first time, all those things deserve more than simply being concentrated in the agony columns or in condemnation when people spot some statistic saying that x or y proportion have been involved in this or that type of behaviour.

If we can bring together in Parliament or in our media—both matter—more people who are able to speak with a degree of experience, confidence and humility, we can make a transformation.

One of the reasons why it is important that, 70 or 80 years after women got the unrestricted vote, we ought to try to increase the percentage of women Members of the House of Commons from 8 or 9 per cent. to 20, 30, 40 or 50 per cent. is that we will move away from the caricature

[Mr. Bottomley]

of the Conservative family campaign, which makes it sound as though sex is something to be confined to a small corner of people's lives, and that having responsibility for elderly people or children is something to be spoken about only in big, bold letters in print in books, rather than as an ordinary part of a discussion such as this. I say that with modesty, seeing that my hon. Friend the Member for Basildon (Mr. Amess) is present.

We would be better informed about all those subjects if there were more people in this place who were able to say what our right hon. Friend the Member for Mitcham and Morden (Dame Angela Rumbold) said during one debate before she became Minister. She said that she was fed up with men in this place telling her what to do with her body. One would bring more reality into discussion of those issues and the country would benefit.

I make a plea to the business managers and to the Opposition. Instead of having the general debate that we are having today, which I welcome, or the type of debate that we had on 17 December 1982, we could pick out three or four issues and over two days have four debates about the ways in which we could effectively tackle crime, for example, in addition to what we do with the police and the prisons—which is important, but which is not the answer.

We can do the same in relation to education and in relation to the problem of unwanted conceptions—not that every unwanted conception leads to an unwanted child.

We can pick out the influence of tax allowances or expenditure over life cycles and the ways in which one can begin to integrate benefits so that more people get the chance of becoming taxpayers instead of having to rely on income support when they do not choose to do so.

We can make the House start performing more effectively for families as they are, as much as for what they would want to be. It would deal with aspirations that matter most to people. I suspect that each side of the House has a contribution to make and we are only just starting.

6.23 pm

Mrs. Diana Maddock (Christchurch): I welcome the opportunity to take part in the debate in the International Year of the Family. I shall speak about a group that I believe is neglected too often in political debate—middle-income families. Those are the families that I met when campaigning in my by-election, and whom I continue to meet. They are people who work hard, who pay their taxes and who play by the rules, and they want a good start for their children in quality schools, and to live in safe communities.

It is appropriate that the Labour party has chosen the family as a subject for debate. My experience is that the Conservative Government have launched one of the most sustained attacks on middle-income families in British history. The Government have broken their promises not to increase taxes, and imposed a range of new taxes, which, when combined, will hit middle-income families hardest. In addition, they have created a tax system which is much more unfair to middle and low-income families.

Lady Olga Maitland: On the subject of tax hikes, does the hon. Lady agree that the local authorities with the highest council tax are Liberal-controlled and Labour-controlled local authorities?

Mrs. Maddock: I thank the hon. Lady for her contribution, and suggest that it would have been helpful if she had been at our press conference this morning. She would perhaps have got the true figures. *[Interruption.]* The hon. Lady has heard them as much as I have.

The Government have failed to combat crime effectively. They have promised to do something about the fear of crime, yet there has been an increase. They have slapped an expensive tax on insurance. That is what people need to feel secure, as crime is increasing.

The Government have failed to boost nursery education and child care, and promises to students have been broken.

The Government have made a stream of broken promises on tax increases and families. What did the Conservatives promise at the 1992 general election? A lower tax burden. That was what John Major promised on 15 March 1992.

Mr. Keith Mans (Wyre): Will the hon. Lady give way?

Mrs. Maddock: I will give way in a moment. We were promised lower income tax. We were told in the Conservative manifesto of 1992:

"We will make further progress towards a basic Income Tax rate of 20p."

We were told by John Major:

"I have no plans to raise the top rate of tax or the level of national insurance contributions."—[*Official Report*, 28 January 1992; Vol. 202, c. 808.]

Hon. Members: Order.

Mrs. Maddock: The Prime Minister also promised—

Mr. Deputy Speaker (Mr. Michael Morris): Order. The Chair judges what is in order and what is not in order.

Mrs. Maddock: I realise that this is not comfortable for Conservative Members, but it is true. We were also promised no extensions to VAT.

Mr. Mans *rose*—

Mrs. Maddock: I will give way in a moment.

If there was ever something that the Prime Minister said that he wished that he had never said, it must be that famous phrase:

"We have no need and no plans to extend the scope of VAT".

Every one of those promises was broken in the two 1993 Budgets.

Mr. Deputy Speaker: Order. I hope that the hon. Lady will relate that to family policy, because that is the debate this evening.

Mrs. Maddock: In fact, 95 per cent. of families are affected by the tax changes introduced in the November 1993 Budget. Instead of the lower taxes that they promised, the Government are hitting middle-income families with higher—

Mr. Devlin: Will the hon. Lady give way?

Mrs. Maddock: I will give way in a moment.

The Government are hitting middle-income families with higher national insurance contributions. There has also been, along with all the other increases not phased in, restrictions in the value of personal tax allowances for married couples. That is Liberal Democrat policy and we have been attacked for it by the Conservative party.

Mr. Mans: Will the hon. Lady give way?

Mrs. Maddock: I will give way in a moment.

Mr. Mans: The hon. Lady has not given way in a moment.

Mrs. Maddock: If the hon. Gentleman will be a little more patient, I will allow him to have a say in a moment.

We have had cuts in mortgage interest tax relief—another policy that we put forward and on which we were attacked, and on which the Government will not come clean. When asked whether they will phase out mortgage interest tax relief completely, they will not admit it properly. VAT has been imposed on fuel. All those things are affecting families in my community.

Mr. Mans: So that the record is put straight, will the hon. Lady tell the House about the figures announced at the press conference this morning and the fact that the Liberal Democrats spend more local authority money and tax people more? Will she explain her party's proposal for an energy tax and the fact that they would increase income tax?

Mrs. Maddock: I should be in danger of going off the subject of families if I answered absolutely every question. On the press conference this morning—I dare say that this will cause some amusement—our taxes were in the middle when it came to spending by local authorities.

The Institute of Fiscal Studies found that the November 1993 Budget cut after-tax household incomes by an average of 3.5 per cent. But the middle-income families are hit hardest by the Government's tax changes.

Lady Olga Maitland: Will the hon. Lady give way?

Mrs. Maddock: I shall give way later.

The institute has shown that middle-income bands face the largest proportion of cuts in after-tax income and that working couples, most of whom are middle-income households, are the biggest losers. Couples with two children and earning between £215 and £390 a week will lose, on average, 4.15 to 4.2 per cent. of their after-tax income—between £9 and £16 a week. The highest earning tenth of the population will lose more than 3 per cent. of their after-tax income, which is less than the average. The poorest tenth will lose 2.3 per cent. of their income.

Even the Government's figures show that a family with one earner and two children and a projected £20,000-plus a year will pay more than an extra £22 a week in income tax in 1995 and more than £12 extra from this April.

The House of Commons Library figures show that a family with two children and one breadwinner, on average earnings of nearly £20,000, with a mortgage of more than £30,000 and interest rates of 8 per cent., will lose £1.85 on the married couple's allowance; £2.24 in mortgage income tax relief; 34p as a result of the freezing of personal allowances; £3.17 as a result of the rise in national insurance to 10 per cent.; 38p as a result of the wider 20p band; and £1.13 once VAT is added to their fuel bills. In addition, their extra insurance tax will amount to 35p.

Lady Olga Maitland: Does the hon. Lady agree that the most important factor for any family, whether middle income or not, is to have a stable economy, low interest rates and low inflation? We now have a reduced mortgage rate and the lowest interest rates in the whole of Europe, so what is she complaining about?

Mrs. Maddock: I agree that a stable economy is most important, which is why my party supports an independent central bank to achieve just that.

The Conservatives have made the tax system much more unfair to middle-income and poor families. The number of taxpayers paying the top rate of tax has increased by 28 per cent. between 1992-93 and 1994-95. That means that 500,000 taxpayers will have been dragged into the higher rate of tax, despite falling incomes during the recession brought about by this Government. A rate of 40 per cent. tax is paid on earnings above £27,000, which is only 1.5 times the average earnings.

Even worse, people earning £23,400 a year face a lower income tax combined with national insurance rate than people earning £7,000. That is extremely unfair, but it is not new to us. We have seen that it is part of the long-term Conservative programme. It is like Robin Hood in reverse—the Government rob the poor and give to the rich.

The Institute of Fiscal Studies has found that all the tax changes between 1985 and 1995 will make the tax system much less progressive. *[Interruption.]* I regret that Conservative Members find it so amusing that all our constituents are suffering because of their tax proposals.

Mr. David Willetts (Havant): Will the hon. Lady give way?

Mrs. Maddock: I shall give way in a moment.

The poorest 10 per cent. will have lost on average £3 a week and the richest will have lost £30 a week. But the unemployed with children will have suffered most. We have already heard about the fall in mortgage interest rates, but Conservative Members do not tell us that those rates were far too high in the first place. They were so high because they were pushed up by an economy that had been caused to overheat by one of their Chancellors.

Mr. Willetts: I invite the hon. Lady to contribute to the spirit of this debate by saying something about families. Or is it the Liberal Democrats' view that all that can be said about families can be said by a tax accountant?

Mrs. Maddock: The hon. Gentleman knows perfectly well, because, like me, he has a family, that the most important thing is trying to keep that family. The Conservatives' tax changes are important to families because the stresses and strains caused by money are a great cause of family break-up. We have heard some good speeches by other hon. Members this afternoon about the strains and stresses on families. It is important that people feel financially secure. I doubt whether the family of any hon. Member in the Chamber has not had money problems that have caused stress. Even if it did not involve their own personal finances, it may have involved those of their children or parents. We have heard much about carers today. I make no apologies for discussing the Government's tax changes, which are hitting families in my constituency.

In drawing up our proposals on taxation, the Liberal Democrats' primary object was that everyone should contribute according to his or her ability to pay and that no one should be asked to pay more than he or she can afford. We want a system with two higher rate bands rather than smaller jumps, and a first higher rate that starts at an income level significantly above the present 40 per cent. rate. Most important, the top rate should be charged only on very high incomes.

[Mrs. Maddock]

Mortgage interest tax relief is neither fair nor progressive and should be phased out. It distorts the market and favours buying rather than renting. We welcome the fact that the Government will phase out mortgage income tax relief, but when I asked the Minister in the Finance Bill Standing Committee what the Conservative proposals were and whether the Government had a long-term policy of phasing it out, he would not come clean. My party has been perfectly honest about our policy on that matter.

Liberal Democrats propose also that housing benefit should cover mortgage interest as well as rents. That would help people in providing housing, another matter that has been discussed today, which is particularly important to families. If a family does not have a decent home, tremendous strains and stresses are placed on it.

Miss Widdecombe: The hon. Lady referred to a very interesting proposal to extend housing benefit to cover mortgage as well as rent. Can the hon. Lady tell us exactly how much it will cost and exactly how the Liberal Democrats propose to raise the money to pay for it?

Mrs. Maddock: The proposal—which we call housing cost relief—has been around for a number of years. I cannot tell the hon. Lady at the moment exactly how much it would cost. I doubt very much whether she could stand up and tell me what housing costs at the moment. The important point is that if mortgage income tax relief were phased out, there would be extra money which, under our proposal, would be distributed more fairly so that people received help according to their housing need. That is the whole basis of the proposal.

We also want to see the married couple's allowance phased out. Again, the Government have not come clean about what will happen about that allowance in the future or even what families can expect to happen next year.

Crime and the fear of crime have increased markedly under this Government. Despite more than 60 pieces of criminal justice legislation, reported crime has doubled since 1979. If we look at the impact on middle-income families, we see alarming statistics.

Burglary is more likely to be suffered by a middle-income C1 group than any other group and, according to a 1993 survey, 35 per cent. of the group had been victims of burglary. That compared to a rate of 33 per cent. for the whole sample. Home Office figures show that burglary and car crime has been the largest contributor to the increase in crime in the past 20 years. The average cost of goods stolen in each burglary is about £1,210. It is the middle-income families who are suffering from the dramatic rise in burglaries.

There has been not only a rise in the number of burglaries and other crimes, but an accompanying rise in the fear of crime. Despite all the rhetoric that we have heard from the Conservatives, the fear of crime has increased dramatically. The results of a MORI poll asking families how they feel about this issue are very revealing. More than three quarters of the people surveyed fear having their home—where families live—burgled. That compares with three fifths of people in 1987.

More than half the people surveyed fear having their home—where families live—or their possessions vandalised. Half the people surveyed fear being mugged, compared with only one third in 1987. Some 80 per cent. of people surveyed fear some form of theft. I am inundated with letters from elderly people, in particular—*[Interruption.]*

Mr. Frank Field (Birkenhead): On a point of order, Mr. Deputy Speaker. Have you noticed that the more worried Conservative Members are about losing their seats, the ruder they are to new Members who are trying to make a contribution to the debate?

Mr. Deputy Speaker: I have been listening attentively to the debate and there have been sedentary interventions from both sides of the Chamber.—*[Interruption.]* Order. The hon. Gentleman is now interrupting the Chair. I should be most grateful if he would listen—

Lady Olga Maitland *rose—[Interruption.]*

Mr. Deputy Speaker: Order. I should be most grateful if all hon. Members would listen to the Chair.

Mrs. Maddock: I am fairly used to the hon. Member for Sutton and Cheam (Lady Olga Maitland) interrupting. I think that she faces a big threat from the Liberal Democrats on her doorstep and she tends to get rather hysterical when I appear on the television or when I am in the Chamber. She points and waves at me regularly.

I return to the issue of broken promises in the area of crime. The Conservatives promised in their manifesto to give the police the support and resources that they needed. That is what families in my constituency wanted, but it is not what they got. Chief constables requested extra officers in 1993 and 1994, but the Government gave them none. The Government have refused to allocate any more funding to policing. But families in my constituency want to see more police on their streets.

As if the crime statistics are not enough, families are now being taxed on that crime through the insurance premium tax. At the same time as the Government are changing the tax regime, they are imposing an extra tax on crime on families in my constituency. Some 16 million households—85 per cent. of all households—will pay that tax.

The Chancellor believes that it will cost a typical family about 35p per week, but his calculation is not based on a total annual premium. Many families might pay £600 for motor, home contents and building insurance—all the things which help to make families feel secure in their homes—and one insurance company has claimed that an annual figure of £1,000 for motor, home contents and building insurance is much more realistic.

Some estimates of the annual cost for the average family run as high as £50 per week—that is equivalent to 1p in the pound in income tax. The typical house and car insurance bill for a family living in a three-bedroom semi and driving a 1666 cc car obviously varies from region to region, but we can expect it to be between £800 and £1,000.

These are taxes on essential household items which most families have very little choice about whether they should buy. Families have very little control over the premium level. If one is unfortunate enough to live in an inner-city area, one may not even be able to get any insurance on which to be taxed.

The Association of British Insurers has predicted that the costs of insurance will need to be passed on to policyholders. One insurance specialist has warned that the

tax will inevitably lead to a considerable increase in the number of under-insured or uninsured. That is of considerable concern to many families in my constituency.

Mr. James Clappison (Hertsmere): I am very grateful to the hon. Lady for giving way, especially as I was not in the Chamber when she began her speech. I apologise for that. I should like to ask the hon. Lady a question about her party's policy arising out of what she said about crime and street crime. Could she confirm whether her party has under active consideration the legalisation of prostitution, with state brothels, and an equalised age of consent for boys and girls? These issues concern many families and are relevant to what the hon. Lady said about street crime.

Mrs. Maddock: I can confirm that at our annual spring conference in Cardiff we debated what is a very important issue for us all. We in no way said that we wanted state brothels. We looked at the issue and put forward proposals to try to regulate prostitution in a way that is helpful for families.

Lady Olga Maitland: Families—the hon. Lady must be joking.

Mrs. Maddock: If one is unfortunate enough to live in an area where one's children are accosted in the street—as used to happen in my city of Southampton—one knows that something has to be done in those areas to try to stop it. It is not pleasant to live among prostitution and we have tried to face the issues and put forward a series of proposals. If the hon. Gentleman is interested, I can ensure that he receives a copy of our proposals.

I can categorically assure the hon. Member that we are not about funding state brothels. We are merely trying to tackle a problem which, as he says quite correctly, is of great interest—although some of his hon. Friends do not seem to think so—to people who live in inner-city areas and whose children are accosted on the streets.

We have heard a lot of rhetoric about education from the Conservative party. We have seen lots of legislation and a stream of Education Ministers. But we believe that the Conservatives have failed Britain's families by failing to make the essential investment in education that is needed to ensure a good future for our children.

There are places in nursery education for just 35 to 40 per cent. of children between the ages of three and five years. Five years is the compulsory school age and that is why my figures may not be exactly the same as others which were quoted earlier. This compares not at all favourably with a rate of 95 per cent. in Belgium and France and 85 per cent. in Italy and Denmark. Britain is ahead of just one European Union country in the provision of nursery education—Portugal.

I was pleased today to hear support for nursery education from Conservative Members. It is important that our children get a good start. We have seen studies that have proved that giving children a good start saves much time later when they grow up and become young people.

I can remember clearly that, when I was a councillor in Southampton, I was told that I was left wing and subversive because I was promoting nursery education. It was not just me; other councillors were also involved. I do not know whether the suggestions are still on the shelves of Tory Central Office, but that is where they came from. I am extremely heartened that all hon. Members can now agree that nursery education is important and we should invest in it because it will be of great benefit to our families, not just now, but in later years.

I know that the Prime Minister continues to say that nursery education will be a priority for the Government, but the Secretary of State for Education continues to deny that the resources will be available. I hope that today the Secretary of State for Health, who has given us her commitment in her new role of co-ordinating family policies for the Conservative party, will be able to convince the Secretary of State for Education of the need to fund nursery education.

Parents and families in my community are also concerned at the dreadful state of repair of some of our schools. There is a tremendous backlog—£7.6 billion needs to be spent to make the buildings safe and fit for our schoolchildren. My constituents are also worried that there are not enough teachers in the schools. There are 11 per cent. fewer teaching staff now than in 1980, but 82 per cent. more students.

With members of my county council and another local Member of Parliament, I recently went to see the Parliamentary Under-Secretary of State for Education, the hon. Member for Hornchurch (Mr. Squire). We were concerned that there was not enough funding for education in Dorset. We were also worried about how to fund the teachers' pay rise. We were sent away with the message that schools would have to have larger classes.

The parents of children in my constituency do not want them to be in larger classes. We know—I know as a teacher—that large classes do not provide the best start. An important factor in helping children to get the best start is to teach them to read. It is impossible to give a class of 40 five-year-olds that sort of good start. I hope that the Secretary of State for Health will do her best to obtain a financial commitment for her support for nursery education.

Lady Olga Maitland: Will the hon. Lady give way?

Mrs. Maddock: I shall give way in a moment.

Mr. Don Foster (Bath): It will be interesting to hear the hon. Member for Sutton and Cheam (Lady Olga Maitland) on nursery education.

Mrs. Maddock: I am sure that the hon. Lady will make a good point and I shall give way in a moment as I have an idea of what she might be going to say, and I probably have an answer for her.

I have children who are almost grown up—one will be leaving home and going to college. Another great worry for parents is how to support their children through further education. That worry causes tremendous strain. The Government have cut grants by 10 per cent. and raised loans by 44 per cent., which is another broken promise. During debates on the student loans legislation, Baroness Blatch promised that that would not happen.

Lady Olga Maitland: I thank the hon. Lady for giving way now, as we would otherwise be rushing on to other matters. I wish to return to the subject of nursery education. Has she calculated how much the nursery education that she envisages will cost the country in terms of income tax? Why has she made no reference to the importance of raising standards in schools, which is what parents want?

Mrs. Maddock: We have been perfectly clear—we made it clear in the last general election and have done so ever since—that we realise that one has to pay to obtain the standards that Liberal Democrats believe should exist in education. I have been in public meetings and have spoken to people in my constituency about that subject, and people agree with the Liberal Democrats. When we asked them how we should pay for those standards and said that it would mean paying more in income tax, people said that they would be prepared to do that. We have calculated that our proposals will cost 1p of income tax. That has always been our commitment and remains our commitment.

There have been a variety of speeches today about family policy. My speech is not a comfortable one for the Government, but it involves the issues that my constituents come to talk to me about. The families that I see in my surgeries and those I talk to on the streets raise those issues. Once again, we have heard much rhetoric from the Government. We have had a serious debate, as well as Back-Bench games. People outside the House are not fooled. The electorate live in the real world and understand only too well what is happening to their families and the finances that affect their families.

I started by talking about families in my constituency —families who want to work hard, pay their taxes and live by the rules. Those families want their children to have a good start in good-quality educational establishments and they want to be able to live in safe communities. I hope that today's debate will result in a little less rhetoric from the Government, and a little more action and fewer attacks on the economic base of our families.

6.56 pm

Mr. David Willetts (Havant): It is a great privilege for me to be the first Conservative Member to speak who is not a member of the Bottomley family. So far, they seem to have taken on the massed ranks of the Opposition single-handed, and to have managed very well.

One of the surprises of the debate has been that, although the motion was tabled by the Labour party, when hon. Members had the opportunity to speak, only one Labour Member seemed keen to contribute, compared to seven Conservative Members. No doubt the Labour Whips have been around the Tea Rooms trying to haul in a few extra contributors. It seems an odd way for the Labour party to approach a debate for which it called.

The starting point for the debate has to be something on which all Members of the House can agree: the importance of the family as an institution. That importance goes beyond the financial and economic matters covered by the hon. Member for Christchurch (Mrs. Maddock), important though they might be.

I do not know how many hon. Members have seen the moving film "Schindler's List". One of the most interesting findings of the research done on those Germans who tried to help and rescue Jews in Nazi Germany was that many of them shared an important characteristic—many came from particularly close and stable family backgrounds. There seemed to be a connection between the moral strength on which they drew in those times, and a stable and clear family upbringing. In the debate, we must try to stray beyond financial and economic matters.

Although, as always, the hon. Member for Croydon, North-West (Mr. Wicks) made a most interesting and thought-provoking speech, it is a pity that, despite his manifest learning and expertise on the subject, he tiptoed around the fact that there is a clear moral and cultural consensus in this country. It is a consensus that upholds certain basic propositions: for example, that it is better for children to be brought up by both parents if at all possible —we know that it is difficult to live up to that principle in practice.

We all know the pressures that families are under, and it is certainly not for us glibly to criticise people who find that proposition difficult to sustain in practice. We know the pressures that membership of the House of Commons places on family life due to the bizarre hours that hon. Members work. However, if we do not feel that we can even speak of such things nowadays, we do a disservice to the cause of the family, which hon. Members from both sides of the House claim to support.

There was another disappointment in the contribution of the Labour Front-Bench spokesman, the hon. Member for Eccles (Miss Lestor). It is clear that, in her opinion, all family problems are caused by the Government, and all solutions involve the expenditure of more public money. That is a particularly odd position for the Labour party to adopt at the moment, given that it is trying to present itself as the party that does not believe in high taxes.

Some rather expensive spending commitments were made during the hon. Lady's speech. We heard a commitment to nursery education and a commitment to child benefit that seemed to me to be inconsistent with the Labour party's attempt to give the impression that it would be tough on spending, and therefore able to hold taxes down.

But, in addition, what we heard today failed to recognise the complexity of the changes that are taking place in family life. The hon. Lady referred, for example, to homelessness, particularly among 16 to 18-year-olds. This is undoubtedly a problem. It is easy to talk about changes in the benefit rules, but rather more tricky when one reflects on the family circumstances of many of the young people who, tragically, are homeless.

What is the crucial connection between many of these personal tragedies? It is that the people come from broken homes. Often, after marital breakdown, the mother takes on the responsibility of looking after the children. In many cases of relationships arising from mothers' taking new boy friends, the young people are not able to get on with the new man in the household. That theme lies behind much youth homelessness nowadays. It does not do any good to approach such social problems simply as matters to be explained with reference to the technicalities of the social security system.

Mr. Frank Field: If the hon. Gentleman were to talk to homeless people in the Strand, they would confirm what he has just said. However, if he were to continue the conversation, he would learn that most of those who sleep rough come from households where people have no work, no prospect of training and no benefit. The new man in the house has an incentive to expel and to be nasty to the old family.

Mr. Willetts: The hon. Gentleman does not do justice to his normally rich understanding of social problems. This is not simply a financial matter. We are talking about something that the hon. Member for Croydon, North-West raised, but did not pursue as I hoped he would—reconstituted families. I am perfectly happy to accept that

we Conservatives, in our preoccupation with some questions concerning single parents, have in many ways ignored the even more difficult questions that arise from reconstituted families.

Mr. Field: I was not denying the hon. Gentleman's point. Indeed, I was adding to it. If he thinks that there has been such misrepresentation of the facts, let him join me in doing a survey in the Strand. That would show who is right.

Mr. Willetts: I have often pursued these matters with the hon. Gentleman, and I am always happy to do so. I greatly enjoyed serving under his chairmanship on the Select Committee on Social Security. However, the experience on which I am drawing is based not only on conversations with people in London but also on my contacts with people in the constituency of Havant.

I wish to refer to a social problem which is discussed glibly but which, with deeper digging, reveals the complexity of the forces at work. I refer to child abuse. It appears that there is more child abuse now than there was in the past. Some left-wing pundits leap at this as a very convenient opportunity to claim that the traditional family is an oppressive institution from which people need to be rescued.

The evidence suggests that by far the greatest likelihood of child abuse is to be found in the home where there is a non-natural parent—the new man in the relationship. Because there are many more children living in reconstituted families, we appear to be experiencing an increase in child abuse.

But what do we find? We are presented with a left-wing agenda claiming that this is an example of how the family is an inherently dangerous institution. Pressure is put on social workers to go round investigating apparent cases of child abuse, often hysterically exaggerated. In fact, the most serious attacks on the family in the 1980s have occurred in places such as Middlesbrough and Orkney. These were launched by social workers who had fallen prey to this particularly pernicious doctrine.

Mr. Duncan: Will my hon. Friend admit that a constructive comment at the Easter conference of the National Union of Teachers was that many teachers, even in that union, feel that they were wrongly accused of child abuse? To a certain extent, perhaps, this can be interpreted as the sad reaping of the preaching of political correctness.

Mr. Willetts: Many good public servants in the educational world and elsewhere face this new and serious threat. Sadly, that is something that we must all recognise.

Mrs. Maria Fyfe (Glasgow, Maryhill): Would the hon. Gentleman, before pursuing this nonsense any further, care to say which Opposition spokesman has ever said that the family is a dangerous institution which is inimical to the interests of children?

Mr. Willetts: I shall be very happy to cite people writing from a left-wing perspective on family policy. Such people have seized on cases such as that of Jasmine Beckford and presented them as examples of the failure of the family, without digging into the real circumstances. *[Interruption.]* In response to the hon. Lady's invitation, I shall try to find some quotations to support my point. Beatrix Campbell is a well-known left-wing commentator on the family. I quote from her book "Unofficial Secrets: Child Sex Abuse":

> "The ghost of dead children—Jasmine Beckford, Tyra Henry and Kimberley Carlile . . .—smiled out from the newspapers . . . it all seems to vindicate Thatcherism's scorn for the busy-body welfare state. But not quite: these children died within the family, the institution sanctified by Thatcherism."

Mrs. Fyfe: I am sorry to interrupt again, but I have to make the point that the hon. Gentleman must realise that the Labour party is not responsible for the entire spectrum of left-wing opinion in this country. I asked him specifically to quote a view expressed by an official Labour spokesperson. He has clearly failed to do so. Let him stop trying to smear the Labour party.

Mr. Willetts: It is precisely the tide of left-wing opinion that I am talking about.

However, I want to move on to another topic, and one that is equally misunderstood—child care. We are all aware of the obvious attractions of appealing for more provision for child care. We all know of the pressures on families where both parents work. It is necessary to arrange child care, and that is often expensive. But before the Labour party rushes headlong to advocate more state expenditure in this area, it should bear two factors in mind.

If provision were to benefit mostly two-earner families, its impact on income distribution would not be to help poor people. We can be confident that, by and large, families headed by a two-earner couple are unlikely to be at the bottom end of the income scale. The risk behind the pressures that are building up for public expenditure in this area is the invention of another spending programme that grows and grows and grows—a programme financed by taxes often borne by people with modest incomes but, in general, benefiting affluent two-earner families.

There is a second risk, which was illustrated in the fascinating speech of the hon. Member for Croydon, North-West—the fact that much child care in this country is informal. Many people like to argue that it is informal only for want of something better—faute de mieux—that everyone would like to buy institutional child care but, sadly, have to settle for in-laws or grandparents.

The situation is not quite like that. Many people have a preference for that arrangement. Many grandparents enjoy contributing to the family, and in many neighbourhoods a host of voluntary arrangements are made, such as, "You look after our children today, and we'll look after yours tomorrow."

The trouble with state child care provision and finance is that it distorts provision patterns and starts favouring formal, institutionalised paid arrangements as against the informal and non-institutional. People may be tempted into the most absurd manipulations of the system, such as invoicing their grandparents to claim a child care voucher.

Alternatively, those who have already made arrangements that admittedly may be haphazard, imperfect and painfully negotiated may feel, on discovering that a big public expenditure programme has been introduced, that they are somehow fools for having made arrangements that do not fit within the new parameters of provision. We should consider those risks before espousing the popular cause of state child care provision. I hope that Labour Members will reflect before making another expensive public expenditure commitment.

[Mr. Willetts]

The hon. Member for Christchurch (Mrs. Maddock) was right to say that families struggle with child care costs, but the danger of focusing on the demand side of the equation—finance—is that the supply side is ignored. How can we encourage more provision?

There is a sad history of heavy-handed and excessive regulation, which makes it difficult for people who want to establish child care facilities. It would be interesting to know what approach Labour councils in London or elsewhere take to planning applications from people who want to set up a private nursery or day care centre. They need not be just for the well-off.

Arrangements can be made whereby some places are reserved for the children of parents with modest incomes, which could be paid for by the council or in other ways. It is difficult to obtain planning consent from many councils because of change of use, and an attitude to private provision that leads councils to being hostile when they should be encouraging.

As my right hon. Friend the Secretary of State said, the Children Act 1989 encouraged some local authorities to be over-zealous in regulating child care providers.

Lady Olga Maitland: Is my hon. Friend aware of a case in my constituency in which the Liberal-controlled council insisted that a child carer sign an agreement not to discipline or smack a child in her care? When she refused, she was banned—but took the council to the High Court and won.

Mr. Willetts: I am grateful to my hon. Friend for drawing attention to that case, which illustrates the problem of heavy-handed regulation of a diversity of child care providers.

The rhetoric of offering high-quality care for everyone is something that politicians of all parties find tempting, but introducing over-ambitious regulatory standards means that, in practice, some child care providers go out of business. Instead of provision that may not be perfect, more young children are left on their own without any child care.

We should examine whether reasonable if not perfect child care providers, nursery groups and playgroups are finding it more difficult to provide services because of the burden of the Children Act 1989. That significant problem ought to be addressed as part of the Government's deregulation initiative.

Another difficult problem is the connection between single parenthood, unemployment levels in some inner-city areas and crime levels. Some connections are too obvious to mention, and one that has not been made in this debate is that relating to young men aged 15 to 25, who often find it difficult to find jobs. If one's partner does not have a job, he will bring less to the marriage or relationship. Such young men often become involved in petty crime—and who wants to marry or enter into a stable relationship with someone who is involved in petty or more serious crime?

The task of taking a 15-year-old male from a family environment and shifting him, so that, at the age of 25, he is in a new stable family and in employment, is one that this country seems to have found more difficult since the war. The transition from the parental home to a home that one has created oneself has become more difficult to negotiate.

The reasons are more complicated than simply unemployment levels, and the problem grew during the boom years of the 1980s. Hon. Members who now tell us that there is a link between unemployment, recession and crime were telling us a few years ago that the brash, vulgar materialism of the 1980s was the explanation for rising crime. We are told in the good years that a boom produces crime, and in the bad years that a recession does so.

The challenge is to make it more possible for young men to manage the transition from their own family home to creating a new family home. We can help them only if we are prepared to lay down simple, credible and coherent rules of the road. We do not need to sermonise or to lose contact with the pressures that those young men are under —but we ought to tell them that they should not drop out of school, because their chances of holding down a job successfully later will be much worse; warn that they should not become involved in petty crime; and draw their attention to the fact that the family is a civilising influence.

The single most important reason given by young men for giving up crime is that they are in a stable relationship with a woman who does not want them to carry on committing crimes. Putting aside all other factors—such as employment, unemployment, income and social background—young men who are married are less likely to engage in crime than young men who are not. Marriage is a civilising influence. The debate is not solely captured by the financial and economic arguments that preoccupy Labour.

Many people choose nowadays not to marry, or to marry only at the point when they are bringing children into the world. We all understand some of the reasons for that social change. One particularly worrying aspect of what sociologists call consensual unions—partnerships in which there is no formal marriage contract—is that many of the men and women in such relationships, but particularly women, exaggerate their rights.

Research shows that women believe that they have the same rights as married persons to future claims to their partner's income, and men assume that they have the same right of access to their children, when those rights accrue only in the legal institution of marriage. One of the dilemmas that we will face in future is how to handle that.

There are two ways to go about it. The first is to say that those people have taken a perfectly reasonable decision in not wishing to take part in the legal institution called marriage. Who are we to try to impose on them the legal obligations that come with it? If we go down that route, the people who are in those consensual unions need to understand the limited legal framework that would surround them.

The second way to go is, in effect, to extend marriage to people who have not gone through a ceremony and decided to enter into it as a legal institution. That is what Sweden has done. Sweden is misunderstood as an example of how marriage will change in future. The point about Sweden is not that everybody has opted out of marriage, but that the state decided that everybody who lives together is to be treated as married.

There is no way in which one can opt out of marriage in Sweden. If one settles down with someone and has lived with them for a certain period, all the legal rights and responsibilities, which we in this country associate with

part of the legal institution of marriage, are applied to that person anyway by the state. The point about Sweden is the opposite to that normally assumed. Virtually everyone in Sweden who is living with someone is, for the purposes of British law, married.

We have not begun to confront that dilemma. But, one way or the other, we will have to go down that path. The extraordinary level of misunderstanding on the subject by people who are in those non-legally married partnerships is a worrying indicator of how things may go in future.

7.20 pm

Ms Mildred Gordon (Bow and Poplar): I am glad that, at last, we are getting down to discussing what we mean by "family" when talking about family policy, because stereotype families have changed very much in the past decade. The old stereotype family is now a minority. Only 25 per cent. of children are living with parents where both adults are either married or cohabiting.

Since the 1980s, people have begun to change their lives a great deal. Many women with children live on their own out of choice. Increasingly, as the hon. Member for Havant (Mr. Willetts) mentioned, couples reject legal marriage, even when there are children. Four out of 10 marriages —no doubt entered into with high hopes—sadly end in divorce.

There are now many single-parent families. In fact, 21 per cent. of all families are single-parent families. The vast majority of them are headed by women, but, nevertheless, they are families just as much as families where two adults are living with their children.

There are also many extended families, with complicated relationships—half-brothers and half-sisters, step-brothers and step-sisters, stepmothers and stepfathers. Where the relationships are harmonious, that can work very well and be a supportive system for the children, but the Child Support Act 1991 has done more to create conflict and discord between such families than anything that has happened in the past decade.

The Child Support Agency shows little regard for the needs of stepchildren and second wives. In some cases, as a result of its rigid formula, violence has been created against the parent with care. In others, faced with impossible financial demands, the absent parent has been in despair—even suicides have taken place.

Conflict has been created between the first and second wives and their families, and between the second wives and their partners, over such financial arrangements. The children suffer. The insecurity that is brought about when formerly harmonious relationships are disrupted shows in bed wetting by the children, and in other signs of tension and trauma.

Obviously, the old system of maintenance for children did not work too well and there were many defaulters, but the rigid formula of the CSA, as was mentioned in the debate on that matter, does not work to the benefit of families. We need family courts which can do more than consider access to children where the parents are separated, and can decide on the financial arrangements, with a flexible approach that really takes into account all the factors and needs of those families. The more people the CSA reaches out to, the more damage it will do. It has become a very bad feature in disrupting the lives of families in this country.

Government policies are pulling women in two directions. A number of Ministers have attacked women and blamed them for juvenile crime, because, they say, they are not spending enough time, care and attention on their families. On the other hand, Ministers are telling women to get off income support and go out to work.

The Secretary of State gave some very spurious figures about family income. She did not take into account the changing value of money when mentioning those figures. When I started work, £3 a week was a very good wage, on which one could live well. Now, one needs £300 a week to live at the same level. The bare figures can give a very wrong impression.

What is absolutely certain is that families can no longer live on one salary. Women are having to go out to work to make ends meet—even women with very young children, despite the difficulty and expense that this entails. It costs about £90 a week for a place in a nursery for a child under five.

Women are replacing men in the work force, at lower wages and in part-time jobs. Eight out of nine jobs created recently have gone to women; they are mainly part time and low paid—the kind that were covered by the wages councils which have now been abolished. The protection in those jobs has been removed by the Government. Women are being given one-day and one-week contracts, which are absolutely disgraceful and which take away their rights to holiday pay, their maternity rights, their pension rights and their rights to reasonable notice.

That means that there is no stability for their family. Those women do not know from one week to the next whether they will earn money. That is bad for them, their children and the relationships of the whole family. It is not that women are seeking little jobs for pin money, but that only little jobs are available.

One feature of the Government's time in office has been perpetual and rising mass unemployment. As a child, I knew the terrible effect that it had on my sister, my mother and me when my father had a period of unemployment. Now, men, women and youths are experiencing years of unemployment. Some of these youths have never had a job since leaving school.

I do not think that Conservative Members really understand this. If they do, the smirks on their faces during many a speech in the Chamber tonight and on other occasions show that they have no sympathy with what it is like to be unemployed, not to have enough money to last to the end of the week, to be really afraid of the future and to live from hand to mouth.

I know what it is like, from the cases that come to my surgery, from the people who come in and cry on a Friday because they do not have enough money to last them through to the weekend. We have to give them a few pounds, because it is too late on a Friday night to get them help immediately. I know what it is like. I know what they suffer. I know the terrible and frightening effect that it has on their children and on their self-confidence throughout the rest of their lives.

The 1991 census revealed a dreadful picture of child poverty and lone parent poverty. The situation has deteriorated dreadfully since the Conservatives have been in power. For millions of families, "back to basics" is back to nowhere.

In 1990-91, 13.5 million people were living in poverty —24 per cent. of the population. In 1979, the figure was 9 per cent. That was bad enough, but the increase is colossal.

[Ms Mildred Gordon]

Some 9.6 million adults are living in poverty—one in four. More disgracefully, 3.9 million children are living in poverty. That is taking poverty at a level below 50 per cent. of the net national average wage. It accounts for 31 per cent. of all children in Britain.

The figure is even higher if we take a wider definition of poverty, as a situation in which one cannot keep up with one's peers; for example, when one cannot go on school outings or have the equipment that one needs at school or the same entertainments as one's peers.

It is a tragedy that such a large percentage of our children live in poverty. Sixty per cent. of lone parents live in poverty, and one in five of all families with dependent children are lone-parent families. The difference between the lives of those children and those whose families have a good income and good homes and live in security is enormous—they are different worlds.

Of course it is true that well-housed families are not necessarily happy families. Child abuse has been mentioned, and it is a subject on which the curtain is only just being lifted. We need to discuss seriously what society can do about it. It is rife in all classes of society.

In addition, we all need to learn to respect children's rights. That is a whole new chapter that needs to be investigated. We must listen to what children say, and learn to treat them as people, rather than as objects which we can order around as we fancy.

Overcrowding is another issue to be considered when we debate the family. If any Conservative Members would like to listen in on my surgeries on a Friday night in Tower Hamlets, they are welcome to do so. They might learn something about a slice of the life of families living in misery because of overcrowding. They might learn that some have been on the housing waiting list for years, and that their children are brought into conflict with one another because they are sharing bedrooms when it is clearly unsuitable for them to do so. Family members are breathing down each other's necks because of a lack of space—

Lady Olga Maitland: Will the hon. Lady give way?

Ms Gordon: No, I shall not give way. The hon. Lady has already intervened more than once, and has tried to interrupt continuously. She should make her own speech.

Bad housing is a source of misery and disruption for families in inner-city areas. The blame for increasingly bad housing lies at the Government's door, because, until this year, they refused to allow money earned from the right-to-buy policy to be used for repairs, and have deliberately brought council house building to an absolute halt. Families need the affordable rented housing, which only councils have been able to provide. The shortage of housing is now creating misery and destroying family life in inner-city areas.

The Government are creating an ever greater divide between families who have a good standard of living and the huge number who are struggling to give their children a decent start in life. All Government social policies—on housing, health and education—are increasingly elitist, and poorer families are getting a bad deal.

The poorest are suffering the greatest blows from increased indirect taxation and cuts in the money available for nurseries and day centres, for social services and for carers. Care in the community is underfunded and people are not receiving the care and help that is needed for the elderly members of their families. The only hope for families in my constituency and elsewhere across the country is a change of Government.

7.33 pm

Mr. Tim Devlin (Stockton, South): I shall bring the House back to the motion on the Order Paper, which relates to whether the Government have a comprehensive family policy. The debate has strayed rather wide. Indeed, if we were to follow the hon. Member for Christchurch (Mrs. Maddock), we could be discussing issues such as defence on the ground that we need to consider whether families are properly defended against missile attacks from other countries. However, I shall concentrate on where the Government and the family interface, which means considering whether the Government have a comprehensive family policy or whether they are putting together the necessary components of such a policy.

It would be correct to commend the Government on undertaking a comprehensive review of the law relating to children and families. That review is evidence of the priority which our party, through its statements at party conferences and in the House, has attached to the family and to children in particular.

The review started with the work done in preparing the Children Act 1989, which had substantial cross-party support. The Act reviewed and improved all aspects of public and private child care law. On the private side, it overhauled the outmoded custody and access system and gave us instead a range of flexible new orders dealing with residence, contact, other specific issues and prohibitive steps, which allowed the courts to deal flexibly and individually with the range of issues arising from a child's upbringing. The idea was to move away from regarding the child almost as a chattel and to concentrate instead on narrowing any specific areas of dispute.

On the public side, the Children Act reviewed the provisions governing state intervention in child care to reflect a better balance between child protection and parents' rights. For example, the Act introduced the "assist and befriend" order which allowed children and parents to be given social work help while concentrating on letting the child stay at home. It also reviewed the emergency protection provisions and replaced the despised place of safety order, which had caused so much trouble in my constituency in 1987, with the shorter and more flexible emergency protection order.

Equally important, the Act meant that cases relating to children were brought together under a concurrent jurisdiction in the courts—replacing the old fragmented and confused system—with hard cases being transferred to higher civil courts and simpler cases being dealt with by magistrates. That concentrates the valuable resources of the higher courts on those cases which really need them and, with the new specialist judiciary, introduced a framework for a family court about which the hon. Member for Bow and Poplar (Ms Gordon) feels so strongly.

Following the Children Act, the Government introduced the Child Support Act 1991 which established the Child Support Agency. Despite its bad press and unpopularity, the Act offers two main benefits which are worth defending and on which I believe that there is

substantial cross-party consensus. First, it removes a large tranche of maintenance cases from the courts, thus saving valuable court time and resources. Secondly, it emphasises the idea that all fathers should be made to face their parental responsibilities rather than leaving the state to provide, as so many do.

Perhaps what now needs to be done is to concentrate the energies of the regional agencies on tracking down more fathers who pay nothing at all at the moment. There has already been some success in that respect. We should also ensure that the needs of second families are properly taken into account.

In dealing with child care and maintenance under the two Acts it is crucial to dissociate the two concepts of access and maintenance. It is important to move away from the myth that maintenance is related to access and vice versa. The two are not at all related, although many fathers seem to think that they should be. The message that needs to be put across is that access and maintenance are both for the benefit of the child, whose interests are at all times paramount. That concept is written into both Acts. To link the two would mean facing the possibility of depriving the child of one or the other.

As part of the ongoing review, the law on adoption has been reviewed and recommendations made for reform in the White Paper entitled "Adoption: The Future", which was published in November 1993. The Government will make the law more explicit by insisting that the first duty in adoption is to the child. The White Paper makes it clear that children are best brought up in stable and loving families and reinforces a strong presumption in favour of adoption by married couples.

We must emphasise, as my hon. Friend the Member for Havant (Mr. Willetts) said in a superb speech, that we cannot skirt around the moral issues relating to the family; we have to face them and say that some circumstances are preferable to others, regardless of the fact that it is not always possible to achieve them.

Guidance issued by the Government on adoption will stress that parents who want to adopt should be judged by the care and affection that they can offer the child. The age, race, social class or other characteristics of potential parents should not count above the interests of the child. I was interested to hear that the hon. Member for Eccles (Miss Lestor) supported that view in meetings with the Secretary of State.

Several questions remain outstanding. With divorce, what are we to do about couples who have no ancillary issues to resolve and no areas of dispute, and a firm idea of what each wants from the divorce? Do we still make them go through the process? How do we avoid allowing a spouse who may not want a divorce to lengthen the proceedings by refusing to settle ancillary issues? Will the courts simply step in and settle matters for them, rather as happened in the old system, after the process has been set up?

How are we to avoid the charge that the new proposals on divorce make it too easy? The Law Commission has recommended that the present acrimonious system be replaced by a process divorce. People enter at one end with a ground of irretrievable breakdown and then spend a determinate time—that is one of the issues to be agreed —during which they may reflect. During that time the parties will be expected to reach agreement on ancillary issues and child care, and to bring the decisions back to the court for an order when the decree absolute is issued.

The period of reflection leaves room for fitting conciliation into the process, although it is not clear whether it could be made compulsory, even if there were enough conciliation services to go round. The aim is to make divorce a process of consensus and negotiation rather than one involving set-date watersheds that leave all the other business to be bashed out painfully afterwards. The ancillary issues would be part of the process itself, which would build in an incentive to reach agreement.

The law on divorce has remained untouched since the Divorce Reform Act 1969, which was something of an unsatisfactory compromise. At that time people could not agree whether to remove fault altogether, so it was decided that fault should disappear from the grounds, leaving the sole ground as irretrievable breakdown. However, breakdown had to be evidenced by one of five factors—two years' separation with consent, five years' separation without consent, desertion, adultery or unreasonable behaviour. Two of those factors are fault related, so that that let fault in by the back door and led to the resultant acrimony that is often so obvious, and on which I do not need to elaborate.

I sometimes think that if young people in this country spent as much time planning their marriages as they spend planning their weddings, their marriages might go a great deal better and we should not have such a high divorce rate. As I said in Committee on what was then the Children Bill, we must also consider what is the correct age at which people should enter marriage. The statistics show that the younger people are when they get married the more likely they are to be divorced before the age of 24.

Before I entered this place, when I was working as an accountant, I interviewed a 22-year-old bookkeeper who had been divorced twice. She had married first at 16, and been divorced at 19; then she married again at 19 and was divorced at 21. She had had a child in each marriage and no doubt she is now having great fun negotiating with the Child Support Agency. That person had entered into marriage, an institution which ought to be taken extremely seriously and solemnly, probably with little idea of what it might entail and little background training as to what to expect. She had then found that marriage did not meet her very high expectations.

My hon. Friend the Member for Havant spoke of the question as to which route we should take on the status of marriage. Should we say that marriage enhances one's privileges and gives one a special legal status, or should we say that every couple living together will automatically be treated as though they were married? That will be one of the big questions for the 1990s and the beginning of the next century.

In my surgery I hear all too often, as I am sure many other hon. Members do, people saying that they live with their common-law wives or common-law husbands and assuming that that provides some solid status, backed by legal sanction, that will provide them with a range of privileges or rights in any future breakdown. They seem to think that their relationship is as stable as if it were sanctified by the full legal status.

I believe that we should consider emphasising the fact that marriage is the clearly preferred state in which to bring up children, and that we should therefore put together a package of enhancements such as tax privileges, so that people will more readily enter a formal contract published

[Mr. Tim Devlin]

before the world rather than allowing their lives to drift through a series of relationships without taking on in their own minds the real consequences of what they are doing.

When we think about the future of divorce, we must consider first whether both marriage and divorce are too easy. We must also think about what steps we can take to de-lawyer the process. Should we do anything to make couples share lawyers? Personally, I do not believe that that is a good proposal, because there would be a clear conflict of interest, but there is much to be said for turning divorce into more of an independent conciliation and arbitration rather than a legal battle in which both sides up the ante, and one side often attempts to punish the other by making the litigation as difficult as possible.

I do not want to widen my speech far beyond the law on children and families, except to say that in a review of the Government's comprehensive family policy one must mention child benefit. That was a manifesto commitment, and it currently stands at £10.20 a week for the first child and £8.25 for other children. The Government have also introduced targeted help through family credit, and from October 1994 working parents will be allowed to offset £40 a week in child care costs. About 150,000 families will gain from that.

However, we are moving into a new period in which we shall have to examine the whole range of benefits. I do not wish to make party political points, and it is encouraging that much of the family legislation of the past has been relatively non-partisan. My experience during the passage of the Children Act showed me that there were broad swathes of policy making where both sides could agree on many of the details.

It is interesting to note, however, that the Labour party is now undertaking an internal debate on the future of child benefit, other universal benefits and all the benefits that affect families. The hon. Member for Glasgow, Garscadden (Mr. Dewar) is quoted in the *Daily Express* of 14 December as having said:

"It's quite clear scrapping Child Benefit is an option that ought to be looked at".

The hon. Member for Peckham (Ms Harman), too, has said that improved child care and job opportunities might be "a much better way to lift a child out of poverty than actually providing its mother with a small cash handout".

The hon. Member for Dagenham (Mr. Gould), who has often chided the Labour party for being insufficiently socialist, suggested in *The Independent on Sunday* on 5 December that perhaps Labour should think about offering child benefit in "alternative forms", one of which might involve clawing back child benefit through the tax system from better-off families.

To make a broader point, despite the fact that the Opposition have arranged for a debate on improvements in family policy, no Opposition Member can say anything about how the Labour party would improve provision for the family. As we know from the hon. Member for Dunfermline, East (Mr. Brown), there are no clear or firm spending pledges at present. On 26 January, on the Radio 4 "Today" programme, the hon. Gentleman was asked specifically about the commitment to nursery education. He replied:

"We will spend what we can afford to spend and only as growth allows . . . I have said there are no manifesto commitments at this stage . . . there is no commitment to spend money on anything".

The hon. Member for Dewsbury (Mrs. Taylor) said something similar when she said that we in Britain should be aiming for a target. She said that we should be careful that we do not involve ourselves in too many spending pledges, but that we should be aiming for a target of providing nursery education to all children from the age of four, which would give every three-year-old and four-year-old a chance of a place in a nursery school.

We must look beyond the broad range of criticisms that the Labour party put in its motion. It is clear that, were Labour Members in charge, they would tax families more, eradicate choice in education, oppose making parents responsible for their children's criminal acts and perhaps even withdraw child benefit. I believe that I am in a position to commend the Government on their fine record of supporting the family over the past years and I look forward to much more legislation, especially on divorce, to further strength in the family. I do not see any Opposition Member tonight who would improve on that situation.

7.51 pm

Mrs. Audrey Wise (Preston): We have heard a great deal of scaremongering from Conservative Members, epitomised by the concluding remarks of the hon. Member for Stockton, South (Mr. Devlin). We do not need to go in for scaremongering, as Labour Members may simply point to the facts.

Many of us criticise the media—newspapers and television—usually justly, so it is only fair to point out that, now and again, something of real value appears in the press. I shall refer to an article in *The Guardian* on 10 March which concerns the subjects with which we are dealing. It is headed "A psalm for Sally-Ann". The article is about an anonymous baby who was found in a bag on a charity clothing dump. It is headed:

"As she was buried she became a symbol for all the unknown children who are victims of the new poverty."

She was found on a Salvation Army dump, so they called the baby Sally-Ann, although, of course, she could not be officially named because no parent was known. She was buried in Sutton Coldfield cemetery. I do not whether it is always the case, but in Sutton Coldfield cemetery there is a little rectangle of lawn behind a hedge which is the public plot for babies whose parents cannot afford their funerals. The article continues:

"The granite tombstone at the head of the plot says: In Loving Memory of All Our Babies. On the wall over the flower bed is a collection of 12 plaques with the names of the children who are buried there."

The child in question had no name, but she was also buried there. In times gone by, people such as my grandmother were afraid that they would not have money to pay for their own funerals. I find it absolutely sickening that we have to make provision in 1994 for the burial of babies whose parents cannot afford to pay. The article describes the life which the baby and its mother may have had if the baby had not been abandoned. It describes in detail the sort of housing conditions which are commonly suffered by so many people. It states that the National Children's Bureau reported in the past year that one in every 25 children in Britain lived in a home that was officially condemned as unfit for human habitation. If there is one thing which has a bigger effect than anything else on a family and its capacity to survive, it is its home.

It was pointed out earlier that a good home and a good income do not necessarily bring happiness and that there are other factors involved, which is absolutely true.

However, one thing is certain: a bad home, bad living conditions, overcrowding, dampness, vermin, lack of a home, or lack of space to live or space to play make it much more likely that there will be stress, unhappiness and misery.

It is the fate of one in 25 children to live in a place condemned as unfit for human habitation. That is the tip of a much bigger iceberg, since many of the remaining 25 are living in totally unsuitable conditions. In the borough of Preston in my constituency, 6,000 homes are unfit for human habitation, but they are inhabited. I see the smirks, the inattention and the general attitude of contempt from Conservative Members. That is because they know that neither they nor anybody belonging to them will ever live in such conditions.

Housing is important, but so is money. The article points out that, if Sally-Ann's mother was not working, she might have been able to beg £100 maternity payment from the ruins of the welfare state—from the social fund. That would have been nowhere near enough to pay for clothing, a cot, a bed, a buggy and all the other props of motherhood. If she had had more than £500 saved, she would not even have been entitled to that sum.

Up to 1988, there was a grant available for people on supplementary benefit. The equivalent of that 1988 figure, even two years ago, would have been £188, not the £100 which was and still is available. A good £200 is needed to treat those poor mothers as well—or as badly—as they were treated in 1988, let alone as they were treated when we had a more civilised Government.

Five years ago, one fifth of children born in Great Britain could be regarded as born into poverty. Now one third are in that position. If Sally-Ann's mother had lived in a flat with a private landlord, she would probably have had trouble. She would have had trouble wherever she had lived because the standard rule is no pets and no children. That has been so all my life. One could not get rooms from a private landlord if one had a baby when I had young children. It is true to say that that is almost a standard rule. The article continues:

"If she tried to move she would have had problems with the rent. When they"—

the Government—

"changed the rules in April 1988, a million people lost their right to Housing Benefit and five million others had it cut. If she had trouble heating her home, she would simply have gone cold."

Sally-Ann's mother would not have been likely to be disconnected; she would have had to disconnect herself because, as the article states:

"Electricity and gas companies now routinely install meters in the homes of poor families: if they have no cash, they have no heat."

That saves everybody the embarrassment of disconnection. The article continues:

"In Birmingham alone, some 600 people die each year from winter hardship . . . If Sally-Ann's mother had had the confidence to inquire, she would have discovered that a single mother with two children is supposed to survive on Income Support of £88.65 a week. The Child Poverty Action Group has worked out that she would need £23.08 more than that each week to break even."

The Select Committee on Health undertook an inquiry into maternity services and maternity matters, and published a report in March 1992. Part of the report dealt with the absolutely bizarre fact that there is age discrimination in pregnancies—16 and 17-year-old pregnant girls are treated infinitely worse by the state than women of 25 and over; even if 16 and 17-year-olds have no job and no income, they do not have the same entitlement to benefit as they would have if they were older. Presumably, they and their babies-to-be can live on nothing.

The Government's answer is that 16 and 17-year-olds should be provided for by their parents and they should be on one of the training schemes. However, the Government do not explain why those who run the training schemes should be interested in providing training for a girl who will have to pack it in within a few months of being given a place. If we are serious about the way in which we treat 16 and 17-year-old pregnant girls, we should not start by trying to shove them into a few months of totally irrelevant training, which no one wants to give them anyway. We should give them understanding and education to help them cope with the job that they will have to do in caring for the baby.

As my hon. Friend the Member for Eccles (Miss Lestor) said, such education should start early. Education for parenthood for both sexes should start in school and be part of the core curriculum. I do not believe that we can talk about having a sensible curriculum that ignores the most important roles that all of us as human beings must undertake. I am concerned about the treatment of young pregnant girls.

When I read the article about the anonymous baby abandoned on the charity dump, it struck me that it is possible that her unfortunate mother is a 16 or 17-year-old with no rights, no entitlements and no sympathy, who is expected to prove to the Department of Social Security not that she is pregnant and suffering hardship but that she is suffering severe hardship.

Mr. Michael Bates (Langbaurgh): Will the hon. Lady give way?

Mrs. Wise: No, I will not give way.

Mr. Bates: Why not?

Mrs. Wise: Tory Members have chosen to make a mockery of part of this debate and I will not conspire with them to do that. I have important points to make. I shall make those points and then sit down, and they can make their own speeches.

The article in *The Guardian* says:

"The price of a child is now too high for many mothers to pay. The National Council for One Parent Families says that financial hardship has become the overwhelming reason why mothers ask for their children to be adopted, even though their own wish would be to keep them; and senior social workers speak of 'a new market in working class babies for middle class parents'. Others are pushed into abortion."

I am in favour of the right for women to choose to have a pregnancy terminated, but I abhor a society that causes such pressure and stress as effectively to drive women into taking what I believe is a desperate step. I am pro choice; I am not pro abortion. We should take note of the fact that "advice workers at Marie Stopes clinics say that the recession has seen a surge in women trying to terminate pregnancies because they don't have the money or the security to cope with a child." Those are the sorts of problems that people who are overwhelmingly represented by Labour Members are facing. The answer is not found in Government policies at present. The Government's policies are characterised by an overwhelming feature—the increase and intensification of inequality.

Inequality is the enemy of social justice. I want not a levelling down, as the Government may say, but a levelling up. I want people to be treated fairly. I want undue financial

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stress and housing shortage removed from families. I want us not to have to face what I regularly face in my surgeries —young women looking old beyond their years who have children with them. It is routine. They nearly always say of at least one of their children, "Little Tommy has asthma". I am surprised if I come across a child in many areas in my constituency who does not have asthma or some other respiratory problem.

We need measures that seek to elevate the importance of children to us. We want parents to regard their children as the most important things in their lives. As a society, we should regard children as the most important beings, and they should be at the front of the queue when resources are being given out, not at the end.

Mr. Bates *rose—*

Mrs. Wise: I tried to intervene on the Secretary of State for Health, but she did not give way.

Mr. Bates: Set an example.

Mrs. Wise: I cannot set an example to the Secretary of State; she has already spoken and she is not here to hear the debate. If she were here, perhaps I would set her a good example. As it is, I shall do to the hon. Member for Langbaurgh (Mr. Bates) what the Secretary of State did to me—ignore him.

There has been some reference to education. I wanted to ask the Secretary of State what advice I should give to the parents and teachers in the primary school nearest to the place where I live.

Frenchwood primary school is a well-managed, good school. However, despite its good management, it is financially stressed and will lose one teacher, with the result that children aged about six may be taught in mixed-age classes. It is not beneficial for children to be taught in mixed-age classes, especially when it is not being done for educational reasons but simply because the school is losing one teacher. I have chosen that example because it is not a particularly dramatic one.

Many schools are losing more than one teacher. Many children are facing worse problems at school than being taught in a mixed-age class. Many of the schools facing more dramatic problems have suffered greatly from the cuts in section 11 funding. Some schools in my constituency are losing several teachers because of the Government's cuts in section 11 funding. I do not in any way blame the county council, which is the unfortunate agent for passing on the cuts.

Tory Members are good at blaming parents. Sometimes parents are to blame. I may be somewhat puritanical; I am conventional in many ways in my approach. I believe that it is best to have a two-parent family. I believe in stable relationships, although I know that that cannot always happen. I know that many people are driven beyond endurance. During my surgeries, I sometimes marvel that the suicide rate is not higher. It is no good simply lecturing people or setting up a counsel of perfection. It is easier to blame parents than it is to help them, and it is cheaper.

I do not want to blame parents. I want to educate parents and to encourage them to accept their responsibilities. Children should be a joy to their parents, and I want to help to bring that about. Childhood should be a joyful, constructive and pleasurable part of life, but, for many children, childhood is a burden and for many parents children are burdens. That is an obscenity.

We should not blame parents; we should be helping them. I want not so much blame, and a lot more resources. All kinds of resources—educational, financial and housing —should be made available for the children of our society to bring them to the front of the queue. We should not let them languish at the back, as they do now.

5.10 pm

Mr. Gary Streeter (Plymouth, Sutton): It was a great pity that the hon. Member for Preston (Mrs. Wise) did not give way to any of my hon. Friends who tried to intervene. One would have liked to have asked her many questions in a speech that, quite frankly, was more fantasy than fact.

I am pleased to take part in this debate about the family. I believe that the family is vital to the future well-being of our nation. By that, I mean that we should seek to have as the ideal, goal or target the traditional nuclear family, with one man and one woman for life with children. That is the optimum target, and I will talk later about what happens when that cannot be achieved. It should remain our target and goal and it is not an optional extra. It is at the heart of our society.

An urgent task lies ahead of us during the next few years —to restore to the centre and the heart of our nation the place of the traditional family unit, which has been so eroded in the past 30 years. Having listened to some excellent speeches from my hon. Friends and, I am bound to say, one excellent speech from the Opposition, from the hon. Member for Croydon, North-West (Mr. Wicks)—

Mr. Bates: It was not the last speech, that is for sure.

Mr. Streeter: No, it was not the last speech. I would like to think that there is a common cause emerging and that there is a fresh recognition of the vitality and the essence of family life in 1990s Britain.

The family is important for three crucial reasons. The relationship between a husband and wife, or between long-term partners, is one of mutual support and fellowship. They share problems and joys, and, in that long-term relationship, fulfilment in all sorts of ways can be found. Furthermore, traditionally, financial support can be found in that structure and it is within the framework of a strong and stable family unit that children are best raised.

Is it not a pity that in this day and age we appear to have lost the sense of the importance of raising children? How refreshing it is to come across young people who feel a calling to be a mother or a father and who understand that it is a vital task. How often we turn our backs on that and look down on the importance of being a good parent.

If there is one evil in our society at the moment, it has little to do with poverty or Government policies, as Opposition Members would have us believe. The evil in our midst is poor and neglectful parenting. I would be the first to admit that that could come from two parents as well as from one. How it upsets me when I go to the supermarket—that seems to be where one mainly encounters it—to hear the way in which some parents talk to their children. I saw a lady at the weekend who was talking to her three or four-year-old son in Tesco. She was cuffing him around the ear and saying, "You're stupid."

That child will grow up 15 years later believing that. Poor parenting shapes the character and personality of our children.

It is within the family context that we learn self-esteem, because others value us. Our parents value us and we therefore learn to value ourselves and it is in the first formative years that children learn so many important lessons. Another reason why families are so important is that they are the vehicle or forum through which we can care for one another in sickness or infirmity, whether that involves a husband and wife, parents and children or brother and sister. The family unit is a vital instrument of care in modern Britain.

Some people believe that the traditional family was just a choice that we made at some stage of history, or that it is just an optional extra that we can now replace. Some seem to believe that the state can replace the family and that it does not matter that relationships between people are breaking down or that parents are less and less likely to bring up their children with values.

Mr. George Howarth: Could the hon. Gentleman perhaps name the people who believe that family institutions should be replaced by the state?

Mr. Streeter: It is abundantly obvious that, during the past 30 years, we have suffered at the hands of left-wing ideology. *[Interruption.]* Oh yes. That teaches us that we can no longer support the argument in favour of the traditional family. It says that it is perfectly all right to have children brought up by lesbian or gay couples. That made hon. Members suddenly go very quiet. The left-wing ideology states that single parents are as good as two parents. That has been thrust down our throats, and how we have suffered as a result. There is no substitute for a strong family. The state cannot deliver the vital responsibilities of mutual support, affection and good parenting. They must be done by the family.

The debate is extremely important. For far too long the tail has wagged the dog in terms of social policy. For the past 30 years, we have been frightened to speak out and make value judgments for fear of upsetting minority groups or being accused of discriminating against those groups. It is time for the vast majority of people who believe in families and who aspire to strong and stable relationships to stand up and be counted.

It saddens me greatly that, in my daughter's class at a good grammar school in Plymouth—the school is known to you, Madam Deputy Speaker—half the children no longer live, at the age of 13, with their natural father or natural mother. What kind of society are we breeding?

Family breakdown has serious consequences. It affects personal security, and we know that it affects the security of children. We know now that, although many single parents are doing an excellent job of raising their children, bringing up children is best done by two people who share problems and encourage each other when one is tired of disciplining. That is a tiresome and difficult thing to do and it is difficult to achieve a consistency of discipline. The breakdown of families undermines the disciplining of our young people.

Enormous social costs flow from family breakdown. We have already heard of the billions of pounds that have been spent on housing. Is it not odd that the number of houses in this country since 1979 has increased substantially, and yet still we are told that there are not enough? That is because households are splitting at a far greater rate.

We must take a long and hard look at where we are going with social policy. Can it be right that, no matter how people choose to live, the state will always come behind with a cheque book and a bucket and spade to clean up the mess? Should not we be saying that there is an optimum way of living and that there are targets that we should set? As a society we should encourage people to live in a responsible manner. That is what most people want.

Is the constant drip of family breakdown irreversible? Can we do nothing about it? Can we say that the family does not really matter and was just one style of living which was right then but not now? I should like to think that we will not go down that route and that we will say that the family is important and should be our target. Let us find ways to make it work.

We can give more support to families than they have been given during the past 30 years in three key ways. If hon. Members would like to learn more of my views they can read the speech that I made in this place on 3 December, which was 22 minutes long. I shall not speak for that long tonight. I am not one of those who say that economics are not important. We can support the family economically. I am also not one of those who say that poverty is not important or that unemployment is not a factor because it is, but it is one of many.

Ms Jean Corston (Bristol, East): I am pleased to acknowledge the emphasis that the hon. Gentleman places on poverty. Is he aware that it is clear from answers to my parliamentary questions during the past year that 5.7 million families with children now have a lower disposable income than they had in 1979? It is all very well for him to go on about morality—we all want children to be brought up properly—but does he agree that that does not pay the gas bill?

Mr. Streeter: I am grateful to the hon. Lady for making me aware of her views. Every sector of our society is better off than it was 15 years ago and that is an unmistakeable fact. The benefit and welfare system that is supporting people is vastly superior to the one that we had 15 years ago and she cannot escape that fact. Poverty and unemployment are factors in family breakdown, but they are only two of many.

Because economics are important, I pay tribute to the way in which the Government have steered our economy during the past two years, so that interest rates are low and inflation is low and is staying low. Those are vital ingredients for the future of families. Unemployment is decreasing at an encouraging rate—a factor that I am sure that Opposition Members welcome. The Government are getting the economic framework right and that is an important foundation stone for getting the family right in the years ahead.

Secondly, I am convinced that when most people are 17, 18, 20 or 21 they aspire to a long-term relationship and a home and family of their own. That is the main aspiration of the overwhelming majority and we must find ways to help them to achieve it. The Government were successful in helping people to achieve the aspiration of their own homes in the 1980s. Let us build on that success in the

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1990s and find ways to help young people to achieve their deeper aspirations to build long-term relationships and to raise a stable and secure family.

We can do much more by teaching in schools the principles of parenting, being a spouse and relationships. Many of us picked those up at home. I am fortunate to come from a close and loving family, but I know that that is not everyone's experience. We used to assume that such things were passed on naturally from generation to generation and learnt from the role models and framework created for us by our parents, but principles can be extracted and taught in schools and we must think about that more seriously.

I agree with my hon. Friend the Member for Stockton, South (Mr. Devlin) that we can and should counsel young people who are on the threshold of marriage. Too many people rush into marriage, for all sorts of understandable reasons, when they have not sat down and thought through the real responsibilities involved. Counselling young people on the threshold of marriage would be a great help. Who should do the counselling? Should it be local authority social workers? I would say not. A vast army of people have enjoyed secure and strong marriages, learnt the principles of being a parent, a husband or a wife and know what it is like to run a house effectively and pay their way, not spending more than they get. Those are the people who should be counsellors. We can call on the voluntary sector and people with experience and a heart to give to counsel young people. I want more pre-marriage counselling schemes to be made available.

On the question of support for the family, more help must be given when a marriage is in difficulties. I know that from my experience at the church in Plymouth where my wife and I are members. We have been involved in the lives of many young people who have gone through marital difficulties. Sometimes, just a little experienced advice here, some help there and the opportunity to talk things through is immensely helpful and can get people through a difficult period.

Who should give such help? It should be not some of the professional people employed by local authorities but people with experience. I know one social worker in Plymouth who has made an utter mess of her life. Her children run wild on the streets—one is into drugs and the other is the worst-behaved child at her school. However, that lady is a social worker and she tells other families how to bring up their children and make their families work. That is wrong. The people who have experience of getting it right and who have gone through problems and come out the other side should teach our young people, rather than professional social workers who have often ruined their lives and will only drag others down with them.

Finally, we need a fiscal and financial framework that will encourage marriage. My hon. Friend the Member for Havant (Mr. Willetts) explained the dichotomy—should we say that marriage is the way that we want to go or that any sort of mutual cohabitation is acceptable? The majority of people believe that marriage is an important institution. We should dust it off, make it important and put it at the centre once again.

I want future Budgets to take more care to encourage young people to get married and to encourage married couples. I want our fiscal policy to support husbands and wives, encourage them to stay together and make it more beneficial for people to be married than for them to live together or as single people. Enormous social benefits would flow from such a fiscal policy. Where the family has broken down and been eroded, the state has rushed in with all its solutions and panaceas, none of which has worked. The state may need to be rolled back before the family can walk forward. If the state is always there doing it, what incentive is there for families to get their act together again? We may have to be bold and allow the state to take a step backwards.

Mr. Bates: I am grateful to my hon. Friend for having the courtesy to give way. The Child Support Agency is one of the greatest advances that we have made in rolling back the frontier of dependency and making people realise their responsibilities. Is it not the case that by reinforcing the parent's financial responsibility for the child, which is life-long, we may also be reinforcing their moral and spiritual responsibilities towards their children?

Mr. Streeter: I am grateful for that intervention, with which I whole-heartedly agree. The Child Support Agency is becoming increasingly popular among women who have not received proper maintenance payments from the fathers of their children. Also, people are beginning to think far more seriously before they split up and to consider whether they can afford it. The CSA is causing people to think about the implications and consequences of their choices. That is no bad thing and it is to be welcomed warmly.

I am afraid to say that it has taken us 30 years to reach the present situation, with family breakdown so evident around us. There is no overnight solution. It may take us another 30 years to get back to the situation where the family is at the centre of our society and where it is the cornerstone on which our country is built, but I am confident that, under Conservative leadership over that period of time, we will arrive.

8.29 pm

Mrs. Maria Fyfe (Glasgow, Maryhill): Tonight's debate has contributed to our understanding of the depth and strength of mother love. So many Conservative Members have drawn attention to the fact that they themselves were brought up by loving mothers that it demonstrates to me that there is no end to the generosity of the love of mothers. I find the hon. Members somewhat unlovable.

The hon. Member for Plymouth, Sutton (Mr. Streeter), among others, may have been exposed to Aldous Huxley at too early an age and been frightened by him. Hon. Members described a ludicrous, science fiction kind of world in which the Labour party is supposed to advocate that the state should run families and that mothers and fathers should not look after their children. Where hon. Members get such nonsense from, they have not explained, but it is the kind of stupid diversion that comes from Tory central office and prevents them from addressing themselves to the issues in front of us.

It is not our case that the Tories are responsible for every ill that befalls humankind. What we are saying, as my hon. Friend the Member for Eccles (Miss Lestor) and others have already said, is that there are many ills that beset families in respect of which it is the duty of the state

and of local government to help rather than to hinder those families. It is the Government's gross inadequacy on those counts that we are addressing tonight.

Take, for example, the case of a 10-year-old boy who I know of in Glasgow. Conservative Members talk about freedom of choice and independence for families. What freedom or independence can that particular child have when his father happens to be a drunkard and his mother is so chronically depressed that she cannot stir herself to make sure that he gets to school? The boy is looking after his younger brothers and sisters and carrying a load of responsibility that is far too great for his years. His parents love their little boy but, for whatever reasons, are simply not up to the task of looking after him at present. For that child to have any hope for his future—any hope of an education or of respite or of the chance of a life of his own—he has to depend on the education and social work departments, and on the state itself to vote the cash and the care to helping him and children like him. His is no isolated case; similar cases can be found throughout the land.

The Secretary of State described what she regards as the success of what I would call the Government's meddling with the national health service. She is no doubt not terribly well briefed on such matters as they apply in Scotland, but I wonder what she would make of a few recent events in Scotland that give a very different picture of how the state of the NHS affects families today. At Glasgow royal infirmary, cleaners and porters have had their wages cut to levels that applied four years ago because of compulsory competitive tendering. What possible benefit can that bring their children? Perhaps those people's families do not matter to the Tories.

Let us look at patients in hospitals. During the past week, it has emerged that people are leaving Scottish hospitals less well nourished than they were when they went in because of the contracting arrangements to provide food in hospitals. If, after going in for an operation, a patient recovers and is ready to eat and hungry before the catering system is ready to provide food, the nurses are no longer permitted to cook him or her a light meal in the ward kitchen. People can spend 24 hours without a bite to eat as a consequence of such cost-cutting exercises.

Dr. Sandy Macara of the British Medical Association last Sunday condemned forcefully the two-tier system of health care. Is he lying or scaremongering? The consultants at Raigmore hospital are condemning the way in which things are run down, yet the chairman of the trust has the cheek to condemn them. Who knows more about running the health service—the doctors doing the work or some part-time chairman of a trust appointed by the Secretary of State?

What does the Secretary of State think of second and third-generation unemployment? What is that doing for families? As my hon. Friend the Member for Preston (Mrs. Wise) asked, when families are endlessly living on benefits with no sign of ever getting work, what can it possibly do for them? They live in unfit damp housing, which causes asthma and bronchitis. At every single surgery that I hold in Maryhill, I see families whose children have asthma or bronchitis. We heard all that described by one Conservative Member as something that does not happen. I wonder what world he is living in. Such things may not happen in his constituency but they happen in many of ours. In their 15 years in office, the Government have made draconian cuts in housing support grant and in borrowing consents, making it far more difficult for local authorities to do something about improving the state of the housing in which those families live.

The hon. Member for Eltham (Mr. Bottomley) talked about what might be done to make run-down estates more civilised places in which to live. He suggested that grannies could form some kind of control. What sort of world does that hon. Gentleman live in? The grannies in these estates are not old, white-haired ladies; they are women in their thirties and forties, some of whom might even have jobs themselves. Many of the problems that we are discussing relate to single mothers who are struggling to look after children, with fathers absent for all sorts of reasons. It is those very mothers whom Ministers condemned and attacked at the infamous Tory party conference last October.

A minute ago, the hon. Member for Plymouth, Sutton argued that the Child Support Agency helps mothers. That is news to us. The Child Support Agency could be more accurately described as the Treasury support agency. The money is collected from the fathers but it does not go into the pockets of the mothers to help them look after their children.

At present, the Local Government etc. (Scotland) Bill is in Committee. The Government have chosen to embark on a local government Bill instead of on a long-awaited Children Bill for Scotland. My hon. Friend the Member for Eccles was very much involved in the proceedings on the Children Bill for England and Wales, which were successfully concluded five years ago. What we have now is a decision by Scottish Tory Ministers. I do not blame English Tory Members—hon. Members from shires south of Scotland; they may not even know that this is happening. But Scottish Ministers have chosen to introduce a Scottish local government Bill that no one in Scotland wants and to do nothing at all about badly needed legislation for children in Scotland.

We need legislation to take account of children who are in care and who are leaving care at 16, homeless, without a job, without training, without income support and ending up in the famous cardboard boxes. We have not heard tonight in the entire debate what solution the Government offer. Those children cannot be sent back to their families because many have no families. Those I have mentioned have left care at the age of 16.

There are many other aspects of the matter that we want to look at in such a Bill—children at risk of abuse, children with disabilities, children whose needs of all descriptions or whose deeds bring them before our children's panels. Instead of updating and reforming our legislation by means of a new Bill for children, the Government are taking no action whatever; there was nothing in the Queen's Speech and there is apparently no timetable for such legislation.

Reference has been made to nursery places. If the Prime Minister now favours nursery places, why has he still done nothing about them? A Conservative Member asked earlier what it would cost, no doubt thinking smartly that this was a challenge to the Labour party on its cost commitments. Let me point out one thing: whatever it would cost would be more than repaid by the development of young children's socialisation, helping them to develop a sense of responsibility and consideration for others, and the saving of the millions of pounds currently wasted on vandalism. All these sums together could well exceed the cost of running nursery schools. It was the hon. Member for Sutton and Cheam (Lady Olga Maitland) who wanted to

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know what such education would cost. I think that she meant that she wanted a society in which those people who are well enough off to pay can afford to have all the care that they wish for for their children while the rest are allowed to go hang.

In many cases, well-off people are not caring, loving families—they are the upper-middle classes, many of whom send their children away at ridiculously young ages. They tell other people to look after their children and take that responsibility off their hands; they can pay for it to be done. That is the type of society that the Conservatives want. That has been Tory policy through the ages, and it shows no sign of changing tonight.

8.40 pm

Mr. David Amess (Basildon): It has been an interesting debate so far, but I have not heard any hon. Member describe an easily achievable solution to the problems that we face in family life today.

I utterly condemn the disgraceful motion in the name of the Leader of the Opposition, because a close reading reveals that it describes precisely the results of the nonsense that went on in the 1960s and the 1970s, the consequences of which we are reaping today. I am optimistic about our future because I do not anticipate that our children, born in the 1980s and 1990s, will suffer in the way that those people born in the 1960s and 1970s have. That is why I entirely support the amendment in the name of my right hon. Friend the Prime Minister.

Ms Corston: The hon. Gentleman made a point just now about the number of children who were living—I am sorry, I have lost my thread.

Mr. Amess: I was referring to the children born in the 1960s and 1970s.

Ms Corston: If that is the case, why have Conservative Members supported the Criminal Justice and Public Order Bill, which provides for the locking-up of children who were born after the Government came to power?

Mr. Amess: I entirely accept the argument of the hon. Member for Bristol, East (Ms Corston) and I will discuss that point shortly when I mention the efforts that are being made to protect law-abiding citizens from those young people. I will not forget the point.

I very much support the amendment in the name of my right hon. Friend the Prime Minister, which says that the Government will continue to support policies

"which ensure that the family remains the cornerstone of society",

because I believe that when the family thrives, society thrives.

Let me first make two partisan points. In doing so, I shall refer to both the socialist parties. First, it is simply not good enough for a Liberal Democrat Member to participate in the debate and make a blatant propaganda speech. Whenever one gives the alliance power, it breaks the promises that it made in that propaganda. I am reminded of the position of the hon. Member for Christchurch (Mrs. Maddock) when she fought and won the by-election for Christchurch. She went round the constituency, complaining about crime and saying that we needed more bobbies on the beat. Now alliance-controlled Hampshire county council is cutting the number of policemen on the beat, and I could go further.

Mrs. Maddock *rose—*

Madam Deputy Speaker (Dame Janet Fookes): Order. I hope that the hon. Gentleman will not give way, because his remarks already seem to me rather far from the debate.

Mr. Amess: Your point is well made, Madam Deputy Speaker.

The second partisan point that I want to make is about the Labour party.

During the week's break over Easter I was listening to LBC—an excellent radio station—and I clearly heard an Opposition spokesman who has responsibility for London saying that it was disgraceful that the Government were not allowing time for a debate on the increase in prescription charges. I am sure that many members of the general public who were listening thought that that was, indeed, a disgraceful thing to do, because the interviewer did not explain that the Opposition are allocated a number of days when they can choose a subject. At that time I had not received notification from my Whip saying that the subject of today's debate would be the family. We all know only too well that it was a cheap point. I welcome the debate today on the family, but it is less than honest to pretend that the Opposition could not choose on another occasion to have a debate on prescription charges if they seriously wanted to make the point. The Conservative Benches have been far better populated during this debate than have the Opposition Benches. That is worth noting if the Opposition care so much about the subject.

I much regret that the hon. Members for Bow and Poplar (Ms Gordon) and for Preston (Mrs. Wise) have left the Chamber. They made what I regard as two old-fashioned socialist points. I resent, as a Conservative Member, being patronised and lectured by socialists and told that all Conservative Members have privileged backgrounds. It was suggested that we have all led a sheltered life, that we all have pots of money, that we do not hold surgeries and that we do not listen to people's problems.

As I look round the Chamber, I notice that I am the only east ender present. I spent the first three decades of my life in the east end of London and I am very proud of my background—hardly a privileged one. We lived in a terraced house with no bathroom, an outside toilet and a tin bath, but none of my experiences made me a socialist; they made me a Conservative. The way in which the hon. Members for Bow and Poplar and for Preston lectured Conservative Members, saying that they believed that they had the panacea for the working class, was a disgrace. All Labour Members do is to grind people lower in their esteem. When I lived in Newham we had a Labour Government, a Labour Greater London council member and a rotten Labour council, so I take no lectures from socialists about the working class and the solutions to our problems.

I represent the constituency of Basildon, where I am proud to say that the latest statistics show that we have the greatest number of central heating appliances in the country. Many of my constituents come from the east end of London. When I lived in the east end of London, family life was wonderful. It was a close-knit community. We

helped one another and it is true that we did not bother to lock our doors at night. There was always a lady in the road if someone was going to give birth and we looked after our mums, our dads and our grandparents. All that has changed. It is not for me now to look to the past, but I very much believe, speaking about family life, that the state can never be, and never should be, a substitute for the family. It is all about individual responsibility, and I believe that there is a serious problem as regards parenting.

Being a parent is an enormous responsibility. I very much regret the current trend—the popularity of transient relationships. I take my hat off to the women who are abused and abandoned, primarily by men, and I cannot understand how anyone who has fathered a child can turn his back on his own flesh and blood, never want to see the child and never want to support the child. Surely all Members of Parliament will condemn that type of activity.

Now I come to the argument that the hon. Member for Bristol, East (Ms Corston) made when I referred to the 1960s and 1970s. It is all about what I call unsocial behaviour. Recently, I launched a campaign in my constituency. I thought that the media were being less than helpful to the Conservative party, so I decided to make speeches on milk crates with a loudhailer to my constituents. I have to say that they have been very well received. I drew a large crowd two weeks ago, and at the precise point at which I reached the subject of yobs, one appeared. Many of my constituents are pleased about the Criminal Justice and Public Order Bill. They badly need the protection that it will give them. I wanted to demonstrate to my constituents that the law is there to be enforced and that those yobs need to be caught.

I went and confronted the yobs and, on one particular estate in Crudeas, I managed to find six such individuals making people's lives hell—smashing windows and doing disgusting things of which I am sure no hon. Member would approve. What do we do with those children? Do we say that the problems date back to the 1960s and 1970s? Do we say that all those children come from broken homes and we cannot possibly restrain them from the general public? Having spoken to them, I know that no one in the House could have coped with the language and violence that they demonstrated towards me. People badly need protecting.

I much regret the present divorce rate. When I first came to the House, we introduced a measure to make divorce easier. As a new Member of Parliament who is not a lawyer, I tried to intervene, but there was all-party agreement on making divorce easier. Often, women come to my constituency surgery and say, "We had no idea that it was so easy to get divorced." That measure badly needs to be looked at again because marriage is an enormous responsibility. My hon. Friend the Member for Stockton, South (Mr. Devlin) talked about the age at which people can get married. Figures show that those who get married at 16 are more likely to divorce. I am sure that a number of hon. Members married at 16 and have been happily married ever since, but statistics prove that such marriages are more likely to fail. I am preaching not marriage but stability in relationships—men and women sticking together and looking after their children.

Finally, I am astonished at the House's attitude over a number of years on abortion, embryo research and sex selection. Over a period, we have taken legislative decisions that have undermined family life and cheapened life itself. Last Tuesday, the Prime Minister came to my constituency and opened a gynaecology ward in a new maternity hospital in Basildon. We took him down to the special baby-care unit where he saw tiny babies and witnessed at first hand the emotion felt by women who wanted the hospital to do everything that it could to keep those tiny babies alive.

The hon. Members for Preston and for Bow and Poplar, who are both here, discussed abortion. In the Carlisle baby case in 1987, a baby was born alive after a failed abortion and lived for three hours with no medical support. But we heard no sympathy whatever from the Opposition. The hon. Member for Preston said that she agreed that we should help people not to have abortions; if I follow her logic, she is in favour of life. I agree with her. The idea that this House feels that it is okay for that shoddy little clinic in north London to con people in selecting the sex of their babies is a disgrace.

I introduced a 10-minute rule Bill that was defeated by 80 votes and I was told in an intervention that I should wait until the Committee had reported on sex selection. That Committee did report and decided that it would not legalise sex selection in clinics. Since then, one of the partners in the clinic went in for sex selection and the child turned out to be the wrong sex. As we all know, mother nature gives people a 50-50 chance of having a boy or girl, so to con people and take money from them is a disgrace. A little while ago, I appeared on a television programme with a doctor running the clinic. One of his patients, whom he had wound up to attack me, said that she had five boys and wanted a girl. She said that it would be nice to have a girl because girls could be taught to clean and cook. That says it all.

I hope that the whole House will encourage young people and children in every sense. Let us unite behind the family, and society as a whole will benefit.

8.55 pm

Mr. George Howarth (Knowsley, North): I should like to make two brief points about the last two speeches by Conservative Members—the hon. Members for Plymouth, Sutton (Mr. Streeter) and for Basildon (Mr. Amess). It is difficult to believe that the two hon. Members could be so wrong about so much, but what I find really disturbing is that they seem sincerely to believe what they say. That is cause for a great deal of concern.

I do not want to enter the wider political debate because my hon. Friend the Member for Eccles (Miss Lestor) and the motion on the order paper have made the wider political case effectively. I participate in the debate because the speeches of my hon. Friend the Member for Croydon, North-West (Mr. Wicks) and the hon. Member for Eltham (Mr. Bottomley), which were both thoughtful and not politically partisan, raised some important issues.

First, there must be, as most people acknowledge in different ways, an economic dimension to how families are developing in the latter part of the 20th century in this country and elsewhere. That should not be ignored. J.K. Galbraith, the distinguished and world-respected economist, made an interesting point about how societies in the United States and Britain are becoming what he calls "two thirds-one third societies". By that, he means that two thirds of society do quite well—they find employment, often well paid, but, more importantly, they do better out of non-targeted, non-means-tested state benefits and state-provided services than the one third who tend to get,

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if any job at all, the worst paid jobs and the worst service provision in terms of education and other areas of social policy.

Society in the United States seems to have reached a point where all but a few of those in that one third of society can never break out of it. The system seems closed, so that those who are born into that one third are unable to break out into a profession, higher education or the escape route that my generation had—the apprenticeship. All those opportunities seem to have gone.

Unless we can break the cycle and start doing something about the problem, we shall face real problems in the future. I do not know where this trend will lead and I do not intend to make any apocalyptic predictions about where it will lead, but it is very worrying, for reasons to which I shall refer in a moment.

Dr. Robert Spink (Castle Point): Does the hon. Gentleman not therefore welcome the introduction of the new apprenticeship scheme, which will help 150,000 young people to enter apprenticeships in this country at a cost of £2.25 billion over the next three years?

Mr. Howarth: I shall go on to talk more specifically about apprenticeship schemes, their consequences and the opportunities that exist today in a few moments, but I will do it in my own way and in my own time.

I want to contrast the experiences today of people in that one-third of society with my own experiences as one who grew up in the 1960s and 1970s. I was a teenager and in my twenties in the 1970s. I have checked how old the hon. Member for Basildon (Mr. Amess) is, and I think that only three years divide us, but I think that he was growing up in a different country from the one in which I grew up in the 1960s.

The first point I make is that, far from my development being governed by some extreme left-wing ideology which pointed me in some direction or other, I was not aware that the teachers in the schools that I attended had any ideology whatsoever. They were just teachers who got on with their jobs. It seems to me that in the last decade or so the Government have done more to politicise the education system than was ever the case in the 1960s or 1970s.

My second point is that there was some security about being young during that time. I presume that the hon. Gentleman will agree with me about that. I was brought up on a council estate: I do not say that in any boastful way —it is just a fact of my life. My father was a skilled worker and my mother was an office worker. At no point in my teenage years did I have any expectation that at the end of my schooling and my time at technical college I would not have a job.

Now, however, large numbers of young men, in particular, in my constituency are growing up in the almost certain knowledge that when they finish their schooling they will not have a job. This is not because they have done badly at school or because there is something congenitally wrong with them which makes them unfit for work, but because there simply is no employment in my part of the world. There is nothing to lead them to believe that at the end of their education they will find employment.

One may make whatever political or value judgments one likes about that, but it has profound implications on a number of issues, not the least of which are family relationships and the development of the family in the 1990s and towards the end of the century.

Everything that my generation did in areas such as mine was conditioned by the fact that we were brought up and lived during a time which, far from stifling people's aspirations and oppressing them with the dead hand of the state, was a time of rising expectations. The belief was that every year things would get a little better. It was thought that if one left school and entered further or higher education things would improve; people had career prospects. That is simply not the case any more in areas such as the one that I represent.

I raise that point in the context of discussing the family because a lot has been said in the last 12 months to two years about single or lone-parent families. All sorts of reasons have been given for this phenomenon: young women trying to jump the council housing waiting queue was one and access to social security which would allegedly give unmarried women or those without a permanent partner a better life style was another. I reject those reasons. I believe that many young women in my constituency and elsewhere have made a rational decision to be single parents. The decision is not based on whether it will help them to get a council house or flat or on some detailed knowledge of what social security benefits they will be entitled to claim. It is based on the change in the economic role of men in areas such as mine.

I do not say that in any judgemental way, but once men cease to be the economic providers within a family—I do not necessarily say that that was a good thing, it was simply what happened in my generation—many women have to make a rational decision. If they want to have a family, they have to decide whether being permanently linked in some way, through marriage or some other means, with the fathers of their children will enhance their lives or those of their children. Many arguments could be, and have been, put forward as to the social consequences and the importance of fathers in the lives of children, and I accept those arguments, but sometimes women make a fairly rational decision that men are no longer necessary in their lives.

Lady Olga Maitland: I thank the hon. Gentleman for giving way at that interesting point. Does he not agree that we want to encourage marriage because it provides for the father and mother to give a commitment to the child, and that the lack of that commitment creates a problem? If the couple do not marry, it means that the father escapes and never feels the bonding. That is the great difficulty today.

Mr. Howarth: Personally, I agree with the view of my hon. Friend the Member for Preston (Mrs. Wise) that the ideal situation is for children to be in a stable family relationship, with two parents and proper care. I am married and I think that marriage is a good institution, but I do not condemn anyone who chooses to live with a partner or to do something else: that is a personal choice, and I do not think that it is the most important point for our debate.

I want to talk about the changing nature of the family. My circumstances suit me and, I hope, my family. My observation has shown that the diversity of relationships among my constituents and all over the country seems to suit them. People decide for themselves about their relationships, by rational means or otherwise.

Lady Olga Maitland: Will the hon. Gentleman give way?

Mr. Howarth: No, I have given way once to the hon. Lady. I know that the hon. Lady is hoping to catch your eye, Madam Deputy Speaker, and I am sure that her contribution will be illuminating, or at least amusing.

It does not seem to me to be the job of the House or of any individual Member of the House to describe what the right state of affairs is for every individual in every set of circumstances. It is strange that the Government and their supporters, who make so much of their support for the individual, always make that support conditional on certain stereotypical conditions, such as a particular sort of family and relationship with children. It seems strange that Government support for the individual is always predicated on the idea that that individual should be part of a family set-up of which they approve, rather than all individuals.

Young women often decide for rational reasons that they want to have children, but do not want a man involved in the family relationship. The man may have a continuing role, but he will not be a resident in the same household. At the end of that chain we are left with thousands—probably hundreds of thousands—of young men in this country who no longer have a role in the family. They may not have worked out properly where they fit into society. They often remain living with their mother—without responsibility and without access to work. I am not making judgments about that lifestyle, but where does it lead? What self-esteem, ambition and expectations can those young men have when the one thing that they might have expected to experience—fatherhood—becomes a purely biological function and they have no continuing role in the family?

I am not making value judgments but, in that spirit, my hon. Friend the Member for Croydon, North-West raised a number of interesting issues. He mentioned the demographic trends, and what is happening within society and within families. If we insist—as some Conservative Members do—on using debates such as today's as a yah-boo exercise in lobbing hand grenades across the Chamber, we shall not progress. In five or 10 years' time, the two thirds-one third society that I mentioned will still be intact. It will be a closed society, with large numbers of people excluded from any sort of expectation or ambition for the rest of their lives. Subsequent generations will be in exactly the same position.

Given that the future is unpredictable and we do not know where it is all leading, we should try not to have a sloganised debate which simply suits the ideology and sloganising of one party or another. We should seriously consider the effects of the changes, not just on social policy, but on those individuals who no longer have the rising expectations and ambitions for themselves and their families that we had in the 1960s and 1970s. We must get to the stage of being able to look rationally at these problems, think about where they are leading us and try to bend social policy and legislation in such a way that people are helped on the basis of their actual situation rather than some imagined past—presumably the 1950s—when everything was rosy and nothing ever went wrong. Things simply were not like that, and re-inventing history will not serve the Government or the House of Commons. Least of all will it serve people outside.

9.9 pm

Mr. Peter Thurnham (Bolton, North-East): We are having a very interesting debate. To that extent, I congratulate the Opposition on their choice of subject and on their timing. I heard only on Tuesday that the debate was to take place. I do not know what inspired the Opposition. Perhaps they saw the photograph of the Bottomley family on the Isle of Wight. Certainly the Bottomleys led the debate off very well.

Nothing is more important to the future of this country than the way in which our children are brought up. The rearing of children is absolutely central to the matters that we are discussing. Having congratulated the Opposition on their timing, I should perhaps declare an interest in that just before one o'clock in the morning of Wednesday 30 March I became a grandfather. I was very relieved that the birth did not take place 60 minutes earlier, as my grandson's name is Jack Jones and 29 March happens to be the birthday of another Jack Jones. I should not like a grandson of mine to be thought of as having been named after a trade union leader.

This has been a strange debate. It is supposed to be an Opposition day, but we do not seem to be learning very much about Opposition policies. The hon. Member for Eccles (Miss Lestor), who led off, seemed to be uncertain about statements on child benefit made by the hon. Member for Glasgow, Garscadden (Mr. Dewar). She said that she did not know anything about them. But surely child benefit is absolutely central to the Opposition's thinking.

Then there was the extraordinary intervention of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who promptly demoted her hon. Friend the Member for Garscadden, describing him as a Back Bencher. I became very worried when the hon. Gentleman came in and sat on one of the Back Benches for a while. My fear was that he had actually been demoted, and I put forward the idea that we might adjourn while the Opposition Front Bench sorted itself out.

The greatest interest in the debate and the greatest speech content has come from the Conservative side. My hon. Friend the Member for Havant (Mr. Willetts), who is not in the Chamber at present, was very modest. When he quoted the left winger Beatrix Campbell he might have said that he was reading from one of his own excellent pamphlets—"Happy Families?" published by the Centre for Policy Studies, of which he used to be the director. My hon. Friend recently wrote another interesting pamphlet, called "The Family". I recommend both publications to my hon. Friends.

I congratulate my right hon. Friend the Secretary of State on her appointment as Minister for the family. This is something to which I have been looking forward for a very long time. It provides us with an opportunity for better co-ordination of both Government policy, and the local application of policy through the various agencies. There is a great need for better co-ordination of the services provided locally. I am thinking of what is done by social service bodies, education authorities and Home Office agencies such as the police and the probation service. My right hon. Friend said that responsibility begins with parents and must remain with them. That is exactly right, and it is a concept which our policies support.

Opposition Members have referred to the need for funding. The most important funding for a family is the

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money that they have in their pockets. Under the Conservative Government, the take-home pay of a couple on average earnings, with two children, has increased by 40 per cent. The corresponding figure for the period of the last Labour Government was only 0.6 per cent. Thus, under our policies there has been a substantial increase in one of the most central resources available to any family—the amount of money they have to spend. Family credit has been a successful innovation, and is the best way to help both people in work and those who are not to take up employment and better themselves in that way.

I was amazed that Labour opposed the Third Reading of the Criminal Justice and Public Order Bill last night, because they did not oppose its Second Reading.

Mr. Allan Rogers (Rhondda): We did not oppose its Third Reading.

Mr. Thurnham: There certainly seemed to be an enormous number of votes last night, with constant opposition by Labour Members that kept us here until half-past 2 in the morning. Labour Members certainly opposed large slices of that Bill, if not its Third Reading. They certainly did not give the impression that they supported it. When we considered the Criminal Justice Act 1991, Labour did not support the proposal for parents to appear with their children in court. That shows a lack of understanding by the Opposition of the need for parental responsibility.

I was pleased to see my right hon. Friend the Secretary of State on Tuesday to discuss the need for more effective parenting. I hope that a consequence of my right hon. Friend's becoming the Minister with responsibility for the family will be a White Paper entitled "Effective Parenting", presenting a new strategy to direct the future pattern of child development. Only by placing real responsibility back into parenting will we succeed in solving problems at source and achieving lasting improvements. Family intervention and support services, residential facilities and the general gamut of expenses that accompany troubled and troublesome children and their families are expensive and can be seen as a bottomless economic pit.

Parenting is a job and, like any other vocational skill, it can be taught in theory and by practice. We should no longer allow young adults to drift into the task of parenting with minimal training and support, only to express surprise and outrage later when such ill-prepared people fail at it. Ensuring that parents carry first-line responsibility for their children should be seen in the spirit of preventive medicine, and that concept must be fully explored.

Available strategies range from the educational to the punitive. Parenting courses should be widely available, and an increase in nursery school provision should be accompanied by an insistence on much greater parental involvement in a child's total schooling.

Parents should be brought to task for their child's misdemeanours. In the final analysis, punitive measures can be taken against parents of children who constantly commit misdemeanours. I do not see why courts cannot sentence parents to a parenting course if they are clearly seen to have failed. Instead of merely imposing fines, the money should be spent on educating parents in the basics of bringing up children.

Utilising the energy and resources of those concerned would not be expensive but cost-effective in the long term. All preventive medicine requires some investment. In the case of children who never had a fair start in life, the consequences of a lack of investment may prove too dire to contemplate. All society must play its part, but, in particular, leading agencies, media, educational institutions and existing support agencies could be brought together to produce a strategy for the future aimed at effective parenting.

Those issues have been well explored at meetings of the all-party parliamentary group for children. I am pleased that the hon. Member for Newcastle-under-Lyne (Mrs. Golding), vice-chairman with me of that group, is in her place. On 3 February, the group was addressed by Professor John Pearce of Nottingham and Mike Roberts, Welsh regional manager of the Children's Society, and others, who made clear the need for greater co-ordination between different agency local services. Mike Roberts said that the Children's Society would like an interdepartmental agency, to ensure an integrated approach at national and local level. I did not hear that point made strongly by the Opposition, whose debate this is. I am surprised that they have not made clear how they would like services better integrated locally. In my constituency, it is plain that much more needs to be done.

I welcome the new all-party parliamentary group on parenting, and I congratulate the hon. Member for Hammersmith (Mr. Soley) on the part that he played in bringing that about. Its formation emphasises the need for greater attention to the subject. I pressed my right hon. Friend the Prime Minister on the need for more co-ordinated action in that area last year, because when one looks at the routes that children can take, it is clear that if they go into special schools for emotionally and behaviourally disturbed children, it can be just a quirk of fate which path they go down, whether the education route —placement within an establishment for children with emotional and behavioural difficulties—or the social services route, for example, children who are placed via care orders into a community home system. There should not be such a random element to it.

There is also the danger of budget sweeping whereby education authorities leave the problem to social services, and vice versa. That cannot produce an effective continuum of provision and certainly cannot be seen as cost effective. There is a great need for much better cohesion and co-ordination of services at a local level. I feel that the appointment of my right hon. Friend as the Minister with responsibility for the family provides the opportunity for us to have that more co-ordinated approach to these matters.

When knocking on doors in Bolton during the 11 years that I have been in the constituency, the top issue has always been law and order. When one gets down to it, juvenile delinquency is nearly always the principal cause of local concern. How we bring up our children is seen to be the most important issue on the doorstep, but does not always seem to be so when one is addressing bureaucrats in the town hall, or even—dare I say so—different Government Departments here in London.

There is a need to co-ordinate those services much better so that the most important task that we face—how we bring our children up—is addressed much more fully, both here and locally. That is why I welcome the amendment in the name of my right hon. Friend the Prime

Minister. I am quite sure that, when the House divides shortly, there will be no question but that we will support his amendment, and that we shall vote against the claptrap and rubbish contained in the Opposition's amendment, which, as my hon. Friend the Member for Basildon (Mr. Amess) said, harks back to the failed policies of previous years.

We should look forward now to the opportunities that are in front of us, with my right hon. Friend the Secretary of State here to give us the co-ordination that, perhaps, has not been fully evident before. I look forward to the presentation of a White Paper entitled "Effective Parenting", which will spell it out for us to follow through.

9.23 pm

Lady Olga Maitland (Sutton and Cheam): The conclusion from the debate is that we have indeed become a selfish society. The lesson that we have learnt today is that, when we are talking about the family, we should look at it from the point of view of the child. It seems to be that, for far too long, adults have been saying, "I do not want to get married", as though they had the right to make that decision when there is a child at stake. What about the child's rights? Does not that child have a right to a stable home and two committed parents, who, in my view, can remain tied with that bond only if they are married? I fear that the children are buffeted around. We have been told for years by trendy liberals that children are not affected by marriage breakdown—as though they are trying to excuse themselves from a difficulty. Child psychiatrists now acknowledge that the opposite is the case.

The scale of marriage breakdowns and their effect on children is worth bearing in mind. Every year, 150,000 children are the victims of marriage breakdown. They feel that they have been abandoned, whether it is right or wrong. Certainly, if the father goes, the child's security goes. I find that, whatever level of society one is looking at—it does not matter what income group—those children feel that no one parent is responsible to them, particularly if their parents then remarry and start other families. Therefore, we understand why those children become disturbed, fail to prosper in school, fail to maintain the same pace with their studies and, in some cases, turn to crime—perhaps as a way of drawing attention to themselves. One sadness is that, at a very early age, they start their own sexual relationships with the opposite sex and start the vicious cycle all over again by producing another infant. I agree with the suggestion that has already been made that we should place far more emphasis on teaching parental responsibility. That should be taught right through school.

I am very disturbed about the quality of sex education in schools. Far too often, it is moral-free and value-free and teaches children the mechanics of sex but not about moral responsibility to the infant that could follow. It is disturbing that the Family Planning Association, a much-respected organisation, issued workbooks of the type that I have here. They barely mention marriage and, if they do, it is almost dismissively. That will not do. If we want stability for our children, we have to provide a framework in which they can understand that, if one has a relationship, one must prepare for parenthood properly and that being capable of a physical relationship does not mean that one has to have a child when ill prepared for it.

Furthermore, our children need a proper spiritual and religious education. It is worrying that so many local education authorities are still not complying with the requirement to produce a new model syllabus for religious studies. They are still failing the Education Reform Act 1988 which states that religious education should, in the main, be Christian. Sadly, children are having foisted on them a cultural mish-mash which is secular rather than spiritual. I am sorry that the Archbishop of Canterbury is spending too much time behaving like an unelected politician instead of paying attention to the spiritual growth of our young people.

We should also be paying attention to our children's role models. Although I greatly admire the vast majority of teachers and would follow them any day, there are still too many of them who do not provide the right role models. They turn up at school scruffily dressed in jeans, T-shirts and trainers.

Mr. Rogers: The hon. Lady is absolutely right. It has apparently been proved this week that videos can have a great deal of influence on children and that role models are important. However, does she not think that her remarks are rather sweeping? I hesitate to mention them, but does she think that the royal family provide a proper role model for family life? What about politicians?

Madam Deputy Speaker: Order. I remind the hon. Gentleman of the restrictions on what we can say in the Chamber.

Lady Olga Maitland: I agree with the hon. Gentleman about video nasties and I congratulate the Government on having the imagination and energy to want to ban them from our homes when children are around.

It is time to put children first and to adapt our concerns to their interests. It is time for adults—men and women—to stop being self-indulgent at the expense of real commitment. I congratulate the Government for setting up the Child Support Agency to remind fathers that they, too, have a responsibility to their children. A child is for life, not just for the one night that a man spent with a woman.

It is appropriate that we should be discussing the family and I am only sorry that the Opposition failed to tell us what they believe to be a proper family policy. Why did they not mention the fact that such a policy should be child centred?

9.29 pm

Mrs. Lilin Golding (Newcastle-under-Lyme): I am pleased that the quality of the debate has been so high, and I thank especially my hon. Friends the Members for Croydon, North-West (Mr. Wicks), for Bow and Poplar (Ms Gordon), for Preston (Mrs. Wise), for Glasgow, Maryhill (Mrs. Fyfe) and for Knowsley, North (Mr. Howarth) for their thoughtful contributions.

Unfortunately, the shallow response of the Secretary of State merely underlined the truth of our motion, which highlights the Government's failure to produce policies that will give real, lasting support and encouragement to families. Nothing that the right hon. Lady said gives me hope that the Government intend to give full support to the United Nations convention on the rights of the child, which talks of the necessary protection and assistance for the family, and of giving special safeguards and care to the child. That will be a bitter disappointment to many of us.

Back home, although people rarely talk to me about foreign affairs or politics in general, they always talk to me

[Mrs. Llin Golding]

about their families—their worries and concerns, as well as their hopes and aspirations. For them, to have a happy and secure family is one of the most important things in life. That means many things—good health, a happy home, youngsters doing well, and the security to cope with whatever life can bring.

Some people can cope well, and that is a blessing. However, because of 15 years of Tory government, many—an increasing number, unfortunately—are under considerable stress and strain, and need help and support to see them through. Many people are on very low wages, and others are impoverished because they fall just outside entitlement for income support.

People living on inadequate pensions have a hard time of it, faced as they are with worrying water rates and increased fuel bills. Others suffer because of bad housing conditions. Overcrowding has always made a happy family life extremely difficult; it certainly makes study almost impossible for children. People in those conditions desperately ask to move, but that is made difficult by the long council house waiting lists, the increases in housing association rents and the prohibitive deposits and rents required in the private sector.

Whatever the difficulties may be, those people want to be good parents, but they find that the job of being a good parent in this day and age is not easy. Rightly, people blame the Government for many of the difficulties they face. They know at first hand the truth of our motion. By making things harder for them, the Government are undermining family life.

Our people want security, but under the Conservative Government they get instead the uncertainty of short-term contracts and part-time low-paid jobs—or even worse, unemployment. Both high unemployment and uncertainty about jobs have done great social damage. Why do Ministers appear not to understand the anxiety that unemployment brings, or its impact on family life?

Worry about future security brings enormous stress, causing problems both inside and outside the home. When families have geared themselves to two incomes it is difficult to cope when one partner loses a job. There is not only worry about money—although heaven knows, that is bad enough. Imagine the devastation caused by a mortgage repossession. Moreover, a job gives people—especially men—their status. However untrue it may be, men believe that they cannot be respected if they are not the breadwinners.

It is not only the unemployed who suffer from the failure to provide jobs. Unemployment is one of the causes of the higher taxes that will hit families so hard in the coming years. When I listen to the Chancellor of the Exchequer, I understand why people switch off from politics. He smiles and tells people that the enormous additional burdens which he has imposed on them are overstated. Overstated? It is not possible to exaggerate the worry and the anxiety that so many people experience about what they have to cut from their family budgets. His reaction, like the rest of this miserable Tory Government, is to blame someone else.

Let us consider the Government's record. They preach greed and decry community responsibility, and then wonder why parents, schools and youth groups find it difficult to teach youngsters to have respect for and responsibility to each other. The Government refuse to let councils build and put the blame for the housing shortage on single parents. They create homelessness and dire poverty among the young and make life even more difficult for those people by refusing them any entitlement to benefits.

They wreck the national health service and expect carers to pick up the pieces. They undermine the work of teachers, producing chaos in our education system, and say that parents should intervene more in the classroom. They fail to provide our youngsters with work, status or hope, and having done nothing to reduce the underlying cause of crime, they float the idea of punishing the parents for the crimes of the children.

What I cannot understand is why the Government fail to understand that children and young people learn as they live. Given our present conditions, we are bound to be cursed by some who are doomed to be violent and maladjusted. Given Ministers' attitudes, against all common-sense advice, we are lucky that there are not more such people. The Government make a mess of the funding of the social security system and introduce the Child Support Agency in a way which brings so much suffering and hardship.

The Government's response to the break-up of families is so typical of their whole approach to life—to wield a big stick indiscriminately, to cause misery and not to alleviate the problems. A true family support agency would be concerned with the funding of such services as Relate—marriage guidance—which offers help and support to families. It would ensure that, in the case of a breakdown, the rights and welfare of all children, mothers, fathers and grandparents would be respected, and it would ensure that serious consideration was given to problems of violence in the home.

The Government have a lot to answer for. Their problem is that they are so remote and so isolated from the real world. They should listen carefully to the advice of my hon. Friend the Member for Eccles (Miss Lestor), who, in arguing for a comprehensive family policy, not only shows great compassion but adopts a practical approach. She is close to the many voluntary agencies which do such a marvellous job in the country. The Government would do well to listen to them as carefully as she does.

My hon. Friend explained how the United Nations has highlighted this year as the International Year of the Family and set out its themes: families and work, families, poverty and resources and families and relationships. I echo her demands that the Government do better and meet the targets.

We are fortunate in Britain in already having such organisations as the National Society for the Prevention of Cruelty to Children, which is dedicated to combating the neglect and maltreatment of children. In that pursuit, it has the total support of the public, who are horrified at the growing evidence of suffering among children because of violence, sexual abuse and criminal neglect—the desertion of children and leaving them home alone. The public long for an end to glue sniffing, juvenile drunkenness, drug addiction, truancy, and children running away from home and roaming the streets. Indeed, all such behaviour leads to juvenile crime, violence and vandalism.

The tragic misery that stems from bullying in schools has been highlighted in recent months. We need to do much more to prevent it. The NSPCC has proposed that there is someone in each school—not a teacher—to whom

young people can talk about their problems. Will the Minister give her support to that constructive idea, which I understand has already been taken up by some schools? Will she tell us how she will put the public's minds at rest on those other important issues?

In developing policies, I hope that the Government will take advantage of the important initiative that was taken recently by the all-party parliamentary group for children, of which I am the vice-chairman. A grant given generously by the Gulbenkian Foundation to enable the National Children's Bureau to service the all-party group made it possible to discover what a wide range of organisations thought were the most important issues affecting children that should be brought to the attention of Parliament. That has proved a most valuable exercise.

It is essential that the Minister should, as we have done, study most carefully the replies of the 160 associations and organisations which responded. Among them, she will find constructive proposals on a wide range of subjects, including childhood care and education, special needs, families and neighbourhoods, children from overseas, poverty, unemployment, young offenders, mental health, disability aids, care proceedings, residential care, foster care, adoption, child abuse and criminal proceedings.

The Government cannot afford to ignore, as they appear to have done, the vast practical experience that those organisations can give. The application of a bit of common sense in the spending of our money could help to solve many of our problems.

I have talked much about children. Before I conclude, I shall mention that families need fathers. It is distressing to hear from time to time from men who have great love for their children but who find it difficult through no fault of their own to get access to them. It should not be possible for a woman to spite a former partner by making access difficult. Families need fathers, and we need to strengthen the Children Act 1989 to protect their rights. At the same time, we should acknowledge the importance of grandparents and strengthen their rights of access.

In the short time available, I have been able to touch on only a small number of issues. Labour's message is clear: Parliament must ensure that families are able to prosper and to live secure and contented lives. We must give our people adequate shelter, warmth and protection from harm. We believe that our senior citizens should live out their lives in tranquillity, and that our children are entitled to better care. It is our responsibility to give them hope for the future. We should not fail them.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): On a point of order, Madam Speaker. You will appreciate that one of your main tasks is to protect the lives of hon. Members in the exercise of their duties. As I speak, the health, safety and life of one hon. Member is in jeopardy; I am referring to my hon. Friend the Member for Cynon Valley (Mrs. Clwyd).

This morning, I went down to the Tower colliery with my hon. Friend. She went into the drift mine. I understand that she is now surrounded by eight managers and people from the National Association of Colliery Overmen, Deputies and Shotfirers, who have shepherded her into a cold zone. She is being denied food, water and clothing.

The miners have been told that if they supply her with food, clothing or water, they will face disciplinary action and dismissal. That is putting my hon. Friend's health and life at risk. *[Interruption.]* I hear some mumbling. I am astonished that there should be mumbling on an issue of such gravity.

My point of order is that, before a Government Department and a publicly owned industry conspire to injure or kill a Member of the House, the Minister should come to the House and call off the people who are creating that extraordinary havoc before some great damage is done, in which case tomorrow we will not get abusive and silly comments from Tory Members who are speaking in complete ignorance of the facts.

Madam Speaker: My responsibility is for Members of Parliament who are engaged in their duties. I am not aware of the situation which the hon. Gentleman describes, and of course I must take his word on what he says in the House. I will have inquiries made right away.

Mrs. Wise: Further to that point of order, Madam Speaker.

Madam Speaker: Order. I have dealt with the matter to the best of my ability. I had not heard of the situation before, and all I can do is give an undertaking to the House that I will have a look at the matter as soon as I can.

Mrs. Wise: Briefly, I understand the point that you make regarding hon. Members being engaged in their duties. My point is that my hon. Friend the Member for Cynon Valley is engaged in her duties. The threatened pit is in her constituency, and she is attempting to represent her constituents.

Madam Speaker: That point is not in dispute. I have just said that I am concerned about hon. Members who are engaged in parliamentary duties. I have given an undertaking. I have not heard about the matter before, and I will have it examined as soon as I am able to leave the Chair.

9.47 pm

The Parliamentary Under-Secretary of State for Employment (Miss Ann Widdecombe) *rose—*

Mrs. Alice Mahon (Halifax): Further to that point of order, Madam Speaker.

Madam Speaker: I seem to have another point of order.

Mrs. Mahon: This is a slightly different point of order from those raised by my hon. Friends. This afternoon, during questions to the Chancellor of the Exchequer, I asked a question of the Chief Secretary to the Treasury. I said at that time that my hon. Friend the Member for Cynon Valley had gone down into the drift to meet miners and to discuss the serious position in which the Coal Board has put them.

I urged the Chief Secretary to contact his colleagues and see whether something could be done about the situation. Since then, the situation has got serious, and I am concerned for the welfare—

Madam Speaker: Order. I was in the Chair this afternoon, and I clearly heard the question that the hon. Lady put to the Chief Secretary and the answer which he gave. It is a point of order for me. I dealt with the points which have been raised this evening, and I will carry out the undertaking which I have given the House.

Miss Widdecombe: In the short time which the Opposition have kindly left me, I shall not be able to address every issue which was raised in the debate.

I will say that one of the things which I found most offensive was the difference in attitude on the part of the Opposition towards people who get written up in *The Guardian* because they are in difficult circumstances, and hon. Members on my side of House who pointed to the difficult circumstances in which they grew up. I was disgusted by the sneering attitude which was displayed towards my hon. Friend the Member for Basildon (Mr. Amess) when he described the conditions in which he grew up.

When the hon. Member for Preston (Mrs. Wise) mentioned conditions in her constituency—under, I may point out, a Labour council which is responsible for housing conditions in her constituency—a great moral issue seemed suddenly to have arisen. That attitude shows that there is no real concern on the Opposition Benches, and that point of view was reinforced by the numbers of Opposition Members who have been present during the debate.

I turn first to the speech made by the hon. Member for Eccles (Miss Lestor) on the subject of a coherent policy. All I can say is that, although she demanded a coherent policy several times in her speech, she evinced not one single policy—coherent or otherwise—or said what the Labour party would do. She did evince strong confusion about what her own Front-Bench colleagues think.

She did not appear to be aware, for example, that the shadow Secretary of State for Social Security has said that there was a case to examine child benefit, and to examine whether its continuation was justified. She did not know that and she continued to commit the Labour Government —[HON. MEMBERS: "Government?"]—the Labour party —to child benefit. Nor did she appear to be aware that the shadow Chancellor had said that, although the Labour party was committed to nursery education, it could be made available only "as growth allowed". She said that nursery education would be made available—no conditions, no qualifications—to every child whose parents wanted it.

If that is her understanding of her party's point of view, it is not surprising that Opposition Members are confused, that they have no coherent policy, and that they have to hide behind what they perceive as the inadequacies in our policies. They are not inadequacies.

For example, the Opposition said that pensioners' savings will no longer enable them to buy places in residential homes. They kindly neglected to mention that, in the 1970s under their Government, pensioners' savings were so wiped out by inflation that they could hardly buy a meal, let alone a place in a residential home. They completely missed out the role played by community care in supplying a support network for elderly people to enable them to stay in their homes, looked after by their families if that is what they and the elderly people choose.

In Opposition Members' speeches tonight there was an amazing lack of emphasis on a caring role in respect of the elderly, as opposed to children.

Mr. D. N. Campbell-Savours (Workington): Like that in Lilley's speech.

Miss Widdecombe: I am grateful for the prompting. The hon. Member for Eccles referred to the speech by my right hon. Friend the Secretary of State for Social Security at the Conservative party conference, and said that he had scapegoated lone parents. She asked whether he did not realise that many lone parents find themselves in such a position against their will and deserve support. I shall quote from my right hon. Friend's speech:

"Many find themselves lone parents against their will and they deserve our support."

The hon. Member for Eccles then made a terrific play of the economic situation, and how families would be taxed more. I find that a crying impudence from a party that went into the last election promising to make every family in the land poorer as a result of its tax policies.

The hon. Member for Eccles said that the Conservative party had betrayed families because of the results of unemployment. She omitted to point out that the Labour party threatens families with a loss of up to 2 million breadwinners because of its minimum wage policy. She poured scorn on and belittled part-time work. She does not appear to understand that such work, in which we take the lead in Europe, enables families to combine work and care at home in the way they choose. She shows scant respect for women who want to work in the home, and ignored them in her speech.

How can the hon. Member for Eccles come here and talk about support for the family when the Opposition consistently opposed the right to buy and the spread of home ownership? Families need decent homes, and we have enabled families to buy decent homes. The Opposition believe that the only homes that families deserve are those which have the state as landlord.

The hon. Member mentioned education policies for the family, yet she comes from a party that denied choice to those who cannot afford to buy education and opposed grant-maintained schools and the very important right of families who have no professional background and limited means of making their own assessment to receive information about how well their child's school is serving that child. Labour Members have opposed the right of families to know how well the child is doing. They have no policy for a child from a deprived family to have its progress monitored regularly and to enable the parents to learn the results.

The hon. Member talked about family responsibilities, yet her party opposed the Criminal Justice and Public Order Bill, which requires parents to be responsible for their children's criminal acts.

Mr. Bruce Grocott (The Wrekin) *rose—*

Miss Widdecombe: No. If the hon. Gentleman wanted me to give way, the House should not have been detained by bogus points of order from the Labour party.

Labour Members talk about protecting the breadwinner when they support strikes, when they support secondary picketing and when they support disruption of breadwinning.

Mr. Grocott *rose—*

Madam Speaker: Order. The hon. Lady is speaking.

Miss Widdecombe: May I also say, just in case—

Mr. Grocott *rose—*

Madam Speaker: Order. The hon. Gentleman must not pursue this. The hon. Lady has made it clear that she is not giving way at the moment. Is that right?

Miss Widdecombe: Yes: thank you very much, Madam Speaker. I am not giving way at all.

Apart from the posturings and the blatherings of the Labour party, we were treated tonight to an amazing speech by the spokeswoman of the Liberal Democrats, the hon. Member for Christchurch (Mrs. Maddock). It is worth pointing out, since she is so concerned with middle-income families and how badly they are affected by crime, that she too abstained from voting on the Criminal Justice and Public Order Bill last night.

It is worth pointing out too, since she was so concerned about education, that her party also does not believe in choice of schools, that it opposes opting out, and that it also opposed the right to buy. Her party also threatens breadwinners through its complete adherence to the social chapter, come what may.

The Labour party offers families the state: the state as educator, the state as landlord and the state as dictator in family and personal affairs. It offers the state up front. The Liberal Democrats offer the state by stealth. Neither party offers a policy for the family.

It is the Conservatives who have consistently shown themselves to be the party of the family and the Government for the family. It is the Conservative Government who have presided over a situation in which average earnings for a typical family, with one earner and two children, have gone up 40 per cent. since 1979. It is worth reflecting that, between 1974 and 1979, they went up not by 40 per cent. but by hardly 3 per cent.

It is this party which has made sure that those who want to own their own homes can do so, and now, with a reduction in mortgage rates and record low interest rates, we find that the average family with a typical mortgage is 30 per cent. better off after tax and mortgage payments. *[Interruption.]* Shall I say it again in case Opposition Members did not hear it? The average family is better off after mortgage and tax by 30 per cent. That is what the party of the family has brought about.

It is we who have introduced carers' benefits. It is we who have introduced flexible work patterns. It is we who have promoted part-time work. It is we who introduced independent taxation for women. It is we who have promoted policies which have led to low inflation and greater stability of expectation. It is we who have protected the poorest families. It was we who introduced the first comprehensive in-work benefit in the form of family credit.

It is we who support the right of families to choose their own schools. It is we who, at the same time, say that families should be respected and that we should respect individuals' choices and not dictate from the state. It is we who say also that families must be responsible for their own actions, and that means the actions of younger, dependent members.

It is we who introduced the comprehensive Children Act 1989. It is we who introduced the Child Support Act 1991. Whatever abuse we have received about that tonight, the essence of the Child Support Act is simple—that children are for life. If hon. Members scorn that message, they scorn the fundamental ambitions and fundamental views of every family.

The Labour party's policies on the family, and indeed the Liberal Democrats', are straightforward: to take us back to the dark ages. *[Interruption.]* The Labour party is the dark ages, and I know that it will stay in the dark of opposition, not only for the past 15 years, but for the next 15 years, and every family in the land will be grateful.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 225, Noes 290.

Division No. 211] **[10.00**

AYES

Abbott, Ms Diane	Foster, Don *(Bath)*
Adams, Mrs Irene	Foulkes, George
Ainger, Nick	Fraser, John
Ainsworth, Robert *(Cov'try NE)*	Fyfe, Maria
Allen, Graham	Galloway, George
Alton, David	Gapes, Mike
Anderson, Donald *(Swansea E)*	Garrett, John
Anderson, Ms Janet *(Ros'dale)*	George, Bruce
Armstrong, Hilary	Gerrard, Neil
Ashton, Joe	Godman, Dr Norman A.
Austin-Walker, John	Godsiff, Roger
Barnes, Harry	Golding, Mrs Llin
Barron, Kevin	Gordon, Mildred
Battle, John	Graham, Thomas
Bayley, Hugh	Griffiths, Win *(Bridgend)*
Benn, Rt Hon Tony	Grocott, Bruce
Benton, Joe	Gunnell, John
Bermingham, Gerald	Hain, Peter
Berry, Roger	Hanson, David
Betts, Clive	Harman, Ms Harriet
Boateng, Paul	Harvey, Nick
Bradley, Keith	Hattersley, Rt Hon Roy
Bray, Dr Jeremy	Henderson, Doug
Brown, Gordon *(Dunfermline E)*	Heppell, John
Brown, N. *(N'c'tle upon Tyne E)*	Hill, Keith *(Streatham)*
Burden, Richard	Hinchliffe, David
Byers, Stephen	Hoey, Kate
Cabom, Richard	Hogg, Norman *(Cumbernauld)*
Callaghan, Jim	Home Robertson, John
Campbell, Mrs Anne *(C'bridge)*	Hood, Jimmy
Campbell, Menzies *(Fife NE)*	Hoon, Geoffrey
Campbell, Ronnie *(Blyth V)*	Howarth, George *(Knowsley N)*
Campbell-Savours, D. N.	Howells, Dr. Kim *(Pontypridd)*
Cann, Jamie	Hughes, Kevin *(Doncaster N)*
Carlile, Alexander *(Montgomry)*	Hughes, Robert *(Aberdeen N)*
Chisholm, Malcolm	Hughes, Roy *(Newport E)*
Clapham, Michael	Hutton, John
Clarke, Tom *(Monklands W)*	Ingram, Adam
Clelland, David	Jackson, Glenda *(H'stead)*
Connarty, Michael	Jamieson, David
Cook, Frank *(Stockton N)*	Jones, Ieuan Wyn *(Ynys Môn)*
Corbett, Robin	Jones, Jon Owen *(Cardiff C)*
Corbyn, Jeremy	Jones, Lynne *(B'ham S O)*
Corston, Ms Jean	Jones, Martyn *(Clwyd, SW)*
Cousins, Jim	Jowell, Tessa
Cox, Tom	Kaufman, Rt Hon Gerald
Cunningham, Jim *(Covy SE)*	Kean, Alan
Dalyell, Tam	Kennedy, Charles *(Ross,C&S)*
Darling, Alistair	Kennedy, Jane *(Lpool Brdgn)*
Davidson, Ian	Khabra, Piara S.
Davies, Bryan *(Oldham C'tral)*	Kilfoyle, Peter
Davies, Rt Hon Denzil *(Llanelli)*	Kirkwood, Archy
Davies, Ron *(Caerphilly)*	Leslor, Joan *(Eccles)*
Denham, John	Lewis, Terry
Dewar, Donald	Livingstone, Ken
Dixon, Don	Lloyd, Tony *(Stretford)*
Dobson, Frank	McAllion, John
Donohoe, Brian H.	McAvoy, Thomas
Dowd, Jim	McCartney, Ian
Dunnachie, Jimmy	Macdonald, Calum
Dunwoody, Mrs Gwyneth	McFall, John
Eagle, Ms Angela	McKelvey, William
Enright, Derek	Mackinlay, Andrew
Etherington, Bill	McLeish, Henry
Fatchett, Derek	McMaster, Gordon
Field, Frank *(Birkenhead)*	McNamara, Kevin
Fisher, Mark	McWilliam, John
Flynn, Paul	Madden, Max
Foster, Rt Hon Derek	Maddock, Mrs Diana

Mahon, Alice
Marek, Dr John
Marshall, David (Shettleston)
Marshall, Jim (Leicester, S)
Martin, Michael J. (Springburn)
Martlew, Eric
Maxcher, Michael
Meale, Alan
Michael, Alun
Michie, Bill (Sheffield Hallam)
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. (Wy'nshawe)
Morris, Estelle (B'ham Yardley)
Morris, Rt Hon J. (Aberavon)
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael (N W'kshire)
O'Brien, William (Normanton)
O'Hara, Edward
Oliner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray (Ogmore)
Prentice, Ms Bridget (Lew'm E)
Prentice, Gordon (Pendle)
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George (Hamilton)
Robinson, Geoffrey (Co'try NW)
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie (Dundee W)
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Shaw'man, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew (Oxford E)
Smith, C. (Isl'ton S & Fsbury)
Smith, Llew (Blaenau Gwent)
Soley, Clive
Spearing, Nigel
Squire, Rachel (Dunfermline W)
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Straw, Jack
Taylor, Mrs Ann (Dewsbury)
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth (Gower)
Wareing, Robert N
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan (Sw'n W)
Williams, Alan W (Carmarthen)
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David (Bolton SE)

Tellers for the Ayes:
Mr. John Spellar and
Mr. Eric Illsley.

NOES

Ainsworth, Peter (East Surrey)
Allen, Jonathan
Alexander, Richard
Alison, Rt Hon Michael (Selby)
Allason, Rupert (Torbay)
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques (Gravesham)
Arnold, Sir Thomas (Hazel Grv)
Ashby, David
Aspinwall, Jack
Atkinson, David (Bour'mouth E)
Atkinson, Peter (Hexham)
Baker, Nicholas (Dorset North)
Baldry, Tony
Banks, Robert (Harrogate)
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Boneor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter (Eltham)
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. (Brigg & Cl'thorpes)
Browning, Mrs. Angela
Bruce, Ian (S Dorset)
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Carlisle, John (Luton North)
Carlisle, Kenneth (Lincoln)
Carrington, Matthew
Carttiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael (Rochford)
Clarke, Rt Hon Kenneth (Rushf)
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony (Wyre For'st)
Coombs, Simon (Swindon)
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Curry, David (Skipton & Ripon)
Davies, Quentin (Stamford)
Davis, David (Boothferry)
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Ellerton, Harold
Emery, Rt Hon Sir Peter
Evans, David (Welwyn Hatfield)
Evans, Jonathan (Brecon)
Evans, Nigel (Ribble Valley)
Evans, Roger (Monmouth)
Faber, David
Fabricant, Michael
Field, Barry (Isle of Wight)
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael (Stirling)
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam (Woodspring)
Fox, Sir Marcus (Shipley)
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. (Cambs SW)
Greenway, Harry (Ealing N)
Greenway, John (Ryedale)
Griffiths, Peter (Portsmouth, N)
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil (Tatton)
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hill, James (Southampton Test)
Hogg, Rt Hon Douglas (G'tham)
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan (Strat'rd-on-A)
Howell, Rt Hon David (G'ldford)
Howell, Sir Ralph (N Norfolk)
Hughes Robert G. (Harrow W)
Hunt, Rt Hon David (Wirral W)
Hunter, Andrew
Jack, Michael
Jackson, Robert (Wantage)
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym (Cardiff N)
Jones, Robert B. (W Hertfdshr)
Jopling, Rt Hon Michael
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela (Erewash)
Knight, Greg (Derby N)
Knox, Sir David
Kynoch, George (Kincardine)
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim (Broxtowe)
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter (Fareham)
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John (Hendon S)
Marshall, Sir Michael (Arundel)
Martin, David (Portsmouth S)
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew (Gedling)
Mitchell, Sir David (Hants NW)
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David (Taunton)
Nicholson, Emma (Devon West)
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Pickles, Eric
Porter, Barry (Wirral S)
Porter, David (Waveney)
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond (Ab'd'n S)
Robinson, Mark (Somerton)
Roe, Mrs Marion (Broxbourne)

Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Andrew Mackay.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments) and agreed to.*

Question accordingly agreed to.

MADAM SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the International Year of the Family and urges the Government to continue to pursue policies which ensure that the family remains the cornerstone of society; recognises that what families most want is independence, opportunity and choice and congratulates the Government on its economic and social policies which have led to dramatic increases in living standards and health, rewarded enterprise and endeavour and given families greater power over their own lives; welcomes practical measures such as the childcare disregard announced in the Budget; and believes that the best way to support families is to assert the authority and responsibility of the family itself while providing help for families where it is most needed.

Mr. Chris Mullin (Sunderland, South): On a point of order, Madam Speaker. Many of us are concerned about our colleague the hon. Member for Cynon Valley (Mrs. Clwyd) who, I think you are aware, is down Tower colliery in her constituency. She is being denied access to food and water, and is being deliberately kept in a cold area of the pit. I know that she elected to go down the pit voluntarily, but there is no reason why she should be treated in this way. We would be grateful if you would make some inquiries to make sure that she is treated properly while she is down the Tower colliery.

Madam Speaker: The hon. Lady has taken action that any other citizen might take. She has not been delegated by the House to take that action. In fact, the hon. Lady has elected to take the action herself and there is nothing that I, as Speaker of the House of Commons, can do.

Matrix Churchill Employees (Scott Inquiry)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Conway.]*

Mr. Tony Benn (Chesterfield): On a point of order, Madam Speaker. I put it to you, respectfully, that Members of the House are not in the same position as anyone else if they are engaged in action in their own constituency. We pass Sessional Orders stating that it is a high crime and misdemeanour for anyone to interfere with witnesses to the House.

If I were a Member of Parliament in the position of my hon. Friend the Member for Cynon Valley (Mrs. Clwyd) —with the closure of the pit—I might think it right to go there to talk to the people in the pit about the circumstances for which they have a responsibility. With great respect, Madam Speaker, will you consider carefully the possibility that, in protecting my hon. Friend, you are protecting the people who sent her—[HON. MEMBERS: "Nonsense."] The pit is being closed by the Coal Board, which is threatening the workers with a cut, and my hon. Friend is down, doing a job. I believe that the issue concerns evidence that she might wish to bring to the House next week, in which case my hon. Friend will not only be a Member of Parliament, but someone trying to bring information before the House.

Madam Speaker: We cannot claim privileges for ourselves when we are not involved in the proceedings of Parliament. However much sympathy we might have with the hon. Lady, she has chosen to take the action herself. As Speaker, I cannot take any action at this time in that respect.

We are taking time out of the Adjournment debate, and I call Mr. Jim Cunningham.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): Further to that point of order, Madam Speaker. Perhaps my hon. Friend the Member for Cynon Valley (Mrs. Clwyd) is not carrying out parliamentary duties in the House, but a Government Department is responsible for British Coal—surely such a Department is responsible to the House and there is a chain of command. If you, Madam Speaker, are saying to hon. Members that a Department can turn a blind eye to an instruction from the chairman of the Coal Board that an hon. Member's life should be put in jeopardy, it seems that Parliament is treating itself with grave contempt.

Madam Speaker: I am not saying anything of the sort. I am saying that all of us—citizens or Members of Parliament—have to obey the law. The hon. Lady has chosen to take the action herself. If a Minister wishes to intervene, it is for him or her to do so. As Speaker of the House, the points of order are for me, and I have answered them correctly under the procedures of the House.

10.17 pm

Mr. Jim Cunningham (Coventry, South-East): I have asked for the Adjournment debate tonight because I felt I should draw the attention of the House to one or two injustices that the work force of Matrix Churchill believe that they have suffered.

The first injustice, as the work force perceive it, is that, with the exception of their representatives, everyone else associated with the collapse of the company has been

[Mr. Jim Cunningham]

allowed to give evidence. The work force and the people in Coventry will not, and they cannot understand how, if the Scott inquiry is to arrive at a just conclusion in relation to events, the participants—the work force—cannot be allowed to give evidence. Towards that end, I have corresponded with the Prime Minister, one of the Ministers in the Department of Trade and Industry and Lord Scott. The issue has gone backwards and forwards, but a decision on it has not been taken.

It is an absolute scandal that people in senior Government positions, who gave the House undertakings that there would be no constraints on the Scott inquiry, have created a situation in which there have been de facto constraints. Thus, there are serious doubts about whether the work force will get justice from the inquiry.

Mr. Geoffrey Robinson (Coventry, North-West): Having followed all that my hon. Friend has done on behalf of the ex-employees of Matrix Churchill, I congratulate him on initiating this important debate. Can he tell us exactly what reasons have been given for the refusal to receive representations from the ex-workers? This is at the heart of the problem.

Mr. Cunningham: The Prime Minister said that Lord Scott had adequate power and that he could decide whether the work force should give evidence. Lord Scott, on the other hand, claimed that it was a matter for the Government. It will be remembered that I raised this matter at Prime Minister's Question Time.

When we had further correspondence with Lord Scott as a result of the Prime Minister's letter, he was taking a different tack. He said that he did not have adequate resources, but, at the same time, made the point that the inquiry might go in a totally different direction. So there has been a subtle change. I wonder whether there has been a degree of collusion. I say that as I must be perfectly frank in the interests of the individuals concerned.

I do not want to prejudge the outcome of the inquiry, but the British people, and in particular the people of Coventry, are entitled to know exactly what shenanigans have been going on between the Prime Minister, Lord Scott and the Minister.

My hon. Friend the Member for Coventry, North-West (Mr. Robinson) and I, together with other Coventry Members, gave the Department of Trade and Industry a list of 10 points and asked that they be looked at. We have not received a report or any indication of whether those issues are being investigated. To the best of my knowledge, there has been no comment. That, too, makes us wonder exactly what has been happening.

Let us look at the dramatic effects on the ex-employees. Some of them have had difficulty finding jobs; some have had marriage problems; and it is alleged—I have not yet been able to verify the allegation—that one person has committed suicide. The people concerned feel that if they had been allowed to give evidence at the inquiry they could have cleared their name. There is an old saying: "You can take everything in life from me, but if you take my integrity I have nothing." This issue rankles very strongly with the work force.

The other Coventry Members and I have had a series of meetings with the workers. It emerges that they have experienced other problems. For example, some months ago there were difficulties concerning redundancy payments; there are outstanding issues in relation to pension payments; and there are unresolved matters concerning disposal of the company's assets.

In my view, the labour force has not been given satisfactory answers on those matters. That being the case, hon. Members—especially those representing Coventry constituencies—expect some pretty clear answers tonight. The issues must not be fudged. The management is listened to, and Ministers have been allowed to clear their names at the inquiry, but the labour force and its representatives have been denied such an opportunity. That is the reason for some fundamental questions. On what may the labour force be able to shed light that the Government do not want to know about? What does it know that the inquiry does not want to look at? Hon. Members probably realise that the labour force is becoming highly suspicious about the Government's motives in relation to all these issues.

It was suggested that Customs and Excise was responsible, but no doubt it would argue that it was observing the law. How could the work force sue the Customs and Excise? Even if they were to embark on that action, it would cost hundreds of thousands of pounds to get the Customs to court. I cannot think of any precedent when anyone has taken Customs and Excise to court on a major issue and won.

Mr. John Butcher (Coventry, South-West): I congratulate the hon. Gentleman on his Adjournment debate and thank him for allowing me to intervene—I shall not abuse the opportunity.

I reassure the hon. Gentleman that I share his view that Matrix Churchill's 600 employees have not had their day to make their point. They are the real casualties of this sorry affair, but have not had a chance to make their case.

The hon. Gentleman mentioned the Customs and Excise investigation. He will know, as those who used to work for the company know, that there was a chance that the Iraqi shareholding could have been bought out and that the company had ambitious plans to proceed from that point. Unfortunately, the Customs investigation blew away that opportunity.

Given that Lord Justice Scott can define his own guidelines and was given the broadest possible remit to consider any information he wishes, the House should at the very least ask him to comment in his conclusions on the chain of events that unhappily resulted in the receivers going in and only a small number of Matrix Churchill's former workers being re-employed by the rump of that company, brigaded into another organisation. The hon. Gentleman—I hope that he is my hon. Friend in this matter—hit on a moot point in mentioning that aspect of the sequence of events.

Mr. Cunningham: I much appreciate the comments of the hon. Member for Coventry, South-West (Mr. Butcher) who, together with Labour Members representing Coventry constituencies, attended numerous meetings to reach a resolution to the problems that I outlined.

A claim for compensation of about £6 million against, I believe, the Iraqis has been submitted to the United Nations, but there is no mention of using some of that money to compensate the work force. That, again, is a little bit of chicanery. No one has taken the work force into account or considers the trauma they have suffered, but

somebody has submitted a claim and will do very well out of it, thank you very much. Somebody is exploiting the situation.

I share the hope of the hon. Member for Coventry, South-West that Lord Scott will comment and will listen to those who represent Matrix Churchill's former work force. On one or two occasions, I sought a meeting with Lord Scott to clarify the situation regarding the evidence that ex-employees and their representatives could give. He rejected my offer, and I find it fairly strange that he refused to meet a Member of Parliament representing a major city which has been badly affected by the affair.

A further tragedy is that the British machine tool industry has once again been hit and its industrial base further eroded.

I hope that the Minister will give straight answers, and that he will consider instituting a separate inquiry into the issues that I have raised.

10.28 pm

Mr. Robert Ainsworth (Coventry, North-East): I congratulate my hon. Friend on initiating this Adjournment debate, which is most important to the people of Coventry. There has been much talk for a considerable time about the issues surrounding the Matrix Churchill affair, which is at the centre of high political controversy. What people have not been talking about or been prepared to put on the table is the plight of the 600 employees of Matrix Churchill.

Matrix Churchill, as it has come to be known, was part of the machine tool heritage of Coventry. The employees of that industry—Coventry is a manufacturing city—were, in many ways, the cream with regard to the employment situation there. They were looked up to by their colleagues and comrades. They were top of the pile of manufacturing and blue collar workers. It is a proud tradition in our city which involved not only Coventry Machine Gauge and Tool, which Matrix Churchill originally was, but Alfred Herbert, Whickman and many other companies. Those people are the victims.

When we talk about justice, there are two sides to it. Up to now, people have concentrated—I hope that they continue to do so—on ensuring that justice prevails for the people who were clearly culpable with the collapse of Matrix Churchill. There is no doubt whatever that Ministers knew exactly what that company was doing, and what it was supplying, over a very long time. The Scott inquiry has proved that beyond all doubt.

Yet at a time when that company was in a position to be bought out from Iraqi ownership, and when it had a successful future, the Government allowed a Customs and Excise inquiry to go ahead, which resulted directly in the collapse of that company, in the very real danger of three of its executives going to prison, and in 600 highly skilled people in Coventry losing their jobs. There is no doubt that they have lost not only their jobs, but a lot of money, and have lost on their pension entitlement.

The other side of justice is ensuring that the victims are properly looked after and properly compensated. Two things need to happen as a result of the Scott inquiry. The first is that the perpetrators of that crime—that is what it is—should be rooted out and appropriately punished, removed from office or whatever other action is appropriate. We know who they are. That was clearly found out by the inquiry.

The second requirement is that the Government pick up their responsibilities. Up to now, the Government have said that the redundant work force of Matrix Churchill have received their statutory redundancy entitlement. That is their position and there is nothing else. Those people have lost an awful lot of money. They have suffered frozen pensions.

As my hon. Friend the Member for Coventry, South-East said, a claim is being submitted to the United Nations for compensation from the Iraqi Government. But that will be dealt with along the usual lines of the dissolving of companies. The work force will wind up the bottom of the queue, behind the banks, behind the other people who have a call on that company's assets, and will probably receive nothing out of it. If the Government were clearly culpable in the collapse of that company, they should accept their responsibility and be prepared to compensate the work force. I hope that we get an agreement in principle from the Minister tonight that they will be prepared to do that.

10.34 pm

The Parliamentary Under-Secretary of State for Technology (Mr. Patrick McLoughlin): First, I acknowledge the deep importance of this matter to the hon. Members for Coventry, South-East (Mr. Cunningham) and for Coventry, North-East (Mr. Ainsworth), as has been shown tonight by their attendance and also that of my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) and the hon. Member for Warwickshire, North (Mr. O'Brien), all of whom have bearings on this case in their constituencies.

I have listened carefully to what the hon. Member for Coventry, South-East said and accept that the matter is important to the people of Coventry whom he and my hon. Friend the Member for Coventry, South-West (Mr. Butcher) represent. Many hon. Members have made representations to the Government on the matter, including the hon. Gentleman and my hon. Friend. Some of the comments tonight have been rather unfortunate in the way in which they have tried to prejudge and draw conclusions from the inquiry that was set up by the Prime Minister. Anyone who draws early conclusions without waiting for the publication of Lord Justice Scott's report does no credit to his case and will not take the argument any further forward.

The hon. Gentleman has attempted to show that the Government should pay some form of compensation above the usual redundancy payments to ex-employees. He has suggested that the already broad terms of reference of the Scott inquiry should be amended to allow Lord Justice Scott to look into this matter. Failing that, he wants us to set up possibly another inquiry to consider the additional compensation of former employees. What he has failed to clarify is any substantive case for such an inquiry.

I think that it would be useful if I first outlined some of the background to this issue. It will help us all to appreciate the real reasons for the collapse of Matrix Churchill and may help hon. Members to understand why, after careful consideration, the Government believe that there is no argument for further compensation to ex-employees.

Matrix Churchill was formerly owned by the Iraqi-controlled Technology Development Group, which I shall refer to as TDG. The flagrant violation of sovereign rights by Saddam Hussein when he ordered his troops to

[Mr. Patrick McLoughlin]

march into Kuwait demanded, and got, a strong and speedy diplomatic response from the entire international community. I am sure that the hon. Gentleman does not deny that we imposed sanctions on Iraq and Kuwait, in line with the rest of the United Nations, in response to a mandatory Security Council resolution. If he accepts that —I should be astonished if he did not, because the rest of his party certainly accepted sanctions at the time—he might start to understand some of the reasons why Matrix Churchill ultimately collapsed and might appreciate the efforts that the Government made on the company's behalf.

As I have said already, through TDG, Matrix Churchill was under Iraqi control. With the imposition of sanctions on Iraq and Kuwait, Matrix Churchill found itself in a difficult position. For a start, the company was over-reliant on the Iraqi market. With that market closed to it, and a downturn facing the machine tools industry as a whole, Matrix Churchill was trying to find new orders at what can only be described as a very bad time. However, before we hear calls from the Opposition Benches that that made Matrix Churchill's case extraordinary, let me refer back to my previous point about UN sanctions.

I do not recall any disquiet in the House over the imposition of sanctions. In imposing sanctions, we accept that our national trade can be, and is, affected. That is the price of upholding our international obligations in order to safeguard our national interest. I strongly believe that industry accepts that, too.

Matrix Churchill relied too heavily on one market. I am afraid that it is as simple as that. It did not suffer any more restrictions than any other company in the same position. The hon. Gentleman may wish to reflect on that and on the fact that, being an Iraqi-controlled company, Matrix Churchill could have been closed with effect from 9 August 1990. The UN Security Council resolution prohibited the delivery of goods to any person connected with Iraq or Kuwait.

In August and September of 1990, my officials made their priority the regularising of the position of the many Kuwaiti companies—

Mr. Jim Cunningham: Will the Minister give way?

Mr. McLoughlin: I am reluctant to give way and I shall tell the hon. Gentleman why. There were points of order which have left me with a very short time to reply to the debate. What I am saying is important and I want to get it on the record to be fair to the hon. Gentleman and his constituents. I ask him not to press me to give way.

Mr. Cunningham *rose—*

Mr. McLoughlin: Oh, very well.

Mr. Cunningham: The Minister is making the assumption that the employees were somehow involved in the company's decisions about contracts. That is not so, but we are not trying to defend what did or did not happen in relation to Iraq—we are trying to defend the employees and they were not party to the contract.

Mr. McLoughlin: The hon. Gentleman cannot divorce the elements of the issue as easily as that.

No attempt was made to close Matrix Churchill. When, in the autumn, the Iraqi directors of TDG came to talk to officials about the possibility of disposing of Iraqi control, it was agreed that the supply of goods to Matrix Churchill would be licensed provided efforts were made to dispose of the Iraqi shareholding.

I believe that it was the Iraqi directors' original intention to sell the firm to the management. However, after learning that they were actually free to sell it to anyone, provided that it took the company completely out of Iraqi control, I understand that they talked to other potential purchasers. The details of those discussions were matters for TDG and Matrix Churchill, not for the Government, but, as the House knows, TDG eventually chose to sell the company to Automation Investment. The subsequent operation and receivership of Matrix Churchill is, I suggest, a matter for Automation Investment, not the Government.

The hon. Gentleman has rather mischievously attempted to draw a connection between the independent Customs prosecution of three former Matrix Churchill directors and the fortunes of the company. I am not going to be drawn into a discussion of the prosecution case. That is a matter properly before Lord Justice Scott, and not one on which it would be appropriate for me to express my views at this stage.

Instead, I shall point out the assistance that the Government have already given to the former employees. We have fully met our obligations to them. The Department of Employment has met the statutory redundancy payments and, under the Employment Protection (Consolidation) Act 1978, has met other debts owed by the company to the employees. I am talking primarily about arrears of pay, holiday pay and payments in lieu of notice. In all, as the hon. Gentleman is well aware —he has already had much correspondence with the Government on the subject—the Government have made payments of more than £950,000 to the former employees.

Help has not been restricted to monetary assistance. The Department of Employment has a raft of programmes to assist unemployed workers to find new jobs. Every former employee is entitled to participate in those programmes and, as the economy continues to recover, I am sure that they will start benefiting from having done so.

The hon. Gentleman suggested that the Government should amend the terms of reference of the inquiry so that Lord Justice Scott could look into the matter of compensation for the former employees. May I remind him that the inquiry already enjoys broad terms of reference, which enable Lord Justice Scott to consult the Government if he feels that they are insufficiently wide to enable him to conduct his inquiry adequately. However, he has not sought to do so. I suggest, therefore, that it would not be necessary or helpful to delay the inquiry by taking it into a new area. That would serve only to delay the report, which I am sure the hon. Gentleman would not wish to do.

I fail to see any sense in the suggestion that a separate inquiry should be convened to take up the hon. Gentleman's concerns. It remains totally unclear on what basis compensation could be sought, as should be abundantly apparent to him. Given that fact—and it would be hard to dispute it—there is no basis for instituting an inquiry.

I shall now draw the attention of the House to several key points. Matrix Churchill's exposure to the Iraqi market was a matter of its own commercial making. Of course, the company was affected by sanctions. I do not dispute that. But so, too, were other companies. Many of them survived,

through remaining competitive and finding new markets. Regrettably some, such as Matrix Churchill, did not. That is not the fault of Government and it does not demand compensation.

Secondly, Lord Justice Scott has not suggested that he wants to examine the issue. Finally, and critically, no argument has been advanced as to why compensation should be paid. No one doubts that the position in which the former employees of Matrix Churchill find themselves is unfortunate.

Mr. Mike O'Brien (Warwickshire, North): The Minister is missing a key issue. If the intervention of Customs and Excise in any way prevented a management buy-out that was on the cards, and that intervention resulted from some incompetence—that is a separate issue, which the Scott inquiry can consider—that should affect the outcome. If there was any incompetence about the way in which Departments failed to pass to each other information about what they knew, the Government are culpable. The Minister seems to be saying that there should be no investigation into whether that occurred. He is thus simply dismissing what could be a rightful and necessary claim by the workers of Matrix Churchill.

Mr. McLoughlin: I shall not repeat what I said earlier, but I dealt with that question when I was talking about Customs and Excise. The matter is properly before Lord Justice Scott, and is not one on which it would be appropriate for me to express views.

Companies can go under if they are not competitive and if they do not find markets. That is why the Department of Trade and Industry has been talking to industry and emphasising competitiveness. The debate has served to underline that point, but it has failed to find any reason why the Government should pay compensation. I suggest that that is because there is no reason.

I do not dispute the difficulties that some of the former employees of Matrix Churchill have encountered. But that is not necessarily a reason for changing the rules by which we have always abided. Indeed, we have followed the provisions of the Employment Protection (Consolidation) Act 1978, which was introduced by the Labour Government. I do not believe that a sufficient case has been made for a separate inquiry. But I take the point that there will be great interest when Lord Justice Scott finally produces his report.

Question put and agreed to.

Adjourned accordingly at sixteen minutes to Eleven o'clock.

House of Commons

Friday 15 April 1994

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Points of Order

9.34 am

Mr. Max Madden (Bradford, West): On a point of order, Madam Speaker. I regret not having the proper opportunity of giving you notice of this point of order, but I was not able until now to cancel a morning engagement to allow me to be here.

I wish to refer to the points of order that were raised last night about my hon. Friend the Member for Cynon Valley (Mrs. Clwyd). I am glad that some food and drink was provided to her overnight. However, I understand from the Press Association tapes that the National Coal Board, which is funded by taxpayers and in theory remains accountable to the House, has again renewed its instruction that no food or drink should be supplied to my hon. Friend.

Obviously, the discharge of parliamentary duties involves proceedings in the House as well as our responsibilities in our constituencies. I would ask the National Coal Board urgently to reconsider its position, because in the past you have deprecated any action that seeks to intimidate a Member of Parliament or prevent them from discharging their duties. In this case, the action that my hon. Friend is taking is democratic and entirely peaceful. Also, under the Criminal Justice and Public Order Bill, which I hope does not become law, the action that she is taking could be held to be a breach of the law. That matter should also be noted.

Mr. Dennis Skinner (Bolsover): While I wish to associate myself with the views expressed by my hon. Friend the Member for Bradford, West (Mr. Madden), I urge you, Madam Speaker, to inquire whether a statement on this matter will be made by the Coal Minister, in view of the fact that there is a chain of command between Parliament and British Coal, in view of the deprecatory statements that have already been made by the Coal Minister about the actions of my hon. Friend the Member for Cynon Valley (Mrs. Clwyd), and taking into account the fact that, in October 1992, the then leader of the Union of Democratic Mineworkers went down a coal mine in Nottingham to a great blaze of publicity. He was supported by Tory Members; he was not condemned by the Coal Minister or any Tory Ministers. He was fed continually. The press and television were there constantly. He was sent food from Harrods. Other Tory Members of Parliament visited the mine.

The sharp contrast in the treatment that is being meted out to my hon. Friend as compared to Roy Lynk, the well-known scab, is a matter which should be debated in the House and the Minister should be brought to account. If it is good enough for the scab leader, it is right for a Member of Parliament who is representing her constituents to be treated in a proper fashion, not in the way in which British Coal is meting out such treatment.

Several hon. Members *rose—*

Madam Speaker: Order. I think that I have heard enough points of order on the matter—we also had some last night. As I explained then, the hon. Lady has elected to take this voluntary action. She is not there on the instructions of the House or a Select Committee of the House and therefore cannot claim the privileges of the House. She is there in the capacity of a citizen who has elected to take this action. However, I certainly hope that her welfare is not neglected by the Coal Board, and I hope that my words will have been noted by the Coal Board this morning.

Nursery Education (Assessment of Need) Bill

Motion made, and Question put,

That the Nursery Education (Assessment of Need) Bill be referred to a Second Reading Committee.—[*Mr. Spearing.*]

Hon. Members: Object.

Madam Speaker: Leave refused.

9.39 am

Mr. Nigel Spearing (Newham, South): On a point of order, Madam Speaker. You will agree that there is a rather unusual procedural situation this morning in respect of that motion and the objection. Item No. 8 on the Order Paper shows that, at 2.30 pm or thereabouts, a Question may be put that the adjourned debate on the Bill be put to a Question.

If there is an objection then—even after a debate has taken place on 18 February for three quarters of an hour—that Question cannot be put. The motion that I have just attempted to move would have no such effect and—if carried without objection—would have allowed debate upstairs in Committee, without any time being taken on the Floor of the House from the Government or from any hon. Member. It would have that effect without a decision necessarily being taken in its favour at the end.

Can you confirm that the objection that has just been raised by the Whip on the Government Front Bench prevents further debate on the merits of the Bill without its necessarily being approved, and therefore prevents further debate?

Madam Speaker: The hon. Gentleman is fully aware of the Standing Order, and he needed leave to proceed as he wished. If one voice is raised in opposition, I must accept that. The hon. Gentleman has an item further on in the agenda, and he may have better luck as we proceed today.

Mr. Jeremy Corbyn (Islington, North): Further to that point of order, Madam Speaker. What representations have you had, or would you be prepared to receive, concerning objections by one hon. Member to private Members' Bills? That stifles debate and it cannot be said to be acting in the interests of Parliament or democracy in any way.

Madam Speaker: The hon. Gentleman is aware that there is already a report on the matter from the Procedure Committee, and perhaps I may refer him to that report.

Orders of the Day

Merchant Shipping (Salvage and Pollution) Bill

Not amended (in the Standing Committee), considered.

New Clause 1

'.—(1) The Merchant Shipping (Oil Pollution) Act 1971 shall be amended as provided in Schedule (*Extension of strict liability for oil pollution by ships*) (amendments imposing in respect of non-tankers liability for oil pollution).

(2) In Part I of that Schedule "the 1971 Act" means the Merchant Shipping (Oil Pollution) Act 1971 without the amendments made by Part I of Schedule 4 to the Merchant Shipping Act 1988.

(3) In Part II of that Schedule "the 1971 Act" means the Merchant Shipping (Oil Pollution) Act 1971 as amended by Part I of Schedule 4 to the Merchant Shipping Act 1988 ("the 1988 Act") and section 5 of this Act.'.—[*Mr. David Harris.*]

Brought up, and read the First time.

9.41 am

Mr. David Harris (St. Ives): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss the following amendments: No. 1, to move the following Schedule:—

'SCHEDULE

EXTENSION OF STRICT LIABILITY FOR OIL POLLUTION BY SHIPS

PART I

AMENDMENTS OF THE 1971 ACT

1. After section 1 of the 1971 Act there shall be inserted the following section—

"Liability for oil pollution in case of other ships.

1A.—(1) Where, as a result of any occurrence, any oil is discharged or escapes from a ship other than a ship to which section 1 of this Act applies (that is to say a ship carrying a cargo of persistent oil in bulk), then (except as otherwise provided by this Act) the owner of the ship shall be liable—

(a) for any damage caused outside the ship in the area of the United Kingdom by contamination resulting from the discharge or escape; and

(b) for the cost of any measures reasonably taken after the discharge or escape for the purpose of preventing or minimising any damage so caused in the area of the United Kingdom by contamination resulting from the discharge or escape; and

(c) for any damage so caused in the area of the United Kingdom by any measures so taken.

(2) Where, as a result of any occurrence, there arises a grave and imminent threat caused outside a ship other than a ship to which section 1 of this Act applies by contamination resulting from a discharge or escape of oil from the ship, then (except as otherwise provided by this Act) the owner of the ship shall be liable—

(a) for the cost of any measures reasonably taken for the purpose of preventing or minimising any such damage in the area of the United Kingdom; and

(b) for any damage caused outside the ship in the area of the United Kingdom by any measures so taken;

and in the subsequent provisions of this Act any such threat is referred to as a relevant threat of contamination.

(3) Where—

(a) as a result of any occurrence, a liability is incurred under this section by the owner of each of two or more ships, but

(b) the damage or cost for which each of the owners would be liable cannot reasonably be separated from that for which the other or others would be liable,

each of the owners shall be liable, jointly with the other or others for the whole of the damage or cost for which the owners together would be liable under this section.

(4) The Law Reform (Contributory Negligence) Act 1945 and, in Northern Ireland, the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948 shall apply in relation to any damage or cost for which a person is liable under this section but which is not due to his fault, as if it were due to his fault.

(5) In this section "ship" includes a vessel which is not sea-going."

2. After section 2 of the 1971 Act there shall be inserted the following section—

"Exceptions from liability under section 1A.

2A. No liability shall be incurred by the owner of a ship under section 1A of this Act by reason of any discharge or escape of oil from the ship, or by reason of any relevant threat of contamination, if he proves that the discharge or escape, or (as the case may be) the threat of contamination—

(a) resulted from an act of war, hostilities, civil war, insurrection or an exceptional, inevitable and irresistible natural phenomenon; or

(b) was due wholly to anything done or omitted to be done by another person, not being a servant or agent of the owner, with intent to do damage; or

(c) was due wholly to the negligence or wrongful act of a government or other authority in exercising its function of maintaining lights or other navigational aids for the maintenance of which it was responsible."

3. After section 3 of the 1971 Act there shall be inserted the following section—

"Restriction of liability for oil pollution.

3A.—(1) Where, as a result of any occurrence—

(a) any oil is discharged or escapes from a ship to which section 1A of this Act applies, or

(b) there arises a relevant threat of contamination,

then, whether or not the owner of the ship in question incurs a liability under section 1A of this Act—

(i) he shall not be liable otherwise than under that section for any such damage or cost as is mentioned in it, and

(ii) no person to whom this paragraph applies shall be liable for any such damage or cost unless it resulted from anything done or omitted to be done by him either with intent by him to cause any such damage or cost or recklessly and in the knowledge that any such damage or cost would probably result.

(2) Subsection (1)(ii) of this section applies to—

(a) any servant or agent of the owner of the ship;

(b) any person not falling within paragraph (a) above but employed or engaged in any capacity on board the ship or to perform any service for the ship;

(c) any charterer of the ship (however described and including a bareboat charterer), and any manager or operator of the ship;

(d) any person performing salvage operations with the consent of the owner of the ship or on the instructions of a competent public authority;

(e) any person taking any such measures as are mentioned in subsection (1)(b) or (2)(a) of section 1A of this Act;

(f) any servant or agent of a person falling within paragraph (c), (d) or (e) above.

(3) The liability of the owner of a ship under section 1A of this Act for any impairment of the environment shall be taken to be a liability only in respect of—

(a) any resulting loss of profits, and

(b) the cost of any reasonable measures of reinstatement actually taken or to be taken."

4. In section 9 (extinguishment of claims), after the words "section 1" there shall be inserted the words "or 1A."

5. In section 15 (liability for cost of preventive measures where section 1 does not apply)—

(a) subsection (1) shall be omitted; and

(b) in subsection (2), for the words "this section" there shall be substituted the words "section 1A of this Act."

PART II

AMENDMENTS OF THE 1971 ACT AS AMENDED BY THE 1988 ACT

1. After Section 1 of the 1971 Act there shall be inserted the following section—

"Liability for oil pollution in case of other ships.

1A.—(1) Where, as a result of any occurrence, any oil is discharged or escapes from a ship other than a ship to which section 1 of this Act applies, then (except as otherwise provided by this Act) the owner of the ship shall be liable—

(a) for any damage caused outside the ship in the area of the United Kingdom by contamination resulting from the discharge or escape; and

(b) for the cost of any measures reasonably taken after the discharge or escape for the purpose of preventing or minimising any damage so caused in the area of the United Kingdom by contamination resulting from the discharge or escape; and

(c) for any damage so caused in the area of the United Kingdom by any measures so taken.

(2) Where, as a result of any occurrence, there arises a grave and imminent threat of damage caused outside a ship other than a ship to which section 1 of this Act applies by contamination resulting from a discharge or escape of oil from the ship, then (except as otherwise provided by this Act) the owner of the ship shall be liable—

(a) for the cost of any measures reasonably taken for the purpose of preventing or minimising any such damage in the area of the United Kingdom; and

(b) for any damage caused outside the ship in the area of the United Kingdom by any measures so taken;

and in the subsequent provisions of this Act any such threat is referred to as a relevant threat of contamination.

(3) Where—

(a) as a result of any occurrence, a liability is incurred under this section by the owner of each of two or more ships, but

(b) the damage or cost for which each of the owners would be liable cannot reasonably be separated from that for which the other or others would be liable,

each of the owners shall be liable, jointly with the other or others, for the whole of the damage or cost for which the owners together would be liable under this section.

(4) The Law Reform (Contributory Negligence) Act 1945 and, in Northern Ireland, the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948 shall apply in relation to any damage or cost for which a person is liable under this section, but which is not due to his fault, as if it were due to his fault.

(5) In this section "ship" includes a vessel which is not sea-going."

2. In section 2 (exceptions from liability), after the words "section 1" there shall be inserted the words "or 1A."

3. In section 3 (restriction of liability)—

(a) in subsection (1)—

(i) for the words "to which section 1 of this Act applies" there shall be substituted the words "(whether one to which section 1 of this Act applies or one to which section 1A of this Act applies)"; and

(ii) after the words "under section 1" there shall be substituted the words "or 1A"; and

(b) in subsection (2)(e), after the words "section 1" there shall be inserted the words "or 1A."

4. In section 9 (extinguishment of claims), after the words "section 1" there shall be inserted the words "or 1A."

5. In section 15 (liability for cost of preventive measures where section 1 does not apply)—

(a) subsections (1), (1A) and (1B) shall be omitted; and

(b) in subsection (2), for the words "this section" there shall be substituted the words "section 1A of this Act",

6. In section 20(1) (definitions), in the definition of "ship", after the word "ship" there shall by inserted the words "(subject to section 1A(5))."".

No. 2, in schedule 3, page 16, line 38, at end insert—

'1971 c. 59.	Merchant Shipping (Oil Pollution) Act 1971.	Section 15(1)'

No. 3, in schedule 3, page 16, line 42, column 3, at beginning insert—

'In Schedule 4, paragraph 12.'

Mr. Harris: The new clause and the amendments would improve the compensation available to victims of marine pollution. At the moment, there is a clear anomaly in the treatment of different kinds of vessels. Only owners of laden oil tankers are strictly liable for marine pollution from oil spillages, but other ships can also pose a threat of oil pollution.

Indeed, it is perhaps not generally realised that a large container ship or cruise ship could in fact have on board about 1,000 or 2,000 tonnes of fuel of one sort or another. Of course, this type of oil can be thicker and more polluting than most types of oil carried in bulk as cargo.

The amendments would extend strict liability to the owners of all types of ships. Strict liability means that owners are liable to pay compensation for marine pollution whether or not they were at fault.

The provisions I am proposing will not affect small ships. You know of my own interest in fishing matters, Madam Speaker, and fishing vessels use light diesel fuel which poses relatively little environmental threat because it disperses quickly. I am pleased to say that they are not at risk as a result of the amendments.

Pollution from laden oil tankers is already covered by the current compensation regime. The international convention on civil liability for oil pollution damage in 1969, which was implemented in the United Kingdom by the Merchant Shipping (Oil Pollution) Act 1971, places strict liability on the owners of laden oil tankers. This liability covers oil carried in bulk as a cargo, as well as fuel oil that is usually called bunker oil.

Bunker oil carried by other kinds of ships is not covered by the convention. Compensation for spillages may be available through common law, but experience has shown that it can be difficult to establish owners' liability through this means. The House will appreciate that common law is very expensive, and a risky businesses for claimants.

Accidents involving oil tankers always hit the headlines, but all vessels in difficulties pose a threat of pollution because of the fuel oil they carry. Hon. Members who follow these matters will know of a number of recent incidents.

In February last year, a Danish-flagged ship, the Freja Svea, ran aground off the north Yorkshire coast carrying over 1,500 tonnes of heavy fuel oil. Rescue and salvage operations were hampered by severe weather, but fortunately the vessel was refloated. Although there was some spillage, it was relatively minor and most of the oil dispersed naturally. A small amount came ashore and eight tonnes was manually removed from the beach by the local authorities. The incident, however, could have been far worse.

In November last year, two fish processing vessels ran aground in the Shetlands carrying large quantities of fuel oil. I know that that caused a lot of consternation in the Shetland islands. The Russian-flagged Borodinskoye Polye ran on to rocks near Lerwick harbour, and the Department of Transport's marine pollution control unit removed nearly 600 tonnes of fuel oil from the wreck at a cost of some £650,000—a large amount on that occasion.

In the same month, the Latvian-flagged Lunohods 1 ran aground carrying some 22 tonnes of fuel oil. Yet again, in both cases, major pollution was averted by a combination of good fortune and the prompt action of the authorities. Earlier this month, the Tynesider tug sank in Loch Fyne with about 20 tonnes of fuel oil on board, and arrangements to try to recover the vessel are still in hand.

Those examples show that the threat of pollution from fuel oil is very real around our coasts. My amendments would ensure that, if there were cases in United Kingdom territorial waters, victims who had suffered financial loss would not have to prove liability against the shipowner. That would reduce any uncertainty about whether compensation would be available, and it is not hard to imagine that the uncertainty might be almost as distressing to the victims as the incident.

It is not only the victims of pollution who will benefit. The amendments would also allow the marine pollution control unit to claim against the liable owner for the cost of interventions to prevent the release of bunker oil following a marine casualty, or to minimise the effect of a release once it has occurred.

The amendments also encourage preventive measures to reduce the risk of spillages. The possibility of liability should provide a financial incentive to shipowners to maintain good standards of safety and seamanship. That is important, because, in marine matters, as in all others, prevention is much better than cure.

The amendments are consistent with the concept—I think that it is accepted in all parts of the House—that the polluter should pay. I see no reason why owners of some vessels should be liable for fuel oil spillages, while others are not. I certainly would not want to explain to a constituent that he is likely to receive compensation for oil pollution only if it came from a laden oil tanker. My constituency is just as much at risk as—perhaps more than—any other that has an extensive coastline.

I should explain how the amendments relate to the 1992 protocols and to the 1969 civil liability convention, which also deal with bunker fuel. Under the current wording of the 1969 civil liability convention, oil tankers are liable for bunker fuel spillages only when they are carrying a cargo of persistent oil in bulk. Here is another anomaly. Oil tankers with empty tanks are exempt, even though the tanks might contain a residue of oil.

The 1992 protocols recognise that residue oil can cause pollution, and apply the exemption from liability only to oil tankers whose tanks are clean. The amendments take that one step further by extending the liability for bunker fuel to oil tankers, irrespective of the state or content of their tanks. Other vessels are also covered for the first time.

The other important change that the 1992 protocol makes to the 1969 liability convention is to render shipowners liable for the cost of preventive measures when there is a grave and imminent threat of a release of oil, even if no oil is spilt. That enhanced regime of liability will be applied immediately for bunker fuel.

Historically, shipowners have been allowed to place a limit on the extent of their liability. It is not hard to see that, without those limits, the cost of marine insurance would become prohibitively expensive. Limits of liability vary with tonnage, so that larger vessels are liable for greater amounts. Most vessels limit their liability under the

general liability regime in the 1976 limitation of liability for maritime claims convention, which does not apply if there is a high risk of extensive damage being caused, such as when oil is carried in bulk, which is covered by the higher limits in the 1969 civil liability convention.

The amendments will not affect the way in which shipowners limit their liability, and they may continue to do so for ships that fall within the general liability regime of the 1976 convention. The extension of liability to cover bunker oil that I am proposing does not mean that vessels will be subject to the higher limits of the 1969 civil liability convention. As far as I know, the amendments have the full support of the shipping industry in this country and of the insurance world.

There has been considerable concern about the financial value of the limits in the 1969 and 1976 conventions. Both have been eroded by worldwide inflation. Higher limits for the 1969 liability convention were agreed in the 1992 protocols, which the Bill would allow the United Kingdom to ratify; the International Maritime Organisation, which is situated just across the river, is discussing how to raise the limits in the 1976 convention.

The amendments would not extend to other vessels the requirements placed on large oil tankers by the 1969 civil liability convention for compulsory insurance to the extent of the limit of their liability. Compulsory insurance for other types of vessels is being discussed with the IMO and may be required. In the meantime, it will be for shipowners to choose the best means of providing for their liability, should the need arise.

The amendments provide a welcome addition to United Kingdom maritime law and are not contentious. They would improve the compensation available to victims of oil pollution, without imposing unreasonable demands on shipowners operating off the United Kingdom coast. For those reasons, I commend them to the House.

Mr. James Clappison (Hertsmere): I am grateful to have the opportunity to contribute briefly to the debate on the new clause. I appreciate that the matter is not contentious and that my hon. Friend the Member for St. Ives (Mr. Harris) opened the debate in a masterly fashion with a complete account of the technical details and legal background.

I must declare an interest as an underwriting member of Lloyd's, because, as my hon. Friend the Member for St. Ives said this matter has insurance implications.

I very much support the spirit in which my hon. Friend moved the new clause and I support his remarks on the transfer from common law liability to strict liability, which is important. My hon. Friend argued the case for that transfer very well and I underline everything he said, especially his comments about easing the availability of compensation and creating greater awareness of the need for shipowners to take preventive measures.

Generally, the House rightly regards the imposition of strict liability with some wariness and it should be reserved for the most serious cases, when any breach of that liability will have very grave consequences. However, the case has been well made for transferring to a regime of strict liability. It is also important that there should be easier access to compensation for people affected by a breach of liability because of an oil spillage.

My hon. Friend rightly pointed out that many legal difficulties stand in the way of people trying to establish such liability under the ordinary principles of common law. There are many well-known cases. A veritable array of legal minefields lie ahead of those who would establish common law liability, especially in a case that involves technical details of seamanship.

Those who want to obtain compensation would have to establish, among other things, that shipowners breached their duty of care. Speaking as a layman, I envisage that that would be no easy task and that it would require much technical knowledge, many inquiries, much expense and delay, and protracted legal proceedings to establish such a breach of care in the type of cases that my hon. Friend envisages. Strict liability is that much easier to establish and my hon. Friend argued the case very well.

The second limb of my hon. Friend's argument was the need for preventive measures. Strict liability places a great burden on those who are subject to such a regime. When they set out on the activity in question, if they fulfil their duty of care under ordinary common law principles but are nevertheless responsible for a spillage or an incident that causes damage or loss, they will be responsible.

In such an important matter, the House should set the highest and strictest standards, and strict liability is a good example. Shipowners should know that they must act according to the highest standards and go beyond the mere discharge of the ordinary common law duty of care. They will be judged not on whether they are proved to have breached that duty, with all the complications that that entails, but on whether a spillage took place. That should concentrate their minds on preventing such a spillage.

I know that spillages are of great concern to my hon. Friend the Member for St. Ives, who, as the representative of a region that is apt to be affected by such spillages, no doubt speaks with great knowledge. Awareness of the need for conservation and to protect our coastline is increasing throughout the country, however, and, although I speak for a landlocked constituency, I know that many of my constituents are very interested in the protection of the environment and the wildlife of our coastlines. They would readily agree with the propositions that my hon. Friend advanced in such a masterly fashion.

Mr. Simon Coombs (Swindon): I also speak as yet another Member who represents a landlocked constituency, and I notice some of my hon. Friends casting curious glances at me. I must declare that I have an interest in a measure that will come before the House later and, having arrived in good time, I was fascinated by the fact that my hon. Friend the Member for St. Ives (Mr. Harris) was moving a new clause to his Bill. I congratulate him on the excellence of his pronunciation of a variety of interesting names.

My constituency would be affected if global warming really took a grip in the next 100 or 200 years, but in the short term I can still recognise the importance of dealing with such problems, given the fragile environment around our shores. My hon. Friend the Member for St. Ives rightly introduced the new clause and my only question for him and the Minister, whom I welcome, is why it has taken us until now to introduce such a Bill and the new clause, which seem entirely logical and sensible.

How many incidents would have been affected by my hon. Friend's proposal in the past five or 10 years? He gave one or two examples but it would be helpful to understand the scale of the problem. How many cases might have been different, had this legislation been in place previously?

[Mr. Simon Coombs]

In taking forward this measure now, are we leading the world or following it? What has been the progress of legislation in other countries, both in Europe and other parts of the world? Perhaps my hon. Friend the Under-Secretary of State can assist in answering that question. It is always good when this country leads on environmental matters such as this and it is important that, if we are showing a lead, we should trumpet our progress loudly and clearly.

I was about to say that I shall support my hon. Friend despite those two questions—I notice that they have generated some activity around the Chamber—in the face of whatever opposition he may face. Judging by the number of hon. Members in the Chamber, this is not a hugely contentious matter, but we have been ambushed before and I shall be in my place to support my hon. Friend when the matter comes to a vote.

10 am

Mr. Matthew Banks (Southport): I am pleased to have an opportunity to support my hon. Friend the Member for St Ives (Mr. Harris) and pay tribute to him for introducing the Bill. I, too, represent a coastal constituency—one which enjoys clean and tidy beaches, some of which meet the European Community bathing standard. I should not wish anything to happen that would put those in jeopardy. Fortunately, my constituency has been subject to no oil spills, but they have taken place over the years, not just in the North sea but to the west of the United Kingdom. My hon. Friend's Bill will, in great measure, assist in the prevention and cure of such problems in future.

I share the impatience of my hon. Friend the Member for Swindon (Mr. Coombs) to get the matter resolved. However, five years is not a great deal of time to deal with matters that were first discussed in 1989.

May I pick up on a number of points raised by my hon. Friend the Member for St Ives? The Bill, including the schedules to it—

Madam Deputy Speaker (Dame Janet Fookes): Order. I remind the hon. Gentleman that we are not dealing with the whole Bill. This is not a Second Reading. We are dealing with a clause and others linked to it.

Mr. Banks: I am grateful to you, Madam Deputy Speaker. I would not think for a moment of straying from the straight and narrow. I am not sure what I have said that might have suggested otherwise.

I wish to pick up one or two of the points raised by my hon. Friend the Member for St. Ives. The clause gives effect to the importance of ensuring that those, other than oil tanker operators, who cause pollution are held to account and pay for any pollution that they may create.

I recall the first oil disaster in 1967 caused by the Torrey Canyon—there have been many since then—when a fully laden tanker caused considerable pollution to the United Kingdom shores. As my hon. Friend pointed out, in other cases, tankers not fully laden with oil have cleaned out their tanks in coastal waters off British shores. In those incidences, it is right and proper that those who pollute our shores should be held to account and pay for the pollution.

The polluter should be liable to pay and I congratulate my hon. Friend on moving a clause to ensure that ships that are not fully laden with oil—they may be not necessarily oil tankers, but carrying other goods—are held to account if they pollute our shores or those of other countries.

My hon. Friend the Member for Hertsmere (Mr. Clappison) referred to prevention. That is an important issue and I suspect that, under other clauses that we shall discuss later this morning, it will be possible to comment on it further. On what my hon. Friend said, may I lay down a marker in this debate that I am especially concerned about flags of convenience?

It is very well for my hon. Friend to bring forward this important Bill, but these days, an increasing number of ships that fly flags of convenience in international waters may not be captured by the clause, despite the fact that they may cause pollution. I regret the necessity for ships to sail under flags of convenience. The matter also concerns many of my constituents and those of other hon. Members, and I hope that my hon. Friend the Minister will comment briefly on what I have just said.

My hon. Friend the Member for St. Ives also referred to the extension to bunker oil. That is a crucial part of the Bill, implementing some aspects of the 1969 convention that have not been properly tackled so far.

The clause is most welcome and long overdue, and I hope that the Bill will pass through the House with best speed.

Ms Joan Walley (Stoke-on-Trent, North): I am pleased to tell the House that the new clause has our support and I do not intend to be contentious about it.

The hon. Member for Swindon (Mr. Coombs) asked why it has taken so long for us to debate this matter and put something on the statute book. Perhaps I can give him the answer before the Minister for Transport in London replies on behalf of the Minister for Aviation and Shipping from another place.

It is simply because the Government were not prepared quickly to take on board the lessons of various oil spills, particularly those caused by the Braer. In discussing private Member's legislation concerning other issues, we continually pressed the Government, in the absence of a comprehensive measure to deal with shipping, urgently to introduce legislation to deal with those conventions.

I pay tribute to the hon. Member for St. Ives (Mr. Harris), because it is only as a result of his insistence and the fact that he was prepared to take a ready-made Bill from the Government that this legislation is going forward. Conservative Members should ask the Minister why it has taken so long and why the Government were not prepared to propose legislation in the Queen's Speech to enable us to debate the issue earlier. It is only because we have continually pressed the Government that we have got this far, but I am glad to see that we have, and that we have a possibility to make a few more amendments at this late stage.

I hope that, before the Bill completes its passage, a few more amendments will be made to tighten it up further and deal with the huge issues of pollution around our shores, about which we are all so concerned. However, I want to know whether we are prepared, not simply to pay lip service to that concern, but to do something about it.

I welcome the new clause, because it extends liability for bunker fuel, and any enhanced regime of liability for bunker fuel is welcome. However, I have a slight reservation and I wonder whether there might be an

opportunity to discuss further points that might relate to it as the Bill continues its passage before reaching the statute book.

I ask the hon. Member for St. Ives and the Minister, how can we tackle the problem—which we discussed in detail in Committee—of oil spills that do not necessarily result from an incident or major shipping disaster? When we have evidence that oil has been, perhaps even deliberately, discharged into the sea, but no one admits liability, no one can obtain compensation from anyone, because the source of that oil pollution has not been proved.

I mentioned that problem in Committee on behalf of an organisation called Care for the Wild. The Minister kindly offered me and that organisation an opportunity to discuss the problem in more detail with the Minister for Aviation and Shipping, but nothing constructive resulted from those discussions. The Minister for Aviation and Shipping was not prepared to take on board the significant problems that confront us when oil pollutes our shores.

Earlier this year, when there was a considerable oil spill off the coasts of Northern Ireland and western Scotland, voluntary organisations, including the Royal Society for the Protection of Animals and its Northern Ireland counterpart, the Royal Society for the Protection of Birds and Care for the Wild, all helped with clean-up operations, but they could not prove the source of the oil that was killing so many animals and birds. For that reason, this new clause, welcome though it is, does not go far enough.

I am sure that all hon. Members who have spoken this morning, paying lip service, genuinely wish to prevent further pollution to Southport or wherever else it might be, but if they want to ensure that we have found a way of dealing with those issues, they must accept that there will be instances when the source of the pollution cannot be proved and that we have to take precautionary action to prevent further damage as a result of that contamination.

For those reasons, I shall listen carefully to what the Minister has to say. I welcome the amendment as far as it goes, but I put on record the fact that I shall look to my learned Friends in another place to see whether, even at this late stage, we can make the new clause watertight.

The Minister for Transport in London (Mr. Steve Norris): I congratulate my hon. Friend the Member for St. Ives (Mr. Harris) on the way in which he moved the new clause, which continues the fine tradition that he has already established in the way in which he brought forward the Bill and took it through its earlier stages. He is doing the House and, more important, his constituents and constituents of all Members for coastal constituencies and others, a great service.

My hon. Friend the Member for Swindon (Mr. Coombs) was right to say that there is no reason why those of us who do not have coastline in our constituencies should feel divorced from a measure such as this, because concern for the environment necessarily extends throughout the country and internationally. That is entirely as it should be.

We welcome the amendment. My hon. Friend the Member for Hertsmere (Mr. Clappison) was right to concentrate on strict liability, because at present only owners of laden oil tankers are strictly liable for damage resulting from an oil spill. My hon. Friend is right—I defer to his professional understanding of the subject—that the business of trying to prove liability, and having to muddy the waters in relation to negligence and so on, is extraordinarily complex.

Were it not so, my hon. Friend and many of his friends in this place on both sides of the House would not earn the large salaries they do—long may it continue. However, although I am all for my hon. Friends earning a great deal of money in the law courts as they discuss angels dancing on pinheads, there is a practical reason why, in this sector, it simply is not good enough. I shall expand, to present practically what is happening here.

10.15 am

Let us suppose that a ship is identified. I am advised that it is often identified because, for example, a bird such as those for whom the hon. Member for Stoke-on-Trent, North (Ms Walley) is rightly anxious—I will discuss the detail of her amendment later—is washed up on the shore, covered in oil. That is evidence that something has happened out at sea.

As few vessel masters are keen to own up unilaterally to the fact that an accident has happened or, more cynically, that a deliberate discharge has been made, it is probably the first evidence we have that that discharge is there and that it poses a threat. The oil slick is inexorably on the move. Understandably, in many cases it moves towards the coast, where, if it arrives at the coast unanticipated, the risks multiply considerably and include risks to coastline, to sites and to other types of wildlife.

Therefore, time is of the essence and we cannot afford to put in the minds of those people who might be at risk the idea that they may not wish to incur expenditure, because, if there is any way in which the identified polluter can avoid liability, the likely recipients of the problems, will be left picking up the bill. That is a significant risk when the sums involved can run into many hundreds of thousands of pounds.

My hon. Friend the Member for St. Ives mentioned the unpronounceable vessel, which he made a gallant attempt to define—I shall not attempt to second-guess him lest my attempt is even more ludicrous—and referred to the fact that the incident involved expenditure of £650,000. One does not willingly incur expenditure of that magnitude.

My hon. Friend the Member for Hertsmere was right to say that strict liability should not be used unless there is an overwhelming public interest case for doing so, because that concept determines that the vessel is liable even though there may not even have been negligence; the incident may have been caused by accidents alone. If one employs a principle of that type—the intervention of my hon. Friend the Member for Hertsmere was extremely useful—one has to be careful about the way in which one does it.

Let me make it clear that the 1992 protocol changes the 1969 liability convention to make shipowners liable for preventive measures. My hon. Friend the Member for St. Ives was right to say that the amendment is consistent with another important principle, which I believe that the House will accept, that the polluter should pay. That is, in a sense, what overrides the difficulty that one might otherwise have of moving from provable to strict liability, because where else should the burden lie?

One of the inherent risks that it is not unreasonable to ask any transporter of fuels, or any vessel carrying such fuels, to undertake is the risk of escape, just as we routinely insure businesses, motor cars, premises and ourselves against the risk of our causing third party damage.

Ms Walley: If it is not possible for the polluter to pay because it is impossible to identify the polluter, how can we deal with matters of extreme contamination and pollution?

Mr. Norris: The hon. Lady's question involves her discussions with my noble Friend the Minister for Aviation and Shipping. On occasions, no vessel is identified at the time or subsequently. In those circumstances, the cost falls either on the Government, generally in cases of offshore activity or, more often, on local authorities when the threat of pollution is likely to affect their coastal environment. There is no question—in that case, the costs are absorbed by the Exchequer, at national or local level.

The hon. Lady raised an important issue concerning the involvement of individual organisations in that exercise. I shall answer the contributions in order and deal with that later.

We welcome the new clause and amendments, because they are helpful and take the Bill an important step forward. I am grateful to my hon. Friend the Member for St. Ives for that.

My hon. Friend the Member for Swindon, in a helpful intervention, asked why we had not taken action earlier. To clarify the position, I can confirm what I am sure he would expect of one of the world's leading maritime nations—we are in the leading group of nations in terms of applying the convention. The Scandinavian countries and the Netherlands already impose strict liability for spills of bunker fuels, as does the United States. As ever, we are not at the back of the queue when it comes to implementing the convention.

I hope that my hon. Friend the Member for Swindon will not mind if I respond to his understandable impatience by saying that, as he knows, the legislative agenda is full. Last year, when we were discussing merchant shipping legislation, I assured the hon. Member for Stoke-on-Trent, North, who properly pressed for the conventions to be implemented at an early date, that we would seek an early opportunity to take action.

I hesitate to make a party political point, and I was not anticipating the need to do so, but the hon. Lady has raised the ugly spectre of the body politic, so, merely for the record, I should say that, for all the rhetoric of Opposition Members, it took the prescience of my hon. Friend the Member for St. Ives—and his good fortune in the ballot—to introduce the Bill.

The nation is indebted not to an Opposition Member, but to my hon. Friend the Member for St. Ives. There have been plenty of words from Opposition Members, but the action has come from my estimable hon. Friend.

Ms Walley *rose—*

Mr. Norris: I thought that I might provoke an intervention.

Ms Walley: I certainly would wish to pay tribute, as I have already, to the action of the hon. Member for St. Ives (Mr. Harris). I congratulate him on having managed to obtain an off-the-peg Bill, which the officials clearly had ready. I put that on record.

Given what the Minister has just said about the Opposition's rhetoric, I must ask him whether the rhetoric that we have heard from the Government about giving a commitment to British merchant shipping will mean that, when we discuss the Finance Bill, the Government will give a commitment to ensure that the measures so urgently needed for British merchant shipping are enacted.

Mr. Norris: I can happily give the hon. Lady the assurance that the package of measures recently announced by my right hon. Friend the Secretary of State for Transport—

Ms Walley: Not that one.

Mr. Norris: Those measures, which are tangible and can be delivered, are not what the Opposition want. They are what any decent Opposition—whatever else the hon. Lady is, I am sure that she is that—would want. But the Opposition, as ever, want measures that are beyond the scope of the public purse. I cannot allow myself to stray into the territory of whatever other arrangements my right hon. Friend the Secretary of State might make for the good order of the Merchant Navy and our merchant fleet. Were I to do so, you, Madam Deputy Speaker, would call me to order. It would not be appropriate to do so now, but it would be a good debate for another time.

I would not dream of suggesting that every word of the Bill was not that of my hon. Friend the Member for St. Ives, had not the hon. Member for Stoke-on-Trent, North let the cat out of the bag. As the cat is running around the Floor, I should make it clear that the Bill is further evidence of the Department's willingness to assist and to take an early lead.

It was not difficult to persuade my hon. Friend, because he is an hon. Member who understands matters maritime. It is not the first time that he has urged improvements in maritime legislation, particularly related to the shipping industry in which he is an expert, to the benefit of the nation.

Mr. Hugh Dykes (Harrow, East) *rose—*

Mr. Norris: My hon. Friend has an interest in matters related to shipping and the North sea, and I shall give way.

Mr. Dykes: It is important for us to reflect that the Bill, which is so well drafted, is the result of a brilliant incandescent explosion between my hon. Friend the Member for St. Ives (Mr. Harris) and the Department. It shows that it is no Government legislation is off the peg, but an original, autonomous creation of great profundity.

Mr. Norris: The description of the measure as an original, autonomous creation of great profundity is how I should prefer to leave the matter, as a sort of tombstone to the legislation.

The subject of the number of incidents covered by the provision was also mentioned. It may surprise you, Madam Deputy Speaker—it certainly surprised me—to learn that we are talking about 20 or 30 incidents a year, which is not an insubstantial number. The business of the House on Friday morning is generally uncontentious Government business, when we deal with matters of less than earth-shattering international importance, but that is not so today. My hon. Friend the Member for Swindon was right to say that the Bill is important.

My hon. Friend the Member for Southport (Mr. Banks) represents a constituency which is directly affected by the Bill. On this occasion, the Irish sea is affected, but my hon. Friend's constituency contains an important piece of coastline with an important beach which constitutes a huge economic resource for his constituency. It would be

immensely vulnerable in the event of a maritime incident. I think that my hon. Friend the Member for Southport is aware of incidents that have affected the beach at Southport and the Lancashire coastline, and have resulted in great expense and difficulties.

My hon. Friend the Member for Southport raised the extremely important issue of vessels that either run under so-called flags of convenience or are not as well financed as those owned by the major shipping groups. His main concern, in his lucid address, was how liability might be enforced. He will know that, ironically, in terms of marine law, that is not as difficult as in other cases, because the powers of arrest mean that the authorities have something tangible that, if necessary, can be auctioned to provide the proceeds.

In limited circumstances, that does not provide the whole answer, particularly if a vessel breaks up completely so that it has only salvage value. If the vessel has no owner of substance and is registered under a flag of convenience, and there is no means of recourse, the burden falls on the public purse. However, in other circumstances, my hon. Friend's concern about the status of vessels should not detain him. That is not an impediment.

The hon. Member for Stoke-on-Trent, North asked a question related not so much to establishing who pays when an incident occurs for which we cannot attribute liability, whether strict or otherwise, but to another matter. In the meeting that she had with my noble Friend the Minister for Aviation and Shipping, she said that charities such as Care for the Wild, the Royal Society for the Protection of Birds and the Royal Society for the Prevention of Cruelty to Animals, might want to take prompt action on spills and subsequently be reimbursed by the Government.

I make it clear that, in the main, the issue does not relate to Government per se, because, as I said earlier, generally the main source of action after such incidents is the local authority. If the organisation wants to make representations to the local authority, it is able to do so.

10.30 am

My noble Friend shares with me one or two concerns that do not make it possible for us to go quite as far as the hon. Member for Stoke-on-Trent, North would like. In a sense, the first concern may sound challengeable, but it is not meant to be, because we all appreciate the good work of charities.

If I may unusually refer to you, Madam Deputy Speaker, you have some experience of animal charities. I wonder whether you and some hon. Members share my view that when an organisation that is concerned with a particular feature of life is a charity, it does not necessarily sit well with that concept for that charity to demand reimbursement from Government for its work.

That is not to say that there are not perfectly proper cases when a large charity will need to have costs reimbursed. That applies especially if it is invited to take on work that it would not otherwise be able to discharge. I have been associated with charities that have worked for Government Departments and have been reimbursed for that work. That is perfectly consistent with their general charitable aims.

The hon. Lady's proposition was that charities such as Care for the Wild should, for example, be able to pass on to the Government the cost of their work. No one denies the commitment and care of such charities, and I readily place that on the record and endorse it. The issue of who pays can be seen in another context. The National Society for the Prevention of Cruelty to Children is a perfectly good example of the fine borderline between where Government responsibility ends and charitable opportunity begins.

There is a strong feeling that it is precisely because there is such work that the charities have been set up. The hon. Lady will know that, in the Shetlands in the wake of the Braer incident, and in incidents elsewhere, some of the beneficiaries, ironically, were the charities associated with disasters in such areas. I understand that there is some dispute between the charities about who ought to benefit, and whether some charities have jumped on the back of the incident to try to exploit it to gain funds. However, that is not a debate for this place.

I am concerned that, generally speaking, it is not good practice to allow organisations or individuals to make retrospective claims for costs incurred without authorisation. If you, Madam Deputy Speaker, and the House consent, I should appreciate an intervention from the hon. Lady to clarify the subject. It is quite clear that, if we are to work in such circumstances, there must be notional authorisation in advance of the work. Almost of necessity, the work to be carried out cannot be described precisely, but we can at least set the contractual arrangements between the parties in a proper context.

While the general principle will be that charities will respond from resources raised by public subscription to the demands and challenges that such incidents present, and generally speaking on their own initiative, that is not to say that the Government would not wish fully to discharge their own obligations and employ whatever agencies were appropriate.

Ms Walley: I sense that there is not much difference between the way in which the Minister and the Opposition perceive the issue. The impression I get from him is different from that which I receive from the Minister for Shipping and Aviation.

I should like to raise two issues. First, in the context of charities, we are talking about a situation that needs not only an immediate response but some expertise. Neither the marine pollution control unit, or whatever it is now called under its executive status, nor the local authorities necessarily have the specialist expertise to respond immediately. That was why the issue was raised with me by the charities in the first instance.

Secondly, the Minister spoke about the retrospective nature of the work. I would not suggest, and have not suggested, that somehow or other we should consider an amendment that would give an open cheque book to various voluntary organisations to spend money on no one's behalf and then submit claims. Perhaps in the debate on the next amendment there will be more opportunity to debate that matter.

If the marine pollution control unit had the expertise to act quickly, we might be in a different situation. But, because it does not, we must formulate some contractual arrangements. If amendment No. 2 were accepted, the person appointed by the Government to take immediate charge in a particular situation could perhaps immediately assess it, recognise that neither the local authority nor anyone else had the expertise on hand to deal with it—

Madam Deputy Speaker: Order. The hon. Lady is making a speech. I think that she knows my view about short interventions. I am afraid that I cannot allow her to continue.

Mr. Norris: I take the hon. Lady's points. I invited her to set her concerns out more clearly and I apologise if that has embarrassed her.

I shall respond to the two issues that she raised. I am grateful that, rather unusually, more light is being shed on a subject on the Floor of the House than might have been apparent previously. It is important to accept the principle that if work is to be considered eligible for any kind of public compensation, it must have appropriate prior authorisation. I am grateful to the hon. Lady for confirming that.

I suspect that there has been some wariness about this whole issue. The understandable enthusiasm of those who are passionately committed to the protection of, in this case, wildlife—birdlife—leads them to want to act rather more quickly than is prudent in what the hon. Lady quite properly describes as emergencies. I made that point when I spoke earlier about the justification for strict liability.

I agree entirely with the hon. Lady about expertise. It is inescapable that, occasionally, a particular skill is not in the public sector or in the conventional private sector but in the charitable field. As I said, Madam Deputy Speaker, I suspect that you have some personal experience of that. I certainly do.

It follows that, if the Government are properly to discharge their responsibilities in relation to clean-up, irrespective of a subsequent ability to transfer liability for the costs, occasionally such work will need to be carried out. The Department has not been backward in that respect. Substantial expenditure has been incurred in clean-ups of one sort or another where wildlife has been affected. I am grateful to the hon. Lady for raising those issues during this helpful exchange.

I will draw our exchanges to the attention of my noble Friend the Minister and ensure that full account is taken of them. If necessary, discussion with the hon. Lady can continue, to what I am sure will be a fruitful conclusion. We are referring not to a particular incident but to a general and helpful principle.

This has been a useful debate on key amendments to the Bill that the Government wholly welcome. I reiterate my congratulations to my hon. Friend and gladly commend the amendments to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 2

MARINE POLLUTION INCIDENT CONTROL MANAGER

'(1) The Secretary of State may appoint, and make provision in relation to the functions and powers of, a marine pollution incident control manager in respect of any specific incident or incidents.

(2) Without prejudice to the generality of subsection (1) above, the functions of the marine pollution incident control manager shall include the taking, promoting or co-ordinating of measures to reduce and minimise the effects of a specified incident or incidents.

(3) In the exercise of the functions conferred by subsection (1) above, the marine pollution incident control manager may ask the Secretary of State to give directions to specified local authorities or to the owner of any ship to or in which an accident has occurred, and the Secretary of State may give such directions if he thinks fit.

(4) It shall be the duty of any authority or owner to whom such a direction is given to comply with it.'.—[*Mr. Merchant.*]

Brought up, and read the First time.

Mr. Piers Merchant (Beckenham): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this we may discuss the following amendments: No. 5, in clause 6, page 4, line 6, after 'taking', insert 'promoting'.

No. 6, in page 4, line 18, at end insert—

'(e) the preparation and maintenance of a marine pollution emergency plan in consultation with such shipping and local authority interests as the Secretary of State may consider appropriate.'.

No. 7, in page 4, line 18, at end insert—

'(f) the publication of annual report on marine pollution control which shall be laid before both Houses of Parliament.'

Mr. Merchant: The new clause and amendments are intended not to be hostile to the Bill, but to strengthen it without altering its intention or emphasis. I am most supportive of the Bill and take this opportunity to congratulate my hon. Friend the Member for St. Ives (Mr. Harris) on piloting it through the House.

I should have liked to speak before in support of the Bill, not because I have a constituency interest—my constituency, like those of many of my hon. Friends, is landlocked—but because it is important that environmental and pollution issues are not categorised into blocs as though they have no effect on other areas. We are all affected by the environment and by pollution, whether at sea or on land, and it is in everyone's interests that the Bill should reach the statute book as quickly as possible.

New clause 2 builds on the spirit of the Bill and particularly on clause 6, which defines the Secretary of State's powers and duties. It emphasises his function of "taking, or co-ordinating, measures to prevent, reduce and minimise the effects of marine pollution."

It gives him the power to acquire, maintain, use and dispose of ships, aircraft, equipment and other property; provide necessary research and training; and liaise with other bodies.

The Secretary of State is not expected to perform those functions personally—to roll up his sleeves, go down to the beach and start scrubbing off oil. [HON. MEMBERS: "Why not?"] At least, I do not believe that he would. He will not even go to the beach with a team from his private office, but must, to some extent, perform those functions at arm's length.

Lady Olga Maitland (Sutton and Cheam): Perhaps he will send one of his Ministers.

Mr. Merchant: Yes, no doubt he will send one of his assistants. In practice, the Secretary of State will probably operate through the marine pollution control unit, but there needs to be specific leadership, particularly, as the hon. Member for Stoke-on-Trent (Ms Walley) mentioned earlier, in the case of severe incidents.

The main thrust of new clause 2 is to ensure the absence of any confusion over who should take responsibility and provide leadership in the event of severe incidents. Subsection (1) provides for the appointment of a marine pollution incident control manager—one person specifically charged with responsibility for undertaking the functions and powers given to the Secretary of State. Subsection (2) emphasises the manager's functions in taking and co-ordinating, but also promoting, measures to

reduce the effects of an incident. That promotion is an important addition in strengthening responsibility and powers.

Subsection (3) concerns liaison with local authorities in particular, because they have an important part to play in pollution incidents. They are on the scene, are responsible for the areas that probably bear the brunt of land pollution and are more likely to be immediately aware of possible dangers and their impact on the community. Clear and effective liaison between the Government and local government is most important and I am not sure that the Bill currently caters for that. Subsection (3) will also meet some of the concerns expressed about the role of local authorities and liaison.

Subsection (4) gives the manager the authority to exercise his powers over other parties involved, because, as we all know, a number of different private and public sector organisations necessarily become involved.

10.45 am

Mr. Matthew Banks: Does my hon. Friend agree that if new clause 2 were added, it would be vital that not only local authorities but shipowners were consulted by the control manager? If an overall view is to be taken in preventing pollution, it is vital that shipowners as well as local authorities play a part.

Mr. Merchant: My hon. Friend draws attention to an important point. When pollution incidents occur, not just local authority and state institutions must be dealt with but private sector organisations—many of which are of an international character. I am glad that the major organisations representing the shipping industry are most supportive of the Bill. I believe that there will be little difficulty in ensuring such liaison, if the will is there—and I believe that it is—provided that the method adopted by the Bill is satisfactory. I am trying to ensure that.

We all know from past incidents that one of the biggest potential problems is delay between the start of the incident and its resolution. The no-cure, no-fee doctrine—which I would not condemn out of hand, because it is in many ways successful—can delay the process by which a pollution incident is resolved. I cite two incidents in particular in which delay had an important and deleterious impact. The first, many years ago, was the Penlee disaster, when arguments over the terms of the salvage delayed dealing with that unfortunate disaster. More recently, the Amoco Cadiz incident is burned in the minds of many of us because of the extensive press coverage that it received. It subsequently became clear that the ship's master had hesitated, even though tugs were present and ready to render assistance. As a result, the problems were severely compounded.

The Lloyd's open form arrangement assisted considerably by allowing for the payment of expenses and a percentage of the ship's value to salvors, and providing for a bonus to be paid to a salvor if best endeavours had been used to prevent oil from escaping from a vessel. However, the operation of that system relied, at least to some extent, on the good will and judgment of the ship's master and that might be somewhat variable, because he has to decide to enter into or sign a Lloyd's open form. The point is that if he delays until the last moment, a ship could easily founder, even if tugs are at hand to give help.

In 1981, the royal commission welcomed the open form, but added:

"However, we think that the main answer to the problem of dealing with tanker casualties in order to reduce pollution lies in the ability of Government to intervene."

My new clause and related amendments seek to deal with that.

My second concern is that of early intervention. It is very important in marine incidents and accidents for the authorities to be able to intervene at an early stage if it becomes clear to them that there is considerable danger. I refer to the beginnings of a leak, which is the most obvious display of potential risk, or, even earlier, loss of power or control over navigational instruments, and so on. That happened in the case of the Braer. In that incident, intervention was reasonably early, but one knows of cases where that did not happen and it is important to ensure that the system is so set up as to make early intervention easy, possible, legal and capable of being carried through.

My third concern is that it is important to ensure that there are enough tugs, salvage vessels and so on ready at hand, or at least available, to deal with potential incidents. That concern was raised during discussion of the Bill. My new clause and amendments seek to ensure that, by planning and doing the necessary back-up, preparation and emergency plan work, the issue is tackled and details kept of vessels that are available, where they are and how they can be brought into operation.

My fourth concern is about direct intervention. Leadership is very important. The Marine Accident Intervention Board drew that to the attention of the Government after the Braer incident. It recommended that there should be delegation to the chief officer of the marine pollution control unit and to someone on the ground at the scene who would have first-hand knowledge of events in what would be extremely tense moments when information has to be available minute by minute.

That, specifically, is what I am referring to when I propose that a manager should be appointed to deal, on the scene, with incidents and the problems that flow from them as they arise. If one likes, I am drawing on the board's recommendation.

My fifth concern is that it is important that adequate emergency plans are available in a worked-through, written, properly compiled form. It is really only an extension of the motto, "Be prepared", but local authorities and Government Departments have such emergency plans ready for a range of different, potential disasters. Over the years, after disasters have occurred, report after report has drawn attention to the need for such plans or, if they were absent, to the fact that there were no emergency plans. We should not wait for another disaster, followed by an inquiry, to learn that, had a proper emergency plan been drawn up, rehearsed and so on, with everybody knowing their responsibilities, the disaster would have been minimised. We should put one in place now. My amendments would ensure that that occurs.

I hope that my amendments will solve two other areas of concern, one of which is the problem of overlapping bodies and the lack of co-ordination. As I have mentioned, many organisations are involved and it is very important that they all liaise properly. The other is simple—the state of readiness. It is very easy for readiness to lapse if there has not been an incident for some time or if attention has never been focused on potential problems. I hope that my amendments will ensure that there is a permanent state of preparedness in potential cases of marine pollution.

[Mr. Merchant]

The solutions in my amendments aim to give the law a clearer responsibility—or allocate clearer responsibility to individuals, and clearer duties, too, and give a practical application to those. I have spoken at some length about new clause 2. I shall now speak briefly about my other amendments.

Amendment No. 5 simply inserts the word "promoting" to strengthen the practical application of the Bill, to make the Secretary of State's duty more active.

Amendment No. 6 deals with the preparation and maintenance of a marine pollution emergency plan, which should be drawn up in consultation with local authorities and shipping companies and would be ready to put into practice as soon as an incident occurred.

Amendment No. 7 deals with the publication of an annual report on marine pollution control. I have not, until now, mentioned the report, but I stress that it is important. It is not just a piece, or pieces, of paper, which is produced every year, to be consigned shortly thereafter to the waste paper basket. It is important that the public and the House should be aware of the continual problem of marine pollution—not just when we debate the issues—and that it is something that regularly happens and remains threatening. By ensuring that a report is produced every year and that all the issues are re-examined, that state of readiness will be kept at the front of people's consciousness.

I do not suggest that there is a severe problem. I do not wish to over-egg the pudding or suggest that there is a particular problem with tankers, because, if one compares the amount of oil that is lost from them, or the amount of pollution that takes place in the marine environment, with the amount that takes place on land—or in the sea as a result of incidents on the land—one sees that it is much smaller. The fact that each incident can be particularly major should not delude people into thinking that there is a vast problem across all our oceans. But, nevertheless, the problem is sufficiently severe for us continually to bear in mind the importance of keeping an eye on the problem.

An annual report would ensure that the following were continually asked. Is intervention early enough? Is there sufficient international co-operation? Some 72 per cent. of oil pollution comes from illegal dumping. What are we doing about that? Is there proper waste accounting? Are we dealing adequately with the problems of bunker oil and garbage? Is there a problem in dealing with foreign ships that are coming into, or near to, our waters? Is there a problem with foreign masters and crew? All those issues are of concern. They are all dealt with in some way by the Bill, but perhaps not entirely adequately; only time will tell. It needs regular review to ensure that.

New clause 2 and the related amendments are designed to tackle those problems as best we can. They are designed to strengthen and sharpen the Bill in practical terms, but not in any way to alter or spoil the good work for which my hon. Friend the Member for St. Ives is responsible. I hope that the House will give careful consideration to my suggestions and that it will give swift and easy passage to the remaining stages of the Bill.

Lady Olga Maitland: I extend the warm congratulations of a landlubber from Sutton to a seafaring person, my hon. Friend the Member for St. Ives (Mr. Harris), on promoting the Bill, but I also support the new clause tabled by my hon. Friend the Member for Beckenham (Mr. Merchant).

Although my constituency is landlocked, it should not be assumed that people there do not care what is happening to our coastline. In fact, it is quite the opposite because, for every person living on the coast, there are many more living inland who go to the coast as tourists to enjoy the beaches or take yachting and sailing holidays. It is a matter of great concern to us all if marine and birdlife are put at risk.

11 am

I admire the concept expressed in clause 6 that the Secretary of State should take responsibility for the co-ordination of clean-up procedures, but it does not take a great leap of intelligence to realise that it is all very well having the idea, but one then has to work out how to implement it, or the great scheme would hit the rocks before it had got under way. I am, therefore, delighted that my hon. Friend the Member for Beckenham has come up with the solution of an incident control manager.

As there are so many people involved in pollution control, it strikes me as inevitable that there could be clashes, overlaps and omissions, so it is essential that one person has control so that we can say, "The buck stops there". He would know what was happening and where. The spin-offs of such an arrangement would be innumerable. One would be speed of action and another would be the knowledge that there was someone to chase; someone who could ensure that things were going according to plan. The enormous damage that could result from a lack of effective and efficient action is enough to make us realise how important the concept of a control manager is.

I fully support amendment No. 7. It is appropriate that at the end of the year the Secretary of State should present a report to the House and the public at large on exactly how the operations worked, whether they were effective and what lessons could be learnt. It would be complacent and arrogant for anyone to assume that everything necessarily went well. A public examination would be of tremendous benefit.

I congratulate my hon. Friend the Member for St. Ives on promoting the Bill, but I also congratulate my hon. Friend the Member for Beckenham on having the foresight to try to tighten an essential clause.

Mr. Simon Coombs: I join my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) in congratulating my hon. Friend the Member for Beckenham (Mr. Merchant) on tabling the interesting new clause and associated amendments and giving the House the opportunity to discuss various matters in a little more detail. Although my hon. Friend now represents Beckenham, he used to represent Newcastle upon Tyne, Central and is, therefore, a man steeped in matters maritime to his very core.

I examined the new clause with some interest because it appeared to encapsulate a notion on which I am sure that we all agree—that speed is of the essence when dealing with any maritime pollution incident, great or small. However, I then began to ask one or two questions and perhaps my hon. Friend will wish to intervene to answer them.

New clause 2 states:

"The Secretary of State may appoint, and make provision in relation to the functions and powers of, a marine pollution incident control manager in respect of any specific incident or incidents."

The impression is that such an individual would be appointed in respect of a particular incident and would assume his duties only after the incident had occurred. We have to ask, how soon after the incident would it be possible to make such an appointment? If speed is indeed of the essence, could there be enough of a delay to lose the advantage of the manager's co-ordination efforts because he would not be able to arrive on the scene, either physically or metaphysically, on time?

Mr. Merchant: Perhaps I can help my hon. Friend. I was thinking that the person who might be appointed could be someone connected with the local authority involved, perhaps the authority's own emergency planning officer or the equivalent. That would mean that the person would already have knowledge of the scene or the locality.

Mr. Coombs: I am grateful to my hon. Friend for that intervention, which clarifies the position, but I am not sure that it necessarily leads me to give my full support to the new clause. I was going to say that there would appear to be some advantage in having a permanent incident control manager, someone who would be in a position to take responsibility for the management of an incident whenever and wherever it occurred, rather than, as my hon. Friend confirmed, appointing and giving powers to a person who happened conveniently to be in the area simply because of his role in a local authority or the immediate locality. The advantage of having someone fulfil the role who is always technically available would be that he or she would learn from experience and from one incident to another.

Such a person should have administrative expertise and the ability to cope with people. He may have a scientific or engineering background. Indeed, it is almost inevitable that such a person would be the most desirable, but he should nevertheless have administrative capabilities. We are all aware of the circumstances that can arise after an incident —the appalling chaos, fear and uncertainty. In addition, incidents often occur in bad weather when communications are down. It is important to appoint someone with the necessary strength of character and experience and the ability to deal with people as well as the technical aspects of an incident.

Where could such a person be found? Clearly, he could be found within the existing control mechanism. I am, therefore, not sure that there is any advantage in appointing a different person for each incident, because such a person would not have the experience to be gained from dealing with incidents over a long period.

I suggest that we should appoint a person on permanent stand-by, although he would of course have other responsibilities. My hon. Friend the Minister for Transport in London said that there could be as many as 20 or 30 minor incidents a year of the type that we discussed under the previous new clause. In addition, there is always the possibility of larger incidents that, sadly, occur from time to time, so such a person might be fully occupied, but he would have other duties along the lines suggested in the other amendments to which I shall refer in a moment.

Would the person appointed be based in London, which would have obvious advantages in terms of communications? Would he be based in a large city near the incident? Again, that would make sense from the point of view of communications. Or would he be expected to set up operations on the coast as near as possible to the incident? That might be advantageous in terms of dealing with the services that were needed immediately, but not necessarily from the point of view of lengthy communications. All those issues are important and I am sure that hon. Members will want to give them some consideration before we accept the new clause.

Amendment No. 6 suggests

"the preparation and maintenance of a marine pollution emergency plan in consultation with such shipping and local authority interests as the Secretary of State may consider appropriate."

I have considerable sympathy with that amendment, because it seems to fit better with my suggestion that someone should be permanently appointed to the role. An opportunity is thus given to develop expertise and to learn from one incident to another.

My hon. Friend the Minister mentioned that Holland was one of the nations that had already responded to the need to change legislation in this respect. There is an old Dutch phrase of which I know that you, Madam Deputy Speaker, will be aware, although other hon. Members may not know it. The phrase is "ek plan saln maak", which means that it is a good idea always to have a plan of what one intends to do next. My hon. Friend the Member for Beckenham is wise to suggest that we should try to learn from incidents as they occur around the world. We should not learn only from our own experience in the United Kingdom, but from incidents that occur elsewhere. The development of a plan would be extremely sensible.

Amendment No. 7 provides for an annual report to Parliament. I am always a little nervous about such reports. They can become ossified and so routine as to lose their effect. It is, I am delighted to say, the general policy of the Speaker to give hon. Members the opportunity to raise incidents that occur in or near their constituencies which are of severe public concern. That is very important. The use of a private notice question or of an Adjournment debate enables hon. Members to raise such matters when necessary. Equally, it is up to the Opposition to raise such a matter on one of their Supply days if they feel that the issues involved are important and should be discussed. There are many opportunities for hon. Members to raise such matters. I hope that my hon. Friend the Member for Beckenham will think about those before he insists that such a report should be debated regularly.

I hope that my hon. Friend the Minister has found my contribution helpful—it is intended to be so—and he was kind enough to say that he found my previous intervention helpful. I emphasise that speed is of the essence. My hon. Friend the Member for Southport (Mr. Banks) referred to an incident way back in history, in 1967—the disaster of a large ship whose name I was always taught to pronounce as the Torrey Canyon.

Mr. Matthew Banks (Southport): I did pronounce it "Torrey" Canyon.

Mr. Coombs: I heard my hon. Friend pronounce it—he has repeated the pronounciation in a sedentary intervention —as the "Tory" Canyon. This is a piece of media hype designed to suggest that the party that he and I have the honour to represent has a large split. I can assure my hon. Friend that the experts would tell him that the correct

[Mr. Coombs]

pronunciation is Torrey Canyon. He should always stick to that for fear that he will be picked up and misrepresented, especially by press hounds—if they were here.

Mr. David Harris: As the incident occurred in my constituency, may I confirm everything that my hon. Friend the Member for Swindon (Mr. Coombs) has said on the point.

Mr. Coombs: One can ask for no greater expertise than that of the local Member of Parliament. The case is proven or, perhaps I should say that it is game, set and match.

Speed is of the essence in incidents as great as that of the tragic loss of the Torrey Canyon or as relatively small, although still important, as those that we discussed earlier. I hope, therefore, that my hon. Friend the Member for Beckenham will recognise that the advantage of having someone permanently available to move quickly into action, with a well-developed plan itself based on long experience of such matters, has much to recommend it. In those circumstances, my hon. Friend might consider whether withdrawing the motion would be an appropriate way in which to move the Bill forward.

11.15 am

Mr. Matthew Banks: I am most grateful to my hon. Friend the Member for Beckenham (Mr. Merchant) for tabling new clause 2. He has done the House a great service in allowing us to debate these issues. I am not certain that I entirely agree with the new clause as it stands. I shall listen to what my hon. Friend the Minister says before I lend my whole-hearted support to it.

My hon. Friend the Member for Swindon (Mr. Coombs) may have misheard me. I pronounced the name Torrey Canyon. I remember from my Gordon Highlander days that Torry is a delightful area of council housing in Aberdeen. My hon. Friend the Member for Winchester (Mr. Malone), who was formerly the Member of Parliament for Aberdeen, South, knows Torry well.

The new clause deals with the specific matter of incidents of pollution and my hon. Friend the Member for Beckenham proposed the appointment of a manager to carry out the functions to which he referred. That manager should be able to respond quickly, at the request of the Secretary of State, to any incident and there should be a named person to take responsibility for getting things done. I referred earlier to the necessity for speedy command and control in responding to incidents. Although my hon. Friend the Member for Beckenham has made a number of important points, I think that some of the matters to which he referred are already being dealt with.

I agree with my hon. Friend the Member for Beckenham that the idea of having an annual report, as proposed in amendment No. 7, is good. I am pleased that the Secretary of State will continue to have responsibility for co-ordinating measures to prevent, reduce and minimise the effects of marine pollution. Those are general and far-reaching powers which already exist. That point goes to the heart of my concern about the new clause. General powers also exist with respect to submarine piping and offshore installations, as well as to pollution from ships. The new clause would give statutory basis, for the first time, to the Department of Transport marine pollution control unit. However, I am not sure that it is necessary for new clause 2 to be added to the Bill.

I am pleased that clause 5 implements the 1992 protocols to the 1969 international convention on civil liability for oil pollution damage and the 1971 international convention on the establishment of an international fund for compensation for oil pollution damage 1971. The clause will raise the amount of compensation that can be paid under the international oil pollution compensation fund for a single incident from £55 million to £125 million. I do not believe that such compensation will be retrospective, so the provision will not affect Braer claims, although those claims are unlikely to rise above the £55 million ceiling.

The new clause would allow the Secretary of State to appoint a marine pollution incident control manager. The manager should be able to take, promote or co-ordinate measures to

"reduce and minimise the effects of a specified incident".

If I understood my hon. Friend the Member for Beckenham correctly, the manager could ask the Secretary of State to give directions to local authorities or the owner of any ship as he thought fit. Authorities or owners would have to comply with such directions.

Amendment No. 6 provides for

"the preparation and maintenance of a marine pollution emergency plan in consultation with"

shipping interests, local authority interests and others that I have mentioned. I have already referred to the annual report.

Essentially, clause 6 reiterates the powers that the Secretary of State already possesses. That goes to the heart of why I am uncertain whether new clause 2 should be added to the Bill. Sections 12 to 16 of the Prevention of Oil Pollution Act 1971 empower the Secretary of State for Transport to deal with oil and chemical pollution in United Kingdom waters and to intervene if a ship threatens to cause significant pollution.

The powers include sinking or destroying a ship. However, the powers apply solely to United Kingdom waters. In practice, clean-up operations are already directed and controlled by the marine pollution control unit to which I have already referred. That unit is part of the Department of Transport and was set up, with great foresight, way back in 1979.

Although I await the comments of my hon. Friend the Minister, it seems that the Government are likely to believe that the new clause is unnecessary as there would be a duplication of function in relation to work that is already undertaken by the MPCU. The MPCU has special responsibility for oil spills and is dispatched to an incident to co-ordinate and direct operations.

I am aware of the concerns of my hon. Friend the Member for Beckenham, who referred to these matters. However, in relation to the Braer incident, the MPCU's chief scientific officer flew with a colleague very quickly to the location where pollution was occurring. I pay tribute to that swift action, which underlines the fact that the concerns expressed by my hon. Friend the Member for Beckenham are already being addressed satisfactorily.

The MPCU has a national contingency plan. While it is vital that we should monitor constantly how that plan is working and make changes where appropriate, the

Department of Transport and the MPCU already have such a plan which, as I have said, was set up with great foresight some years ago.

The MPCU and the contingency plan were set up to operate as part of the coastguard service and have remote sensing facilities to detect spills. The MPCU owns eight aircraft and has a stockpile of dispersants, cargo transfer equipment, vessels, breathing apparatus, suits and so on. Half that stockpile is intended to deal specifically with oil spills and pollution. The other half is for chemicals. The equipment is operated and maintained by a private sector contractor. The unit also has ships' engineers and seamen. Therefore, there is already a firm foundation within the Department and the unit to deal with such difficulties.

I have been unable to trace any published views on the need for a marine pollution incident control manager. Perhaps that is because the new clause is very recent. Greenpeace has told me that it does not believe that such a manager would make a great deal of difference, because what really matters is prevention rather than cure.

Greenpeace has also repeatedly called for a mandatory ban on vessels entering specific areas of coastal waters around the Minches and the Fair Isles similar to the decision taken by the Italian Government to institute a mandatory ban on tankers entering certain sensitive areas in Italian waters. The Government have the power to impose such a ban now, but I am not entirely certain that it would be right to go down that particular route. Nor have I been able to find any responses to the Bill in general other than the reports from *Lloyd's List* and the press releases from the Department of Transport.

The matters referred to by my hon. Friend the Member for Beckenham are important and I am glad that we have had an opportunity to debate them this morning. I will listen carefully to my hon. Friend the Minister when he replies to the debate because I am far from convinced that it would be right and proper, in view of what I have said and the firm foundation on which we are already building, to incorporate new clause 2 in the Bill at this stage.

Ms Walley: I will be brief as I realise that time is pressing. I congratulate the hon. Member for Beckenham on moving the new clause and I am grateful to him in two respects. First, as we are debating the new clause and amendments to clause 6, I now have an opportunity to place on the record—as I will be in order now—something that I was unable to do earlier. Precisely because of the problems experienced by the charitable organisations in working closely with the marine pollution control unit, those organisations have been very keen to amend the Bill so that, where necessary, there could be a quick response in relation to their expertise whenever a disaster strikes.

I intend to give the Minister a copy of the briefing that I have received from Care for the Wild. I hope that he will consider it seriously, as he has already indicated that he will, and take on board issues that relate to the effectiveness of the operation of the MPCU. I await the Minister's considered opinion in due course to that briefing.

Secondly, I believe that we have had a piecemeal and fragmented response to shipping. We genuinely need a co-ordinated approach to everything connected with safer shipping, including crew competence, prevention of pollution, improved facilities in ports and extra or additional facilities for state control of ports. We must consider the work of the MPCU in that wider context.

I want to share with the House the feelings that I experienced when I went up to Shetland immediately after the Braer disaster. Everyone who went up there will have a powerful image of a long line of Dakotas at the airport in Shetland in the most horrendous stormy weather. People flying into that airport would have flown over the wreck of the Braer. There were huge gales and it was impossible for the Dakotas to fly and spray down their dispersants.

That issue became a matter of great contention because of the concerns of environmental groups, especially those in Norway, about the advisability of using dispersants had the Dakotas been able to fly. Those groups were concerned about the type of dispersants. They were also unsure whether the dispersants were required to deal with the oil spill.

The lesson that we must learn from the Braer disaster is that we must have a co-ordinated response. Whoever carries out work on behalf of the Government, in whatever executive agency or in the marine pollution control unit, must have a co-ordinated approach, at the heart of which must be concern about environmental protection. It is no good having a strategy to deal with pollution if that approach causes more pollution in the long term.

The amendments give us an opportunity to consider the way in which the MPCU works and how that organisation should be at the heart of policy in relation to transport and environmental protection. I believe that we have a long way to go in that respect.

The amendments to clause 6, which raise questions about the role of the MPCU and whether someone should be appointed permanently or simply to suit the immediate needs of a particular disaster, and whether there should be an annual report in relation to pollution, would help the House to have a better understanding of what needs to be done to enhance further environmental protection. I suspect that, for reasons best known to himself, the Minister will say that he does not feel able to accept them.

Earlier, we were told that speed is of the essence. If that is so, why have we had to wait so long for Lord Donaldson's inquiry into Shetland? Whatever the reasons for the delay, I now understand that the report will be published in May this year. If the House is concerned about the issue of oil spillages and preventing them from happening—Greenpeace rightly says that that is absolutely crucial—let us have a commitment from the Minister that, whatever are Lord Donaldson's short-term, medium-term or long-term recommendations, the matter will not come back as a piecemeal or fragmented Bill but as a co-ordinated approach to British shipping, international shipping and doing what we can to prevent further pollution.

11.30 am

Mr. Harris: I am grateful to be able to follow the hon. Member for Stoke-on-Trent, North (Ms Walley) because she has been a great help in concentrating attention on the whole issue, as has my hon. Friend the Member for Beckenham (Mr. Merchant) in moving the new clause.

The hon. Lady chided the Government for approaching the matter in a piecemeal way. Indeed, she has voiced that criticism on a number of occasions, including in the Standing Committee that considered the Bill. I have sympathy with what she says. However, it is almost inevitable that there will be something of a piecemeal

[Mr. Harris]

approach because these matters are not solely within the control and command of the House, or, indeed, the Government.

Shipping is an international business and, therefore, many of the decisions that are taken, and many of the legislative proposals, must have their roots in international conventions. We all know that the International Maritime Organisation spends a considerable amount of time considering the issues. It must inevitably do so over a long period, for the sole reason that, in order to make the decisions and proposals work on an international basis, it must get agreement. The whole purpose of many parts of my Bill is to implement such international agreements. Despite the hon. Lady's criticisms, it is to some extent inevitable that such matters are dealt with stage by stage.

The hon. Lady mentioned Lord Donaldson's report on the Braer disaster. When disasters come about, we learn lessons from them and respond accordingly. We all look forward to Lord Donaldson's report in May. As one who gave evidence to the Committee, I do not think that Lord Donaldson can be criticised for his thorough approach to a complicated set of circumstances. If he had produced a rushed report, the hon. Lady would have been justifieid in being the first to criticise him for doing so. We wait with interest to read what Lord Donaldson says in his report which, the hon. Lady said is likely to be published in May; I also understand that to be the case. Inevitably, further measures will need to be considered by the IMO and subsequently by the House. I am afraid that, despite the hon. Lady's plea, there will be a piecemeal element in the whole matter.

Let me return to the new clause and amendments tabled by my hon. Friend the Member for Beckenham. I share the views of my hon. Friend the Member for Southport (Mr. Banks) on that matter. If my hon. Friend the Member for Beckenham examines the Bill, he will note that a number of the clauses specifically address his points. He referred to the Penlee disaster, which of course occurred in my constituency, and rightly drew attention to the suggestion made at the time that there was an element of delay in reaching the salvage terms. The main purpose of the Bill is to give effect to the international convention on salvage, so that issue is addressed.

Similarly, the main purpose of other parts of the Bill is to implement in the United Kingdom the international convention on oil pollution preparedness, response and co-operation. Once again, precisely those issues are dealt with in my hon. Friend's proposals. I suggest, therefore, that there would be a certain amount of duplication if the House were minded to adopt the new clause and the amendments.

The Minister will undoubtedly speak at some length about the role of the marine pollution control unit and the lead that that organisation specifically takes both in drawing up plans for dealing with potential disasters and in acting as the executive agency of the Secretary of State. Having listened with great care to the points made by my hon. Friend—I am grateful to him for enabling us to debate the issue—it is my view that these important issues are addressed by either existing arrangements or, indeed, provisions in my Bill.

Mr. Norris: I am grateful to my hon. Friend the Member for Beckenham (Mr. Merchant) for tabling the new clause. I suspect that he gets his marine knowledge not so much from his previous experience as the Member for Newcastle-upon-Tyne, Central but more from being the direct neighbour of my hon. Friend the Member for Croydon, South (Mr. Ottaway) who, as we all know, is probably the only hon. Member in the House who can make a speech unaided by a detailed brief. It may even explain the expertise of my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland). As there is more self-congratulation going around the House this morning than at the average meeting of the old Soviet Communist party, we might impose a self-denying ordinance on future congratulations to each other. [HON. MEMBERS: "Hear, hear."] If my hon. Friends insist, I shall continue to congratulate them all.

Suffice it to say that my hon. Friend the Member for Beckenham has raised an important issue. One or two of his points are worthy of some exploration, although I hope that I can persuade him that the amendments are generally already anticipated—or the thrust of them is already anticipated—in the Bill.

I shall deal first with the new clause, which effectively duplicates the duties and responsibilities, as one or two of my hon. Friends said, that were assigned to the dedicated unit that was set up in 1978 to exercise the responsibilities of the Secretary of State for Transport for these matters. Just to be clear, the unit is the marine pollution control unit, which is part of the Coastguard Agency, which is in turn an executive agency of the Department of Transport. Incidentally, that answers the question raised by my hon. Friend the Member for Swindon (Mr. Coombs), who referred to the need to respond quickly to such incidents. My hon. Friend can be assured that the speed of response is such that the MCPU is ready to deal on an hourly basis, rather than a daily basis, with the sort of emergencies that occur.

The MPCU has specific responsibilities for planning contingency arrangements, ensuring that they are properly planned and taking charge of operations to do with pollution at sea. My hon. Friend the Member for Southport (Mr. Banks) mentioned the equipment that the unit has at its disposal: aerial dispersant spraying resources, remote sensing surveillance aircraft, sea-borne dispersant spraying resources, stocks of the relevant chemicals, mechanical recovery resources, cargo transfer resources, and so on. In a major spill, the MPCU is responsible both for directing at-sea operations and for co-ordinating the shoreline response.

The MPCU already has a marine pollution incident control manager in the sense that the control and direction of the response to an incident is under the overall control of the chief executive of the Coastguard Agency. In his absence, the responsibility falls to the director of the MPCU. Therefore, the new clause is unnecessary. The MPCU already has responsibility for directing operations in an incident and has powers of direction which apply to ship owners, masters and salvors.

My hon. Friend the Member for Beckenham mentioned the role of local authorities. The power to direct local authorities would, I am advised, go further than is considered necessary. I am happy to place on record the fact that the arrangements with local authorities generally are felt to work extremely well. My hon. Friend was entirely right to make the point that the local authority is often the key, and perhaps that is not appreciated enough. That means that local authorities themselves must do a

great deal of planning. The general feeling is that the incentive for that would perhaps be thought to come from the Department or from the marine pollution control unit. There is no such demand and they are quite satisfied that the present arrangements work well.

I will comment briefly on the other amendments tabled by my hon. Friend. Amendment No. 5 adds promotion to the concept. There would no point in the Secretary of State's having the functions that he has if they were not automatically promoted as such using existing procedures. Local authority training already provides a ready platform for promotion, and an important part of the MPCU's function is to prepare for marine spills by making contingency plans to deal with oil pollution. I emphasise to my hon. Friend that that is covered by the wording of the existing clause. I understand that these are probing amendments because that has been the nature of the debate; I merely wish to assure my hon. Friend that I do not think that they are a necessary addition to the spirit of the Bill.

Similarly, with regard to amendment No. 6, I do not think that I have heard it mentioned specifically, but it may be clear that the MPCU is already responsible for the preparation and maintenance of the national contingency plan, which was developed by the Government in consultation with all the necessary interested parties, including shipping and local authority interests.

The MPCU sets out the arrangements for dealing with pollution arising from spillages of oil and other hazardous substances from ships into the marine environment. I could outline to the House at length the fundamentals of the plan, but, quite frankly, I do not intend to do so in view of the time. I simply say to my hon. Friend that, as he would expect, it comprehensively deals with all the issues.

My hon. Friend the Member for Swindon said that one must be prepared to anticipate, but when one is dealing with disasters what is likely to happen is not easy to anticipate. That point was also made by the hon. Member for Stoke-on-Trent, North (Ms Walley).

Lastly, I will refer to the publication of the annual report. With the establishment of the Coastguard Agency, which incorporates the MPCU and the coastguard, we move on from the past arrangements whereby the MPCU's activities, including key performance indicators, targets and results were published in the annual report of the now-defunct marine emergencies organisation.

Within the Coastguard Agency, we will now publish a business plan, a framework document, a corporate plan and a charter standard statement for the agency so that, in effect, the work of the MPCU is under the spotlight as it has never been before. There will be a more comprehensive look at the work of the unit than was available under the old arrangements. I hope that my hon. Friend will accept that there is no need for a separate annual report.

As any fair and objective observer would agree, the hon. Member for Stoke-on-Trent, North, has been conscientious in pressing many of these matters. My hon. Friend the Member for St. Ives (Mr. Harris) paid a perfectly handsome and deserved tribute to the work that she has done. However, in my view, the hon. Lady missed the target in her reference to Lord Donaldson. My hon. Friend the Member for St. Ives was right to say that we wanted a thorough report from Lord Donaldson which went wider than merely describing what happened in the incident. Accidents are by definition sui generis—they never recur in exactly the same way.

11.45am

It is important, and the hon. Lady was among those who properly pressed for this, that we looked at some of the ramifications of Braer and some of the issues to which it gave rise in connection with the practice and anticipation of the emergency arrangements. We could then determine whether any future action was required. I merely say—in the interests of time, I will not detain the House—that the timing of the report was, therefore, for Lord Donaldson. The Government applied no pressure to him in terms of bringing forward an early report because to do so would have been massively counter-productive. I was surprised by the hon. Lady's comments.

Ms Walley *rose—*

Mr. Norris: I suspect that the hon. Lady may wish to reiterate her earlier point and ask for an assurance that all action will be taken in one Bill. My hon. Friend the Member for St. Ives said that that was a matter for us to consider after we see what arrangements Lord Donaldson comes up with.

Ms Walley *rose—*

Hon. Members: Give way.

Mr. Norris: Given the urgings from the hon. Lady's gallant hon. Friends who are here massed for the exciting proceedings that are yet to follow, I will of course give way.

Ms Walley: I simply wish to make it clear to House that of course we need a comprehensive inquiry and comprehensive legislation to follow it. I would be the first to agree with that, and I have called for it. The point that I sought to make was that concerns were expressed at the time that the Government should ensure that the inquiry could be as wide as possible, given the important consequences and long-term implications of the Braer disaster. I simply wish to put that straight for the record.

Mr. Norris: In so far as that is a modestly uncontentious statement, I do not have a great deal of difficulty in agreeing with it. I wish to emphasise, because the hon. Lady asked a specific question, that I understand that Lord Donaldson's report will be published in May, as my hon. Friend the Member for St. Ives said, although I repeat that that is a matter for Lord Donaldson. When he does so, my right hon. Friend the Secretary of State will reflect on what he says. Clearly, I cannot anticipate any of the conclusions that my right hon. Friend may reach and I know that the hon. Lady would not expect me to. With that, I thank my hon. Friend the Member for Beckenham for instigating a useful debate, but I ask him to consider withdrawing the motion.

Mr. Merchant: I will be brief, because I know that the House wishes to consider other business. We have had a thorough debate on the amendments, for which I am grateful. I noted my hon. Friend the Minister's remarks about our self-congratulations being similar to those of the old Soviet Communist party. I am also mindful of the rather permanent fate that awaited those who began to slip into dissension, as there were indications that I was possibly becoming a dissenter. I take the point, but I will take the risk of thanking the hon. Member for Stoke-on-Trent, North (Ms Walley) for her supportive words.

[Mr. Merchant]

I listened carefully to my hon. Friends the Members for Swindon (Mr. Coombs) and for Southport (Mr. Banks) and I understand the reservations that they expressed. I also felt suitably chided by my hon. Friend the Member for St. Ives. I listened carefully to my hon. Friend the Minister and, in his usual persuasive and knowledgeable way, he dealt with the underlying concern that prompted my amendments and the new clause. I am, therefore, happy to leave matters in his hands and I am sure that he and my right hon. Friend the Secretary of State will in that spirit ensure that the Bill is rigorously enforced when it passes through the House. I am sure that they will bear in mind the various points that I raised and which gave rise to my amendments. I do not in any way wish to cause the Bill to pass through stormy waters at this stage because, as I said, it is an excellent step forward. I do not want to minimise its effect in any way and, for that reason, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 3

EXTENSION OF RIGHTS OF FUND BY SUBROGATION

'.—(1) In section 8 of the Merchant Shipping Act 1974 (Acquisition by International Fund of rights of recipients of payments made by the Fund in cases of oil pollution damage)—

(a) for subsection (1), there shall be inserted the following subsection—

"(1) In respect of any sum paid by the Fund as compensation for pollution damage the Fund shall acquire by subrogation any rights in respect of the damage which the recipient has (or but for the payment would have) against any other person,"; and

(b) subsection (3) shall be omitted.

(2) The amendments made by subsection (1) above apply in relation to payments made by the Fund after this section comes into force.'—*[Ms Walley.]*

Brought up, and read the First time.

Ms Walley: I beg to move, That the clause be now read a Second time.

Madam Deputy Speaker: With this it will be convenient to consider the following amendments: No. 8, in schedule 3, page 16, line 41, at end insert—

'1974 c. 43.	Merchant Shipping Act 1974.	Section 8(3).'

No. 9, in schedule 3, page 16, line 42, column 3, at beginning insert—

'In Schedule 4, paragraph 21(b).'

Ms Walley: I move the new clause with some pleasure and sincerely hope that it is supported by the hon. Member for St. Ives (Mr. Harris) and the Minister responsible for shipping.

This morning, we have heard a lot about many different shipping incidents that resulted in improvements in ship safety and prevented similar disasters. We have heard references to the Torrey Canyon disaster. The Bill was introduced by the hon. Member for St. Ives and is not part of the Government's legislative programme. The new clause and amendments were tabled because of the Braer disaster in the Shetlands. Everyone involved thought that no matter what damage was done and the extent to which it could be cleared up—we were relieved that so much of it was cleared up—we should learn from the experience and ensure that necessary changes were made at the first opportunity, including ratification of the IMO conventions.

I should like to think that what we are doing here today is the latest in a long line of improvements. I am thinking especially of a disaster that took place 82 years ago today. While I am speaking, Ball Green primary school in my constituency is holding a remembrance service because so many lives were lost when the Titanic sank on her maiden voyage from Southampton to New York. The fact that those primary school pupils are learning the lessons of that historic disaster makes it even more important for us to learn from history and from what happened in the Braer disaster. For that reason, I am pleased to bring the new clause and amendments to the attention of the House.

The new clause is largely technical and is designed to help the International Oil Pollution Fund to continue to pay compensation quickly to the victims of oil spillages. It removes an inconsistency between the practice of the fund and domestic legislation, by giving the fund the right to recover any compensation that it pays when it is not legally obliged to do so.

It is vital that victims of oil spillages receive compensation as promptly as possible, as it helps to safeguard local communities and jobs from the economic effects of an incident—that is what happened with the communities in the Shetlands. The fund recognises the fact that it is vital and endeavours to minimise delay in the payment of compensation. It does not wait for proof of liability from the shipowner or other parties, which could take months or years. Neither does the fund wait for shipowners or others to pay compensation up to the limit of their liability before it makes payments.

Unfortunately, the fund's commendable policy of paying victims rapidly could, in certain circumstances, give rise to difficulties in recovering the money from liable parties. The new clause would remove that possibility and has arisen as a result of our constructive debate in Committee, when the Government recognised that further improvements could be made to the Bill.

It may be helpful to the House if I explain the legislative background. Compensation for damage caused by oil spills from laden tankers is governed by two international conventions—the 1969 international convention on civil liability for oil pollution damage and the 1971 international convention on the establishment of an international fund for oil pollution damage.

The 1969 convention governs the liability of tanker owners for such damage. The convention lays down the principle of strict liability for tanker owners and imposes a system of compulsory liability insurance. Shipowners are normally entitled to limit their liability. The extent of the limit is linked to the tonnage of the ship. For example, the limit on the liability of an owner of a 50,000 tonne ship is about £6.3 million. After the entry into force of the 1992 protocol to the 1969 liability convention, the limit will be about £20.8 million.

The 1971 convention provides a regime for compensating victims when the compensation available under the 1969 civil liability convention is inadequate.

There are rare circumstances in which the compensation available from shipowners may not be adequate. They are exempt from liability when the damage results from an act of war or a grave natural disaster, when it is wholly caused

by sabotage perpetrated by a third party or when it is wholly caused by the failure of authorities to maintain navigational aids.

Shipowners may also be unable to meet their financial obligations, although the requirement for compulsory insurance for laden oil tankers should make that unlikely.

The fund is most often called into play when it is clear that the cost of compensation is, or is expected to be, greater than the limit on the shipowner's liability. The precise division of financial responsibility between the fund, the shipowner and any other liable parties may not be clear immediately following an oil spillage. However, victims cannot usually wait for that to be resolved. Compensation for lost income is often needed quickly if further economic hardship is to be avoided. That is the important point and it is why the fund developed the practice of paying compensation before the question of liability had been resolved. That practice was important in compensating salmon farmers in the Shetlands, for example, and we must appreciate its importance.

The wording of the 1971 convention gives the fund the right of subrogation. When the fund compensates victims for oil pollution damage, it obtains the right to reclaim compensation from the shipowner if it is proved that he or she is liable. However, there is some ambiguity about when the right may be exercised. The 1971 convention could be interpreted to mean that the fund can subrogate the rights of claimants only if payment was made after the fund's liability had been established. The new clause makes it clear that the right can be exercised irrespective of when the payment was made.

After the Braer incident, the fund acted very quickly to compensate victims of the resulting pollution. It was under no legal obligation to act so quickly. Fortunately, in that case, it was able to obtain an undertaking from the shipowner, but that may not always be the case.

For that reason, we want to ensure that the safeguards will be available. If we are to ensure that the fund can continue to act in such a way, the ambiguity that I described must be resolved and we now have an opportunity to do so. The new clause will achieve that and reaffirm our commitment to the marine environment and compensation for the victims of oil pollution and I commend it to the House.

Mr. Harris: I warmly welcome the new clause tabled by the hon. Member for Stoke-on-Trent, North. As she said, she drew our attention to the problem in the Standing Committee and I am glad that she has tabled the new clause to deal with it.

I hope that the House will feel able to adopt the new clause. The hon. Member for Stoke-on-Trent, North mentioned the Braer disaster and the workings of the fund in regard to that tragedy. I understand that the fund has paid out no less than £26 million to deal with the consequences of that disaster, and I welcome the hon. Lady's brief words on the subject.

Mr. Norris: I am grateful to the hon. Member for Stoke-on-Trent, North (Ms Walley) for presenting some useful amendments that will, happily, set right an anomaly in the Bill. I agree entirely with her remarks and it is useful that the Bill should be improved in that way. I commend the new clause to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Amendment made: No. 4, in clause 6, page 4, line 39, leave out 'an' and insert 'any'.

New schedule—*Extension of strict liability for oil pollution by ships*—

PART I

AMENDMENTS OF THE 1971 ACT

1. After section 1 of the 1971 Act there shall be inserted the following section—

"Liability for oil pollution in case of other ships.

1A.—(1) Where, as a result of any occurrence, any oil is discharged or escapes from a ship other than a ship to which section 1 of this Act applies (that is to say a ship carrying a cargo of persistent oil in bulk), then (except as otherwise provided by this Act) the owner of the ship shall be liable—

(a) for any damage caused outside the ship in the area of the United Kingdom by contamination resulting from the discharge or escape; and

(b) for the cost of any measures reasonably taken after the discharge or escape for the purpose of preventing or minimising any damage so caused in the area of the United Kingdom by contamination resulting from the discharge or escape; and

(c) for any damage so caused in the area of the United Kingdom by any measures so taken.

(2) Where, as a result of any occurrence, there arises a grave and imminent threat caused outside a ship other than a ship to which section 1 of this Act applies by contamination resulting from a discharge or escape of oil from the ship, then (except as otherwise provided by this Act) the owner of the ship shall be liable—

(a) for the cost of any measures reasonably taken for the purpose of preventing or minimising any such damage in the area of the United Kingdom; and

(b) for any damage caused outside the ship in the area of the United Kingdom by any measures so taken;

and in the subsequent provisions of this Act any such threat is referred to as a relevant threat of contamination.

(3) Where—

(a) as a result of any occurrence, a liability is incurred under this section by the owner of each of two or more ships, but

(b) the damage or cost for which each of the owners would be liable cannot reasonably be separated from that for which the other or others would be liable,

each of the owners shall be liable, jointly with the other or others for the whole of the damage or cost for which the owners together would be liable under this section.

(4) The Law Reform (Contributory Negligence) Act 1945 and, in Northern Ireland, the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948 shall apply in relation to any damage or cost for which a person is liable under this section but which is not due to his fault, as if it were due to his fault.

(5) In this section "ship" includes a vessel which is not sea-going."

2. After section 2 of the 1971 Act there shall be inserted the following section—

"Exceptions from liability under section 1A.

2A. No liability shall be incurred by the owner of a ship under section 1A of this Act by reason of any discharge or escape of oil from the ship, or by reason of any relevant threat of contamination, if he proves that the discharge or escape, or (as the case may be) the threat of contamination—

(a) resulted from an act of war, hostilities, civil war, insurrection or an exceptional, inevitable and irresistible natural phenomenon; or

(b) was due wholly to anything done or omitted to be done by another person, not being a servant or agent of the owner, with intent to do damage; or

(c) was due wholly to the negligence or wrongful act of a government or other authority in exercising its function of maintaining lights or other navigational aids for the maintenance of which it was responsible."

3. After section 3 of the 1971 Act there shall be inserted the following section—

"Restriction of liability for oil pollution.

3A.—(1) Where, as a result of any occurrence—

(a) any oil is discharged or escapes from a ship to which section 1A of this Act applies, or

(b) there arises a relevant threat of contamination,

then, whether or not the owner of the ship in question incurs a liability under section 1A of this Act—

(i) he shall not be liable otherwise than under that section for any such damage or cost as is mentioned in it, and

(ii) no person to whom this paragraph applies shall be liable for any such damage or cost unless it resulted from anything done or omitted to be done by him either with intent by him to cause any such damage or cost or recklessly and in the knowledge that any such damage or cost would probably result.

(2) Subsection (1)(ii) of this section applies to—

(a) any servant or agent of the owner of the ship;

(b) any person not falling within paragraph (a) above but employed or engaged in any capacity on board the ship or to perform any service for the ship;

(c) any charterer of the ship (however described and including a bareboat charterer), and any manager or operator of the ship;

(d) any person performing salvage operations with the consent of the owner of the ship or on the instructions of a competent public authority;

(e) any person taking any such measures as are mentioned in subsection (1)(b) or (2)(a) of section 1A of this Act;

(f) any servant or agent of a person falling within paragraph (c), (d) or (e) above.

(3) The liability of the owner of a ship under section 1A of this Act for any impairment of the environment shall be taken to be a liability only in respect of—

(a) any resulting loss of profits, and

(b) the cost of any reasonable measures of reinstatement actually taken or to be taken."

4. In section 9 (extinguishment of claims), after the words "section 1" there shall be inserted the words "or 1A".

5. In section 15 (liability for cost of preventive measures where section 1 does not apply)—

(a) subsection (1) shall be omitted; and

(b) in subsection (2), for the words "this section" there shall be substituted the words "section 1A of this Act".

PART II

AMENDMENTS OF THE 1971 ACT AS AMENDED BY THE 1988 ACT

1. After Section 1 of the 1971 Act there shall be inserted the following section—

"Liability for oil pollution in case of other ships.

1A.—(1) Where, as a result of any occurrence, any oil is discharged or escapes from a ship other than a ship to which section 1 of this Act applies, then (except as otherwise provided by this Act) the owner of the ship shall be liable—

(a) for any damage caused outside the ship in the area of the United Kingdom by contamination resulting from the discharge or escape; and

(b) for the cost of any measures reasonably taken after the discharge or escape for the purpose of preventing or minimising any damage so caused in the area of the United Kingdom by contamination resulting from the discharge or escape; and

(c) for any damage so caused in the area of the United Kingdom by any measures so taken.

(2) Where, as a result of any occurrence, there arises a grave and imminent threat of damage caused outside a ship other than a ship to which section 1 of this Act applies by contamination resulting from a discharge or escape of oil from the ship, then (except as otherwise provided by this Act) the owner of the ship shall be liable—

(a) for the cost of any measures reasonably taken for the purpose of preventing or minimising any such damage in the area of the United Kingdom; and

(b) for any damage caused outside the ship in the area of the United Kingdom by any measures so taken;

and in the subsequent provisions of this Act any such threat is referred to as a relevant threat of contamination.

(3) Where—

(a) as a result of any occurrence, a liability is incurred under this section by the owner of each of two or more ships, but

(b) the damage or cost for which each of the owners would be liable cannot reasonably be separated from that for which the other or others would be liable,

each of the owners shall be liable, jointly with the other or others, for the whole of the damage or cost for which the owners together would be liable under this section.

(4) The Law Reform (Contributory Negligence) Act 1945 and, in Northern Ireland, the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948 shall apply in relation to any damage or cost for which a person is liable under this section, but which is not due to his fault, as if it were due to his fault.

(5) In this section "ship" includes a vessel which is not sea-going."

2. In section 2 (exceptions from liability), after the words "section 1" there shall be inserted the words "or 1A".

3. In section 3 (restriction of liability)—

(a) in subsection (1)—

(i) for the words "to which section 1 of this Act applies" there shall be substituted the words "(whether one to which section 1 of this Act applies or one to which section 1A of this Act applies)"; and

(ii) after the words "under section 1" there shall be substituted the words "or 1A"; and

(b) in subsection (2)(e), after the words "section 1" there shall be inserted the words "or 1A".

4. In section 9 (extinguishment of claims), after the words "section 1" there shall be inserted the words "or 1A".

5. In section 15 (liability for cost of preventive measures where section 1 does not apply)—

(a) subsections (1), (1A) and (1B) shall be omitted; and

(b) in subsection (2), for the words "this section" there shall be substituted the words "section 1A of this Act",

6. In section 20(1) (definitions), in the definition of "ship", after the word "ship" there shall by inserted the words "(subject to section 1A(5))".

Brought up, read the First and Second time, and added to the Bill.

Schedule 3

REPEALS

Amendments made: No. 2, in page 16, line 38, at end insert—

'1971 c. 59.	Merchant Shipping (Oil Pollution) Act 1971.	Section 15(1).'

No. 8, in page 16, line 41, at end insert—

'1974 c. 43.	Merchant Shipping Act 1974.	Section 8(3).'

No. 3, in page 16, line 42, column 3, at beginning insert—

'In Schedule 4, paragraph 12.'

No. 9, in page 16, line 42, column 3, at beginning insert—

'In Schedule 4, paragraph 21(b).'

Order for Third Reading read.

12.1 pm

Mr. Harris: I beg to move, That the Bill be now read the Third time.

I have a deep vested interest in the Bill and maritime matters. Reference has already been made today to two disasters off my constituency—the Torrey Canyon and the Penlee disaster. Any constituency that has experienced such incidents will realise their impact. Many other disasters have been mentioned during these proceedings—that involving the Braer is uppermost in our minds. I am grateful to Lord Donaldson, who is conducting the inquiry on the Braer environmental tragedy, for taking on the task of sponsoring the Bill in another place, which illustrates the Bill's importance in dealing with maritime issues.

My hon. Friend the Member for Harrow, East (Mr. Dykes) chided me earlier, saying that I have not been entirely responsible for the Bill's wording. As my cover has been blown, I readily acknowledge that. In doing so, I extend my thanks to the officials who have put in an enormous amount of time in preparing the Bill. My hon. Friend also said, from his landlocked position, that the Bill was worthy but dull. I leave him to draw his own conclusions about the Bill's nature, but may I say in all modesty that the Bill is of great importance to the coastline of this country, as the accidents and tragedies that I have mentioned reveal.

Although we all know about the Braer, Torrey Canyon and Penlee disasters, many smaller accidents that cause enormous problems to the localities affected may not hit the headlines in the same way. I was struck by the figure that the Minister gave in response to my hon. Friend the Member for Swindon (Mr. Coombs). He said that there are some 20 incidents a year when oil from boats affected by new clause 1 causes tremendous environmental damage all around the coastline.

I have an interest in this matter, first, because of the constituency that I have the honour to represent, but, secondly, because I am the president of the Sea Safety Group United Kingdom, which was formed because of the number of accidents involving fishing boats in collision with merchant vessels. The group now has branches all around our coastline and connections with organisations that have sprung up as a result of it in other countries. My involvement with the group and the fishing industry has brought home to me the enormous dangers of all sorts around our coastline and in our waters.

As we have heard, our approach must, to an extent, be piecemeal because the introduction of new technology means that we are dealing with a fast developing scene and we cannot lay down, here and now, a plan that will solve all the problems in the future. We shall return constantly to the theme of sea safety and the dangers of environmental pollution.

If I had to describe the Bill, I would say that it will, we hope, do two things: make our seas safer; and make them cleaner. If it achieves those objectives, albeit in a limited and legalistic way, it will have served this country and other maritime countries. May I take this opportunity to pay tribute to the International Maritime Organisation? Because shipping is so international and a disaster in one country can affect the coastline of a neighbouring country, the IMO must take the lead in settling a number of those issues. But that does not mean that we can sit back, either as Members of Parliament or as a Government. I thank my hon. Friend the Minister for the interest that he has taken in this matter, but our Government must continue to take a leading role, as they try to do, in the IMO. With great respect to the officials, I hope that Ministers will take a more prominent role in the workings of the IMO. The day-to-day work must be left to the officials, as they are the experts. We have relied on them heavily during the passage of the Bill.

There is, however, a political role, which is where politicians come in. Our task is to focus attention on concerns and problems such as the dangers to seafarers, the improvement that must be made to the standards of manning of vessels, the training of crews, the standards that we expect, particularly of flags of convenience vessels passing through the waters off our coastline, or the effects of environmental disasters and the need to plan for them. Our role is to focus attention on those and demand action from our Government and the IMO.

I thank all my colleagues, on both sides of the House, who have taken a keen interest in the Bill. I have been impressed by the interest of the "landlubbers", as my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) described them. I am grateful to everyone who has participated in the proceedings. I hope that the Bill will go through the House of Lords speedily and reach the statute book before long. I hope that it will play its part in making our seas safer and cleaner.

12.10 pm

Mr. Dykes: A Bill such as this, which has received such massive support and been so ably presented, does not, I imagine—with your permission and approval, Madam Deputy Speaker—need a long Third Reading. Lest I cause you alarm by rising at this stage, let me explain that I do so merely to make a brief intervention to add words of support and thanks to my hon. Friend the Member for St. Ives (Mr. Harris) for the Bill that he has introduced and to correct an impression to which I think he referred in a jocular fashion—I take it as such—that I was critical or chiding; far from it; it is quite the reverse.

First, I must quickly mention that when my hon. Friend referred to his specific interest in sea safety, and safety especially along the coastlines of our great island nation, he was following in the illustrious footsteps of many people. I think especially of no less a person than Winston Churchill, when he was Navy Minister after the first world war and attended the Versailles conference with the leaders of the other victorious allied powers, including Clemenceau. As Winston was a supporter of Trinity House, the national association of lifeboatmen, he was wearing the splendid blue uniform with gold buttons of Trinity House. Clemenceau asked him—if I may use a foreign language quickly, Madam Deputy Speaker, without incurring your disapprobation—

"Qu'est ce que c'est que cette uniforme-là?"

Winston did not manage very competent French, so he replied in his usual very bad French, also getting the genders wrong:

"Je suis la frère de la Trinity."

Clemenceau could not understand the textual nature of that reply, and threw his hands up in admiration and said:

"Mon Dieu, quel influence!"

Therefore, my hon. Friend is following in a very illustrious tradition of supporting not only Trinity House, but the concept of sea safety around the coast.

That is only one reason, but one of many reasons, why, contrary to his suggestion—we were both speaking the

[Mr. Dykes]

same English language at the time—that I was critical, far from it. Quite the reverse applies. I was just referring to the galvanic explosion of talent that can occur when a Department felicitously, with all the bright and brainy civil servants, comes together with the brains and talent of my hon. Friend the Member for St. Ives in deciding that they are working together to bring a Bill forward. That is, with the able assistance of the Minister, the best example of Parliament working in a combined sense to produce a measure that is long overdue.

Therefore, many people will be very glad about the Bill's passage today. I certainly did not say on the record either that the Bill was worthy but dull. That may have been part of a light-hearted banter that is sotto voce on such occasions between friends and is simply the way of reducing the tension of jealousy and admiration that one feels for such an important measure. No other words are necessary from me except to welcome the Third Reading.

Mr. Richard Ottaway (Croydon, South): As yet another landlubber here, I have to say that not only is the Bill worthy, but it deals with circumstances that are dramatic. My hon. Friend the Member for St. Ives (Mr. Harris), who modestly said that he had little knowledge of the technical side of the matter, has shown great knowledge and expertise in the technical aspects of the Bill, possibly because, with the exception of the aptly-named skeleton coast of west Africa, his constituency has probably seen more wrecks than anywhere else in the world.

One of the best ways of preventing pollution of our coastline is to ensure that an accident does not happen and, if an accident is imminent, that a salvage operation can prevent pollution. The focus this morning has been, rightly, on the anti-pollution aspects of the Bill, but I shall focus briefly on clause 1, which introduces a complete new code of the law of salvage, which is to be widely welcomed.

The fundamental principle of salvage is "No cure, no pay." That provides remuneration on the basis of performance, but its great weakness has been that without any pay there is no cure. As my hon. Friend the Member for Beckenham (Mr. Merchant) pointed out earlier, it was the Amoco Cadiz which highlighted the weaknesses of present salvage law in that, first, one had to have an agreement to carry out an act of salvage and, in the absence of an agreement, there was no incentive to prevent pollution. The Bill remedies both situations.

In the case of the Amoco Cadiz, the ship was drifting on to the rocks and the master hesitated, to the cost of us all. There have been many attempts at reform of salvage law after the Amoco Cadiz. In 1980, Britain led the way and got the argument going. Britain was able to lead the way in the reform of salvage law because it is rightly recognised as the world centre for the resolution of commercial and marine disputes. By the by, the services provided by the City in that respect are a useful contribution to our balance of payments.

The resolving of salvage disputes focused, as early as the 19th century, around Lloyd's form, which won worldwide recognition and sets out the relationship between the salvor and the distressed property. However, it was not until after the Amoco Cadiz incident in 1980 that we broke the fundamental rule of "no cure, no pay" when the Lloyd's form, which is the commonly accepted way of resolving a salvage dispute, introduced the concept whereby the salvor of a laden tanker, even if there was no cure, would be given his expenses back in his effort to prevent pollution plus 15 per cent. If that had been in place in 1978, it probably would have provided the incentive to the salvors to save the Amoco Cadiz.

As usual, the world lagged behind Britain and it was not until 1989 that the IMO introduced the international convention on salvage, which, in effect, codifies the existing law of salvage, but with two important extra features. Those were examined in detail in Committee. Articles 13 and 14 provide that in the event that there is no satisfactory prevention of an accident, the skill and expertise of the salvor in trying to prevent pollution will be remunerated and, in the event that there is no cure, the feature that was in the original Lloyd's form of 1980 of expenses plus a percentage has now been enshrined into law, except that it is expenses plus 100 per cent.

The important feature, which I am sure will be welcomed by the Department of Transport and especially by the Minister who has taken the Bill through on behalf of the Government, with some skill and knowledge himself, is that that imposes no extra cost on the Government in rewarding salvors because the shipowners' own P and I insurance clubs—protection and indemnity—have undertaken to pay that extra expense, which is a classic example of the way in which the private sector can come up with creative solutions where the whole nation is affected.

There has been, among Admiralty lawyers, a fair amount of concern about the interaction between articles 13 and 14. There is an element of ambiguity which is probably due to the different diplomatic arguments put forward during the drafting of the convention in the International Maritime Organisation. However, my friends in the City tell me that there have been 15 cases since that concept was introduced in the Lloyd's form in 1990, none of which has caused any great problems, so that ambiguity will probably cause no difficulties.

I have, however, one fundamental complaint about the wording of the convention. One of the proudest slogans in marine law and marine history is "No cure, no pay", and this law downgrades "No cure, no pay" to the expression "a useful result", which sounds to me the sort of thing that a football manager would say on a wet Saturday afternoon after his team had lurched into a draw.

Having expressed that complaint, I know that it is a convention and that the Bill has been welcomed by everyone in the City who is concerned with the marine sector—bankers, engineers, surveyors and, last but not least, lawyers. I congratulate my hon. Friend the Member for St. Ives on introducing it.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): On a point of order, Madam Deputy Speaker. I am sorry to interrupt the debate, but can you help me? You will be aware that there were points of order earlier this morning in relation to my hon. Friend the Member for Cynon Valley (Mrs. Clwyd). I am sure that the House will be pleased to know that, as a result of Madam Speaker's intervention, my hon. Friend is now being provided with refreshment by British Coal. We are grateful to Madam Speaker for ensuring that that happened.

I have just spoken to my hon. Friend's secretary, Mrs. Jean Fitzgerald, and have had a message faxed through to me. Mrs. Fitzgerald has been trying to speak to my hon. Friend on the telephone—you, Madam Deputy Speaker,

will know that there are telephones linked to the bottom of the pit—so that the hon. Lady can carry out her parliamentary duties in relation to constituency matters. You will be aware, Madam Deputy Speaker, that even prisoners are allowed to see Members of Parliament so that they can deal with constituency matters. I should like a ruling on this. Surely it is not permissible for a publicly owned industry to frustrate a Member of Parliament in the exercise of his or her constitutional duties.

Madam Deputy Speaker: Madam Speaker dealt with the matter exhaustively at the beginning of the sitting and said that the hon. Lady had gone down the pit of her own volition. I do not think that anything can be added to that now.

Mr. Jeremy Corbyn (Islington, North): Further to that point of order, Madam Deputy Speaker. When the former Member of Parliament for Liverpool, Broadgreen, Terry Fields, was in Walton prison, he was able to make telephone calls and receive delegations of Members of Parliament to discuss parliamentary business in private. Is British Coal taking on itself powers of imprisonment over people and denying access to parliamentary colleagues?

Madam Deputy Speaker: I cannot deal further with the matter. I refer the hon. Gentleman to the points made by Madam Speaker earlier today. I have nothing to add to that.

Mr. Harris: Further to that point of order, Madam Deputy Speaker. Is not the solution simple? Cannot the hon. Lady come up to the surface and take the phone calls herself?

Mr. Sedgemore: She is trying to save jobs—

Madam Deputy Speaker: Order. I will take no further points of order on the subject.

12.22 pm

Ms Walley: As a preface to my brief remarks on Third Reading I should say that I was recently involved with a group of women who went down Trentham colliery. They were concerned to try to stop the Government closing the coal mines—

Madam Deputy Speaker: Order. That has nothing to do with the Third Reading of the Bill, to which the hon. Lady should refer.

Ms Walley: Thank you, Madam Deputy Speaker. I wish to follow your instructions and ensure that I am in order, so I shall return to the Bill.

I add my congratulations to the work of the hon. Member for St. Ives (Mr. Harris). I hope that the Bill will reach the statute book quickly. The Bill still contains some slight imperfections and I hope that, before it completes its passage through the House, we can make even more improvements to it with respect to the speedy response to disasters provided by charitable organisations—a subject which we have spent much time considering.

I also wish to mention briefly the subject of salvage tugs. I can see that the hon. Member for St. Ives nods his head. It is important that, having gone to so much trouble, salvage tugs should be available as and when needed. They must be able to make a quick response to prevent further pollution, as the Bill seeks to do.

Conservative Members, who may not have coastal constituencies—they refer to themselves as landlubbers—have said how important it is that the subject should be appreciated and understood by everybody. I endorse that view, but we must put it in a wider context and be aware of the wider issues relating to British and international shipping.

Many of the incidents that have arisen around our coasts have not arisen because British-flagged ships have been involved in disasters. British shipping has one of the best records of any country. But there has been a huge increase in the number of ships flagging out to flags of convenience which do not have the same safety provisions, whose crews are not as competent and which do not meet the same safety standards. They are meant to meet the same safety standards, but there are various question marks over whether, through port state control inspections, we can ensure that those ships are going about their business off United Kingdom shores in a proper way.

There is a huge agenda that the Government could adopt in relation to their work in the European Union and the International Maritime Organisation. The fact that ships are flagged out contributes, more than anything else, to the pollution that the Bill seeks to reduce.

Mr. Ottaway: I fully support what the hon. Lady is saying. I, too, should like many vessels to return from flags of convenience to British flags. Does the hon. Lady support the proposal of the British open register, which would probably quadruple the size of the British fleet and bring many vessels under flags of convenience within the scope of the health and safety regulations to which she referred?

Ms Walley: I am delighted to have the opportunity to respond to that question. The hon. Member has raised an issue which, more than anything else, disturbs people who are involved in British shipping. There is a difference of opinion on the subject. The Opposition have tabled an early-day motion clearly setting out their view on the proposals that, I understand, have come from the Baltic Exchange and have some support from the Department of Trade and Industry. I am not clear how much support they have from the Department of Transport. Perhaps the Minister can provide clarification when he replies to the debate.

We need to have a strong British merchant fleet, with minimum safeguards in respect of crewing, design and every other aspect of the ship's operation. There has been a huge decrease in the amount of tonnage currently under the British flag. Why? It is because our Government, unlike other Governments, are not prepared to give the support to British shipping that other Governments give to theirs. The hon. Member for Croydon, South (Mr. Ottaway) suggested that the way to solve the problem is to go ahead with the proposal for the British open register. The maritime group of Members debated that at great length only a fortnight ago. I think that the hon. Gentleman was present. All those connected with British shipping held the strong view that to do away with the British merchant fleet and the red ensign, and introduce a flag of convenience for British merchant shipping, would undermine our international role.

We must take account of what has happened to British shipping and the Government's refusal to support our shipping in the same way as other Governments have supported theirs. But the open register proposal is not the answer. Those who proposed the British open register as a solution to the problems that we face in relation to our

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merchant fleet were people who accept that the British merchant fleet has already had its day. The only thing that they are worried about is what will happen to the City of London and to ensure that it does not face further difficulties.

Mr. Ottaway: I cannot allow the hon. Lady to get away with such gross misrepresentation. She has reached an inaccurate conclusion based on false assumptions. The parliamentary maritime group was packed out with members of the trade union movement and was totally unrepresentative of British shipping.

Ms Walley: The trade union movement has done as much as anybody to fight for the British merchant fleet. It has united with the British Chamber of Shipping for the past three years in calling on the Government to take some action through the Finance Bill. I might be ruled out of order for saying to Conservative Members who support the Bill and who have coastal or land-locked constituencies or represent constituencies such as mine, that if they are concerned about British shipping they should, in addition to supporting the Bill, support the amendment that will be tabled to the Finance Bill next week. That would enable their constituents to measure the extent of their support for British shipping.

I shall return to the debate on Third Reading before I am interrupted by Conservative Members. As I have briefly sought to explain, ships that fly flags of convenience cause all sorts of difficulties for marine safety. About 6,500 foreign ships visited British ports in 1992. About 30 per cent. of those vessels were checked by Government surveyors and defects were found on 70 per cent. of them. The number of ships that had to be detained in British ports because their defects were so serious has quadrupled in the past five years.

Checks in European ports have shown that the number of ships with defects threatening their seaworthiness rose by 12 per cent. in 1992. Nearly 10 per cent. of all oil tankers inspected in 1992 had to be detained in European ports because of defects threatening their seaworthiness. In 1988, port state control inspectors found that 81 per cent. of major faults uncovered in routine safety inspections were on ships flying flags of convenience.

When all that is added to chronic oil pollution and the fact that ships are still discharging illegally, it underlines the importance of doing all that we can to improve every aspect of ship design, crewing and safety. The Bill, which will put on our statute book important international conventions, must be passed at the earliest opportunity. I look forward to that.

12.31 pm

Mr. Norris: It is sad that the last contribution by the hon. Member for Stoke-on-Trent, North (Ms Walley) was irrelevant. I cannot follow her down the general tour d'horizon. I say that to get my French on the record along with that of my hon. Friend the Member for Harrow, East (Mr. Dykes) whose effort was magnifique, mais ce n'etait pas la guerre.

The hon. Lady is entirely wrong. Her lunatic propositions are advanced exclusively by Labour party members. They say that we need a great and vibrant British merchant fleet and should encourage many ships to register in Britain, but they also say that, to protect their trade union interests, the conditions imposed on those vessels should be the most onerous in the world. It is about time the hon. Lady woke up, came down from Stoke-on-Trent and looked more closely at the reality of the world. If she did, that she might understand some of what all this is about. I am disappointed by the silliness of the hon. Lady's contribution. My hon. Friend the Member for Croydon, South (Mr. Ottaway) said that it was inaccurate and misleading. He was being generous. The Bill is about salvage and pollution.

Mr. Corbyn: Will the Minister give way?

Mr. Norris: No. We have had a long debate. The hon. Gentleman is here to talk about Antarctica and he and other hon. Members should shortly have an opportunity to do that.

Until the rather silly final speech by the hon. Lady, who co-operated in presenting the Bill, we were having a sensible debate. The progress that has been made since the Torrey Canyon, Amoco Cadiz, the Braer and other incidents in controlling and coming to terms with the new world of salvage and pollution has been impressive. The role of the International Maritime Organisation has been useful and constructive. My hon. Friend the Member for St. Ives (Mr. Harris) made that clear in his closing remarks which I thoroughly endorse. As my hon. Friend knows, the Government are fully involved in the work of the IMO and are honoured to host its headquarters which are across the river on the Albert embankment.

I am grateful for the spirit in which the Bill has been considered by all hon. Members and, as has been said often in the debate, I am grateful to my hon. Friend the Member for St. Ives for piloting—to use an appropriate maritime expression—the Bill so far.

I am not the slightest bit grateful for the intervention of my hon. Friend the Member for Harrow, East, although it was characteristically witty and illuminating. The last thing that the Bill can be called is dull. My hon. Friend the Member for Croydon, South pertinently observed that although the proceedings may not have been lively, the issues are such that when the next incident sadly occurs, it will occupy many more front pages than subjects that we routinely debate with a great deal more passion. This has been a thoroughly good morning's work and I am grateful to my hon. Friend the Member for St. Ives and to other hon. Members who have participated. I commend the Bill to the House.

Bill read the Third time, and passed.

Antarctic Bill

As amended (in the Standing Committee), considered.

12.35 pm

Mr. Jeremy Corbyn (Islington, North): On a point of order, Mr. Deputy Speaker. I am surprised that today has been chosen for the Bill's Report stage and Third Reading because the Kyoto conference is still considering many items relating to relevant Government policy.

I had mistakenly assumed that the Report stage would be timed to allow the appropriate Minister to report on the British delegation's participation in the Kyoto conference and its outcome. In Committee, it was indicated that would be the case. The Report stage is today rather than on the date originally mooted, of 29 April. I should be grateful for your guidance, Mr. Deputy Speaker, and to know whether a Minister will make a statement on the Kyoto conference at a later stage.

Mr. Deputy Speaker (Mr. Michael Morris): The naming of the date for the Report stage rests entirely with the right hon. Member whose Bill it is.

Clause 14

PERMITS: APPLICATIONS, PRODUCTION, REVOCATION AND SUSPENSION

Mr. Michael Jopling (Westmorland and Lonsdale): I beg to move amendment No. 1, in page 6, line 14, at end insert

'(including provision in accordance with which such procedure is to be determined)'.

Rather than raise another point of order, Mr. Deputy Speaker, perhaps I may respond to the hon. Member for Islington, North (Mr. Corbyn). I apologise if he was misled, but I do not believe that it was my fault. It was always in my mind that this was the possible day for dealing with the remaining stages of the Bill.

I do not recall saying anything on Second Reading or in Committee to indicate that this business might be dealt with on a different date. It seemed to me important that the Bill, which has universal support across the House, should make headway as soon as possible—particularly so that their Lordships might have an opportunity to debate it at length.

Mr. Corbyn: My complaint was not against the right hon. Gentleman, but I hope that a statement will be made on the outcome of the Kyoto conference. It is obviously extremely important both to have legislation on the statute book that meets the needs of the Madrid agreement and that the House be kept informed. I hoped that the Bill's remaining stages would be dealt with later so that we could —if this is not an unfortunate analogy—kill two birds with one stone and hear a statement from the Minister at the same time.

Mr. Deputy Speaker: Order. I have allowed comments on that matter to continue long enough. Perhaps we may now make progress with amendment No. 1.

Mr. Jopling: Clause 14(1)(e) empowers the Secretary of State to make regulations establishing a right of appeal "against the revocation or suspension of permits, and as to the procedure to be followed in relation to such appeals." This technical amendment strengthens the Bill.

As the clause is presently drafted, there may be doubt about whether the regulations could provide for the appeal body to determine its procedure. The amendment makes it clear that the regulations which, if the Bill is agreed, will be laid could provide how the appeal procedure is to be determined—for instance, by the appeal body.

Mr. Corbyn: I rise on amendment No. 1, although my starred amendment about the permit system has not been called. While I understand the technical nature of the amendment proposed by the right hon. Gentleman, it does underline the importance of an appeal system and a procedure that allows a number of things to happen.

As I understand it, the amendment essentially lays down the ground work under which regulations would be published to enable an appeal system to take place. It seems to me that the basis must, first, be the need for open and public scrutiny of applications, publications, approvals, refusals or appeals that might be made of permits for scientific exploration or, indeed, expeditions within the Antarctic, and also the method by which an appeal might be made.

Concern was expressed a number of times in Committee, and has been since, about the delegation of powers to the British Antarctic Survey, which are implicit in some of the permits that might well be applied for for certain work. It surely cannot be right that a particular organisation, albeit publicly owned, funded and run, such as the British Antarctic Survey, should have a right to grant itself appeals for work it does.

The whole principle has to be openness. Indeed, the expeditions undertaken by Greenpeace, the World Wide Fund for Nature and others, to examine what is going on in the Antarctic, have been helpful in demonstrating the way in which a number of countries have simply not lived up to their obligations under the Antarctic treaty system, have spoilt the environment and done enormous damage there.

Mr. Tom Clarke (Monklands, West): Does my hon. Friend agree that, if the House found it possible to include something that recognised his argument, that would be an inspiration to the other countries involved in the treaty and the protocol, and would be seen perhaps as best practice?

Mr. Corbyn: Indeed. That would be extremely helpful, and a very good step forward. My hon. Friend makes a good point. We want to ensure that the Antarctic remains a zone of peace, a place of scientific exploration, and that there is regulation and a regime there to prevent illegal mining activities and prevent people from spoiling the environment. That is why there is widespread support for the concept of a permit system. But once one grants powers to somebody to give permits to other people, obviously one has also granted powers to people to refuse permits for certain people.

I am concerned that, on occasions, a Government might decide that they do not want people to look at what they are doing down there, and refuse permits to particular organisations. They might decide, for example, that Greenpeace should not be granted a permit to examine what is going on in the Antarctic. I very much hope that that would not be the case, as it is an extremely responsible organisation, but it is essential that there be an openness in an appeals system and a publication.

That is why much of the debate in Committee was about an amendment that I tabled asking for publication in *The*

[Mr. Corbyn]

London Gazette of applications for permits. I have never read it, but I understand that that is the way of getting things published. Unfortunately, that was not agreed by the Government or the right hon. Gentleman who is the promoter of the Bill.

My other point is about the role of the British Antarctic Survey is this. I hope that any regulations proposed under clause 14 will ensure that any permits that the British Antarctic Survey is allowed to grant itself for its exploration or research activity will be open, published and public so that it is clear what it is doing. It is a dangerous practice in law to grant delegated powers to any organisation, because we already have an arm's-length approach. It would seem to be more like a mile and a half arm's-length approach if we allowed that to happen.

I hope that, when drawing up the regulations, the Minister will recognise the legitimate concerns that were expressed in Committee, and which I understand were also expressed by a number of groups, especially non-governmental organisations, at the Kyoto conference, and by interested environmental groups in this country. I hope that the Minister will recognise the role that such groups have to play and the necessity of involving them in discussion and close examination of the permit system.

If the BAS is allowed to grant itself permits for lesser activities, those activities may increase in size. That could lead to a situation in which a permit has been granted for one thing, but, because the exploration work is already under way, it is assumed that it can take place under a Government permit because the BAS has granted one to itself. It seems that it could be a Trojan horse.

I should much prefer all permits to be dealt with openly by the Secretary of State, with publication and a clear right of appeal for all those who have been refused a permit for whatever reason. The Secretary of State should also publish the reasons for any refusal.

12.45 pm

Mr. Jopling: The House has listened with interest to the hon. Member for Islington, North (Mr. Corbyn). As he said, many of the points that he made were made in Committee. With respect, I think that he will agree that many of them are rather wide of the amendment. I remind him that we are debating an amendment to clause 14(1)(e), which relates to regulations that might be laid to deal with appeals against the revocation or suspension of permits.

It is not envisaged that the appeal body will need to be more than a relatively dormant institution, to be brought to life on an ad hoc basis when and if it should be needed. Most permits are likely to be issued on an ad hoc or seasonal basis and the likelihood of their being revoked or suspended, except of course in the case of an emergency, is therefore relatively small.

Although it will be important for the regulations to specify the basic appeal procedure if people are aggrieved because their permits have been revoked, it is also desirable that the appeal body should be able to devise its own detailed procedures. That is allowed for in the regulations that will be laid in this instance. I hope that, in view of that explanation, the House will accept this technical amendment.

Mr. Corbyn *rose—*

Mr. Deputy Speaker: Order. I remind the hon. Gentleman that we are on Report, not in Committee.

Amendment agreed to.

Clause 15

Duty to have regard to the Protocol

Mr. Jopling: I beg to move amendment No. 2, in page 6, line 19, after 'Protocol' insert

'and to any measures for the implementation of the Protocol that have become effective by virtue of paragraph 4 of Article IX of the Antarctic Treaty'.

The House will recall that, in Committee, the hon. Member for Islington, North (Mr. Corbyn) tabled an amendment to clause 15 which would have required the Secretary of State to have regard to any guidelines or criteria that might be developed under the protocol. The problem with that amendment was that the Secretary of State would have been required to have regard to guidelines or criteria which might not have been accepted by the United Kingdom or by other parties to the protocol.

The Secretary of State should be required to have regard only to those instruments that have equivalent legal status to the protocol, by which I mean that they are binding on all parties to the protocol. A close examination of the protocol and its annexes reveals that the only such instruments are measures that have become effective by virtue of paragraph 4 of article IX of the Antarctic treaty.

The House will remember that article 10(1)(b) of the protocol contains a general provision for such measures to be adopted for the implementation of the protocol. Article 6 of annexe V of the protocol provides also for management plans for Antarctic specially protected and managed areas to be approved by such measures. The measures become effective only—this is the key point—when, in accordance with paragraph 4 of article IX of the Antarctic treaty, they have been approved by all the Antarctic treaty consultative parties, all of whom will have to become parties to the protocol, as we have already discussed, before it enters into force.

The amendment reflects that situation. The Secretary of State would have to have regard to any measures adopted for the implementation of the protocol that have become effective. I hope that the hon. Member for Islington, North, who helpfully tabled an amendment in Committee allowing us to discuss the matter and to think about it again, will feel that we have gone some way to meeting his point and clarifying the position.

Mr. Corbyn: I understand the point. I tabled an amendment in Committee on the matter, and I would have been happier if it had been accepted then, although I understand that we are making progress on the point. Paragraph 4 of article IX of the 1959 Antarctic treaty says:

"The measure referred to in this article shall become effective when approved by all the contracting parties whose representatives are entitled to participate at the meetings held to consider these matters."

Article I refers to a meeting to be held in Canberra, Australia, within two months of December 1959, when the treaty was finally agreed. There were regular meetings thereafter. The treaty makes a number of points about the Antarctic being a peaceful place, about scientific research, about co-operation on research, about inspection, about jurisdiction in Antarctica and about the preservation and conservation of living resources. The amendment would ensure that paragraph 4 was carried out.

I do not follow the point made by the right hon. Member for Westmorland and Lonsdale (Mr. Jopling) when he said that measures that were not agreed to by the British Government would not be carried out, and that only those that were the subject of consensus would be carried out.

I thought that the whole treaty was based on consensus and that it therefore would not be possible for a protocol to be published in accordance with the treaty which did not have the consent of all the treaty partners. The question whether the British Government agreed with it all would be irrelevant, because clearly they must have agreed to it or it could not have become a protocol within the terms of the 1959 treaty.

Mr. Jopling: I hope that I can help the hon. Member by saying again that the measures become effective only when, in accordance with paragraph 4, they have been approved by all the Antarctic treaty consultative parties. Those are the same 26 parties, as I tried to explain, who all have to agree to the protocol before it becomes effective. I hope that they will all do so this year. As the hon. Gentleman knows, the reason why we are debating the Bill now is to allow Britain to ratify the protocol during 1994.

Mr. Corbyn: I understand that point. I hope that we shall ratify the protocol during 1994, and that the whole thing will be brought into operation. I shall return to that point on Third Reading.

Amendment agreed to.

Clause 20

PENALTIES

Mr. Jopling: I beg to move, amendment No. 3, in page 8, line 20, leave out first 'a fine' and insert

'imprisonment for a term not exceeding two years, to a fine or to both,'.

The House will recall that the hon. Member for Islington, North moved an amendment in Committee that would technically have provided for a term of imprisonment for an unlimited duration. However, he withdrew his amendment on my assurance that we would reconsider the matter of penalties. Several hon. Members in Committee supported the idea that the courts should have an option between a fine and imprisonment for offences under the Bill.

I am pleased to move the amendment, which I hope will meet with the approval of the House. It provides that, on conviction on indictment—that is, by a jury—the court can sentence the offender to a maximum of two years' imprisonment or to an unlimited fine or to both. However, imprisonment would not be available on a summary conviction.

Following consultations with the Home Office, the Department of the Environment and the Scottish Office, I have been led to conclude that those penalties are appropriate given the special situation of Antarctica, in particular its distance from the United Kingdom and the consequent difficulties of policing it, and the paramount need to protect its pristine ecological state and its priceless flora and fauna.

There seems to be no justification for providing for imprisonment on summary conviction. Imprisonment should be reserved for the worst examples of the offences that merit trial by jury. I hope, as I am sure all hon. Members hope, that we shall not see offences of that magnitude or gravity.

Although an unlimited fine on conviction on indictment will probably be sufficient in the most serious cases, it is possible to envisage cases in which a term of imprisonment is the only appropriate way to deal with the crime and to serve as a deterrent to others. The House is grateful to the hon. Member for Islington, North for raising the matter in Committee. I hope that he will feel that the amendment meets the point that he helpfully raised with us.

Mr. Corbyn: I do not normally favour a tough sentencing policy, because I do not believe that that necessarily solves the problems of crime. However, I recognise that a sentencing policy can be a deterrent. I moved my amendment in Committee because we are talking about potential breaches of the treaty and the law in relation to which oil and mineral companies may try to undertake illegal exploration for minerals on the continent. Clearly, the prizes of such activity are potentially enormous. Therefore, the deterrent effect of a fine—albeit an unlimited fine—would be small beer to a company. The possibility of imprisonment might concentrate the minds of the senior directors.

Lady Olga Maitland (Sutton and Cheam): While the hon. Gentleman quite rightly said that there may be a danger of illegal exploration for minerals, does he agree that pressure groups like Greenpeace might be in the same category if they were acting illegally in pursuance of their own aims? Does he agree that those groups must recognise that they will be subject to the same disciplines?

Mr. Corbyn: It is unfortunate to try to place Greenpeace in the same category as a mineral company. Greenpeace has rather different objectives, which I suggest are wholly more peaceful. The hon. Member for Sutton and Cheam (Lady Olga Maitland) has perhaps not followed these matters very closely. If she were to read the history of the subject, she would understand that Greenpeace campaigned for a permit system in the first place. Greenpeace suggested the amendment that I tabled in Committee about the imprisonment of offenders. Greenpeace wants to protect the Antarctic from forces that may wish to do it harm. I have no idea what illegal activities the hon. Lady suggests.

I disagree with the amendment only in relation to the term of imprisonment. My amendment left it open to the courts to decide what the sentencing policy should be, the length and term of imprisonment and the prison venue. I have not said whether the prison should be in the Antarctic. It might be expensive to administer a prison in the Antarctic, but it is an interesting idea.

I merely question whether two years is appropriate, because we are talking about potentially serious damage. The reason why I say that it is serious is simple. For example, if a company started illegally exploring for oil, or, indeed, an oil spill took place from a vessel that was supporting exploration activities, the damage would be enormous. We are talking about a cold environment, slow biodegradation of oil or anything else that is spilt in the sea, and the danger of oil getting under the ice shelf. The dangers are enormous.

The distances are also enormous for any help to get there to assist with a clean-up operation or, indeed, an accident. Anyone who is considering illegal mining

[Mr. Corbyn]

activities or scientific activities in the Antarctic should get a severe warning from the Bill. That warning would be much better heeded if the prospect of managing directors and others going to prison is dealt with.

1 pm

I want to make two brief points in addition to that. First, in Committee, the hon. Member for Orkney and Shetland (Mr. Wallace) raised a number of interesting and important points about the applicability of Scottish law to the Antarctic, and whether English law would have supremacy over Scottish law in such matters, because Scottish law is not written on to the face of the Bill. At the end of the many discussions on that point, I was left with the impression that the Minister would reflect further on what the hon. Gentleman was promoting. Perhaps if the hon. Gentleman spoke on this amendment, he would be able to help us on the matter. I hope that, that important point will be dealt with.

Secondly, the Antarctic is in a strange legal position, in that it is a huge continent; no one is permanently resident there. There are claims by a number of countries on the land mass of the Antarctic and the sea area. Most of the claims are overlapping and are, therefore, potentially in conflict. For example, Britain, Chile and Argentina all claim part of the continent. There is also a large unclaimed part of the continent. As a result, there is a legal minefield when prosecuting someone for illegal activities.

The right hon. Member for Westmorland and Lonsdale correctly pointed out that when a non-signatory nation is involved in an illegal expedition, it is extremely difficult to pursue a prosecution against it. That is why it is important that the House not only passes the Bill into our national legislation but urges all the other 26 treaty nations to do the same. We need a United Nations statement of support for legislation, or much wider acceptance of the Madrid protocol by non-treaty nations. That is extremely important.

Earlier, we talked about the merchant shipping industry and the way in which flags of convenience abuse shipping law around the world. One could have exactly the same situation in which explorations and investigations were carried out illegally by nationals from non-treaty nations, which effectively go beyond the arm of the law in that matter.

There is also a need for a diplomatic offensive by the treaty nations, once it has been agreed by national Parliaments, to ensure that the importance and effect of protecting the Antarctic environment is not undermined. The Madrid protocol was an enormous step forward, but it could easily be destroyed by illegal activities by non-signatory nations.

Mr. Jopling: I take the point of the hon. Member for Islington, North about the intricacies of Scottish and English law. I can only repeat what I said in Committee —I absolutely refuse to get into the detail of that matter. *[Interruption.]* The Minister is a lawyer, which I am not. He is much more capable of dealing with those points than I am.

With regard to the other matters raised by the hon. Gentleman, I take it that the general tone of what he said was that he welcomed the amendment. On that basis, I hope that the House will accept it.

The Minister of State, Foreign and Commonwealth Office (Mr. David Heathcoat-Amory): I shall be brief. In Committee, we discussed the question of Scottish law. I think that we can take it from the absence of the hon. Member for Orkney and Shetland (Mr. Wallace), who raised the matter—he is probably in Orkney now—that he was satisfied with the answer that we were able to give him. The vacancies on the Liberal Democrat Benches today probably mean that the party is satisfied with the Bill in its entirety and does not wish to scrutinise it any further. I cannot speak for Liberal Democrats, but their absence must be trying to tell us something.

As regards the other matter that was raised quite fairly by the hon. Member for Islington, North (Mr. Corbyn) —the more general issue of the enforcement of jurisdiction —I should like to return to that if I may in the slightly more general debate which we will have at Third Reading.

Mr. Corbyn: I would be the last person in the world to speak for the Liberal Democrats on this matter, and I would not want there to be any confusion in the House. I must say that the hon. Member for Orkney and Shetland (Mr. Wallace) was not happy when he talked to me after the Committee. There is a perfectly serious point to be made about the primacy of English or Scottish law, because, under the Act of Union between England and Scotland, there is supposed to be equality of provision in law between both countries.

The absence of a reference to Scottish law in this Bill seems to suggest either that Scottish law applies automatically, because it is not mentioned, or that it does not apply at all and that anyone who is found guilty of, or is charged with, a breach of the law in the Antarctic will therefore be tried under English law.

There are significant differences in representation and methods of court procedures between English and Scottish law. I should be grateful if the Minister could say whether —perhaps when the Bill goes to the Lords—the Law Officers would be able to give advice and some interpretation on the matter. The hon. Gentleman's point was not a narrow one. I understand that he has to be in Orkney today, and that is why he is not here.

Mr. Heathcoat-Amory: We discussed the matter at some length in Committee and I am certainly satisfied that the Bill as it stands is satisfactory and has adequate precedents in other legislation. Exactly the same approach is adopted, for instance, in the Continental Shelf Act 1964, and I am not aware of difficulties that have arisen in implementing or enforcing that legislation.

Mr. Tom Clarke: Briefly on that point, I think that the House might have expected a little more detail from the Minister on the issue of Scottish law raised by my hon. Friend the Member for Islington, North (Mr. Corbyn). Incidentally, I think that the last time that an hon. Member from Islington interfered—if I may use that word—in Scottish affairs—a constitutional crisis erupted thereafter which has not been totally resolved.

If we are not able to clarify the matter during our proceedings, we would expect that, should the Bill go to another place, the Lord Chancellor—with his background —would perhaps produce a little more detail.

Amendment agreed to.

Clause 34

EXTENT.

Mr. Jopling: I beg to move amendment No. 4, in page 13, line 4 after 'modifications' insert '(including additions or omissions)'.

This, again, is a technical amendment, which I hope the House will believe strengthens the Bill. Clause 34(3)(c) provides that, in extending the provisions of the Bill to dependent territories, the Order in Council may modify those provisions. That will consist mostly in making minor adjustments to take account of the different constitutional and legal situations of the various territories.

For instance, a refereńce to a Secretary of State is probably meaningless in the Isle of Man or the Channel islands, and would need to be changed in those cases to Governor. The amendment makes it clear that such changes can be made by adding or omitting provisions. It is a technical amendment, which I hope will receive the approval of the House.

Amendment agreed to.

Order for Third Reading read.

1.9 pm

Mr. Jopling: I beg to move, That the Bill be now read the Third time.

As a Back-Bench Member, it is a privilege to have the opportunity to guide such important legislation through the House. I think that I said on Second Reading that I had been lucky enough to draw a place in the ballot on two previous occasions which resulted in the enactment of two Bills: one in the 1960s that dealt with assistance to parish councils; and, more recently, one dealing with children's seat belts. Important as those were, they were not as important as this Bill.

This is the first time that I have drawn a place in the first six in the ballot, so I am especially happy that such a worthwhile Bill will enable me to complete a hat trick of getting private Member's Bills on to the statute book. I have enjoyed the experience enormously and I am grateful to hon. Members on both sides of the House who have expressed keen enthusiasm for the Bill.

I am especially grateful to the hon. Member for Islington, North (Mr. Corbyn) who contributed so much. I must also mention the extremely distinguished Members from both sides of the House who were kind enough to sponsor the Bill. I suspect that it is a long time since a private Member's Bill received such distinguished support.

I must also express my gratitude to the Foreign Office and especially to the officials who worked exceptionally hard. As the hon. Member for Islington, North said, some of them are in Japan for important meetings dealing with Antarctic matters. They have been a splendid team and could not have given me more help and support.

Our discussions during the passage of the Bill have shown that no Member of the House has, or pretends to have, a monopoly of concern for the Antarctic environment. I have been impressed by the desire of hon. Members on both sides to protect that unique area of the world. Our role is to discover how best to achieve that aim and there are many ways of doing so.

I was very saddened to see a pathetic space filler in this morning's edition of *The Independent* written by a Mr. Wilkie. It seems to be a cheap and snide way of attacking the royal family under the guise of the most helpful support that the Princess Royal has given to try to preserve the heritage of the Antarctic continent in various ways. I hope that we shall be spared other weasely articles of that sort.

For this country and its citizens, the enactment of the Bill will secure necessary legal protection and it will allow the United Kingdom to ratify the environment protocol to the Antarctic treaty which, as hon. Members know, provides a comprehensive international framework for protecting the Antarctic environment.

The protocol cannot enter into force until it has been ratified by all 26 Antarctic treaty consultative parties. So far, I understand that six have ratified and that most of the others intend to do so by the end of this year. If the Bill is enacted by the summer, this country should be able to ratify by the end of the year and I think that everyone in the House hopes that that will happen.

The advantage of getting the Bill through all its stages today is that their Lordships, many of whom will have a strong interest in it, will have the proper amount of time to discuss and examine it. I am pleased that my noble Friend Lord Montgomery of Alamein will look after the Bill when it arrives in another place.

I hope that we shall ratify the Bill before the end of the year. The United Kingdom was instrumental in introducing the protocol and we should not lag behind others in the process of ratifying. Timely ratification would send a clear signal from this country of our manifest concern for the Antarctic environment. It would demonstrate, as nothing else could, the United Kingdom's continuing commitment to the protection of the Antarctic environment and to the Antarctic treaty system.

Our thorough debates on Second Reading, in Committee and again today have provided considerable opportunity for all of us to debate the Bill. I hope that the amendments that have just been accepted on Report meet most of the concerns of hon. Members and that, once they have had time to reflect, hon. Members will agree that the provisions of the Bill now represent the best means of providing the necessary legal powers to protect Antarctica.

On that note, and expressing once more my thanks to all concerned, I hope that the Bill will be given a Third Reading.

1.15 pm

Mr. Tom Clarke: I congratulate the right hon. Member for Westmorland and Lonsdale (Mr. Jopling) on a remarkable achievement. He referred to his hat trick. As one who, almost eight years ago to the day, had my own Bill receive its Third Reading, I realise that those matters depend very much on luck, but the right hon. Gentleman has displayed a commitment and an ability that say much for him. My hon. Friend the Member for Islington, North (Mr. Corbyn) has also made a substantial contribution to the Bill, and we thank him warmly for his part.

When I referred earlier to the role of a former Islington Member, it was, of course, in a jocular sense—perhaps heavily disguised. But I notice that Islington has not made the mistake of electing a Scottish Member since that time.

Mr. Corbyn: I must defend Islington's history on that matter. The former Member for Islington, South, George Cunningham, was Scottish and the current Member for Islington, South and Finsbury (Mr. Smith) was born and brought up in Scotland.

Mr. Deputy Speaker: Order. A former Member for Islington, East was Chairman of Ways and Means, so I hope that the hon. Member for Monklands, West (Mr. Clarke) will tread carefully in that area.

Mr. Clarke: I am sure that the House deeply appreciates the tremendous contribution that Islington continues to make—and in climbing the Munros.

The Opposition have said that we support the Bill. Indeed, some of my hon. Friends, including my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), who is very much involved in the environmental matters to which the right hon. Member for Westmorland and Lonsdale referred, have sponsored the Bill.

The Bill calls for the highest degree of environmental protection for the Antarctic. The Madrid protocol, which has been waiting for ratification since 1991, deserves that and the Bill takes it a step forward. It reflects the manifest consensus and all-party agreement that has been achieved. I would not chide, as the Minister did, the Liberal Democrats for not being present. In fairness, there are not many of them. If one has a constituency as far north as Orkney, it is not easy to be here, so the Minister would be mistaken to read too much into the absence of that hon. Member.

The Labour party is concerned that we should not encourage exploitation of commercial interests in that area. We have consistently supported the need for the protection of Antarctica as a world wilderness park. We welcome the fact that the Bill makes mineral exploitation and mineral resource activities impossible in that place.

In earlier days, the Government—who seem to have given the Bill a fair wind—were sceptical about the role of Australia and France. They seem to be catching up. The representations that we have all received from our constituents, especially younger constituents, on those matters are a sign that the Government are catching up with public opinion and I am glad that that is happening.

There are problems in respect of the United Nations and the role that some people there see for themselves. That debate should continue and we should encourage nations that are not involved in the treaty and the concord to accept that they also have an important role.

My hon. Friend the Member for Gateshead, East (Ms Quin), when she spoke on Second Reading, asked the Government how they envisaged the development of the secretarial arrangements and I should be grateful if the Minister would give the House more information about that if he is able to do so.

Following the discussions in Rio, the GATT agreement, and the strong representations about the environment from Opposition Members, we should like the Bill to be speedily implemented. We hope that the Government will ensure that the important scrutiny in another place does not delay implementation. In that spirit, I again congratulate the right hon. Member for Westmorland and Lonsdale, my hon. Friend the Member for Islington, North and everyone responsible for the Bill, and look forward to Royal Assent as soon as possible.

1.22 pm

Mr. Hugh Dykes (Harrow, East): My intervention on Third Reading will be brief because I have not participated in debates hitherto and I should not like to irritate anyone in the House unnecessarily.

I have followed the Bill's progress since it began, and I add my words of thanks and congratulations to my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) for the work that he and other people have done in bringing the Bill to Third Reading and, I hope, to a successful conclusion. I hope that, anticipating its future return from another place, the Bill will complete its stages. It is a very important piece of legislation.

My right hon. Friend the Member for Westmorland and Lonsdale referred correctly to his successful record, which might be ascribed to fortuity, but also to his skill in drawing the right number in the ballot. Over the years, he has completed what he called his hat trick. That makes me jealous when I think that my last private Member's Bill was quite a few years ago, but at least for a while it was called an Act under one's own name, which is rather a nice thing to do, and other Members have achieved that over the years. If the Bill is called "the Jopling Act" when it completes all its stages, as I hope, would be an even better expression of the achievement of my right hon. Friend.

Over the years, we have had many conversations and discussions together. I have always regarded my right hon. Friend the Member for Westmorland and Lonsdale as a very fair person in the political cockpit, and his objective fairness in the Bill has helped it to gain the support that it now receives from all parts of the House. I heard many hon. Members who were involved in Committee—I was not—commenting on the skilful way in which my right hon. Friend handled the Bill in Committee.

The Bill is legislation dealing with treaty co-operation, which is a wonderful example of international co-operation. It is still in its early stages because we think of that legislation as being for centuries ahead rather than decades, and perhaps there will be further measures in due course. Therefore, I am also delighted that the Minister of State at the Foreign Office, the hon. Member for Wells (Mr. Heathcoat-Amory), is present to complete Third Reading on behalf of the Government, as he has been on previous stages, showing that the measured incidence of true balanced international co-operation, and all countries working together, rather than one country seeking to gain and score points over other countries, is an example and a lesson not only for the European Union, but for that vital part of the planet. I am sure that that is of special interest to my hon. Friend the Minister of State.

In conclusion, in commending Third Reading and hoping that it will be supported by all parts of the House, I shall refer briefly to a specific, but very important matter. I hope that the Minister of State, and perhaps also my right hon. Friend the Member for Westmorland and Lonsdale if he decides that he wishes to intervene again on Third Reading, will refer to it.

There are anxieties for the future, rather than now, about the control and development of tourism in the area covered by the Bill and the international treaties governing it. The controls seem adequate now and penetration by conventional tourism is extremely primitive and limited, and involves a handful of people—certainly it has not reached levels that would cause alarm. But there is worldwide anxiety among the people who follow the subject closely—experts who represent the industry as well as decent people who represent the global environmental interests of the planet. They are anxious that, although there has been virtually no exploitation in terms of tourism, the area could be threatened in future. I am not saying that it will happen in the foreseeable future. The controls appear

to be stringent. The penalties in the legislation would apply not simply to mineral and exploration companies, but to other human commercial activities.

However, the planet is small in the sense that the tourist industry is now virtually everywhere. Everyone complains about the despoliation of coastlines.

Lady Olga Maitland: Will my hon. Friend give way?

Mr. Dykes: I shall not give way as I wish to be brief. I hope that my hon. Friend will forgive me. Perhaps she will catch your eye, Mr. Deputy Speaker.

In all other areas of the world, such exploitation has reached a high level, and there is even plundering. There is certainly excessive exploitation. I am not straying out of order, Mr. Deputy Speaker, in case you are looking ominously at me. I hope that Antarctica will be spared such exploitation. There is every reason to assume that it will be, provided that intergovernmental controls and international co-operation are adequate for the future. Therefore, if my hon. Friend the Minister can reassure hon. Members, as he did successfully in Committee, I and, I think, listeners and viewers, will be grateful to him.

1.26 pm

Mr. Corbyn: I thank the right hon. Member for Westmorland and Lonsdale (Mr. Jopling) and congratulate him on having had the good fortune to come in the first six in the ballot for private Members' Bills. I have not yet been drawn in the first 60, so I do not know how he succeeds —perhaps he will let me know.

I am grateful to the right hon. Gentleman for choosing the subject. It is extremely important to enact the Bill. At the beginning of the Committee stage, we placed on record the fact that we should have preferred it to be a Government Bill, but we now have a Bill which has passed through Committee, which is extremely important. The subject of the Antarctic is hardly ever likely to grab all the headlines in this country, but the Bill is an important piece of legislation.

The Antarctic is an extremely important place. It is the only part of the world in relatively pristine condition. It is the only part of the world to be the subject of a treaty, the opening lines of which state that the Antarctic shall henceforth be a place of peace. That treaty was drawn up in 1959 at the height of the cold war. It is the only place where we can look at what we are doing to the planet. We can study what we are doing to the air and the sea, and the of pollution that we are putting into the air. Therefore, it is an important centre of research.

To achieve those goals, we need legislation—through national Parliaments, international agreement and constant monitoring. The passing of treaties, protocols and conventions is all very well in the rarefied atmospheres around beige tables in expensive hotels in faraway places, but what matters is what happens on the ground. Unfortunately, not everyone in the world has the same benign attitude towards the Antarctic as many of us who are speaking in today's debate.

As I understand it, ratification has been achieved in Australia—just last week—and in Argentina, Peru, Equador, Spain, France and Norway, which is important. It is also important that the Bill is now enacted. I expressed misgivings about some sections of the Bill on Second Reading and in Committee, and I hope that those matters will be further considered in the House of Lords. I mentioned the permit system and its publication. I hope that, even at this stage, the Minister will reflect again on the issue of delegated powers being given to the British Antarctic Survey so that it is able to be judge and jury of its own permits in a limited sphere. I hope that he will also reflect on the current lack of clarity. Perhaps he will tell us about the type of appeals that will be used for those who have been refused a permit. How will he monitor the permits system? It must be effective to ensure that the importance of Madrid is not left behind.

Just this morning, I looked at the report of the 1989 discussions on Antarctica and realised how far we have moved. In 1989, we discussed the measure that subsequently became the Antarctic Minerals Act 1989. That measure would have allowed mining exploration in the Antarctic and it is a tribute to campaigners all over the world that we are now discussing the long-term preservation of that continent and the prevention of mining exploration and exploitation there.

I hope that the Minister will give us some idea of when he expects the Bill to be given Royal Assent. We also need to know the date of implementation. I understand that the Minister hopes that it will be implemented fairly soon. I hope that that is true so that we can join that growing band of nations that approve of such legislation.

The current Kyoto conference is part of a process on the Antarctic and involves Governments and non-governmental organisations. We need to know the attitude that the Government will adopt at that conference and when we shall receive a statement and report.

The lack of inclusion in the Bill of the deep sea bed is unfortunate. We must ensure—

Mr. Deputy Speaker: Order. We are on Third Reading and hon. Members must not refer to matters that are not in the Bill.

Mr. Corbyn: Would I be in order if I referred with pleasure to the fact that the sea is included in the Bill, but that what lies under it is not, and do not use the words that you do not want me to use, Mr. Deputy Speaker?

Mr. Deputy Speaker: The hon. Gentleman has had a warning from the Chair and he must proceed as he judges appropriate. I shall rule accordingly.

Mr. Corbyn: I count that as a yellow card.

I hope that the House of Lords will consider the whole question of future exploration and exploitation of the deep sea bed, because that is important in considering the Bill. Some of us expressed concern about the effectiveness of the Bill in that area. It may be covered by a future United Nations law of the sea conference. Perhaps the Minister would write and tell me whether a UK citizen would be forbidden to mine in that area because of the UN law of the sea, or whether that would be covered by the legislation.

Mr. Jopling: I think that the hon. Gentleman has missed a trick. His amendment on the deep sea bed was evidently in order in Committee. With respect, I am surprised that it is not in order for the hon. Gentleman to mention it now. However, it is not for me to fight the hon. Gentleman's battles.

Mr. Deputy Speaker: Order. The hon. Gentleman did not manage to get his amendment into the Bill, which is

[Mr. Deputy Speaker]

what we are considering on Third Reading. If he had been successful he would be in order, but he was not successful so he is not.

Mr. Jopling: I bow to your superior knowledge in these matters, Mr. Deputy Speaker, and I apologise for trying to provoke you.

I make it clear to the hon. Gentleman that United Kingdom law already prohibits United Kingdom nationals from mining the deep sea bed or exploring for minerals unless they have a licence. That prohibition is contained in the Deep Sea Mining (Temporary Provisions) Act 1981. Therefore, another prohibition specifically for Antarctica is not required.

Mr. Corbyn: I thought for a moment that the right hon. Gentleman had succeeded in cancelling my yellow card, but obviously not quite. I thank him for his comments about the 1981 Act, which is important. However, the legislation that passed through the American Congress and the Australian federal Parliament implementing the Madrid protocol—which the British Government also signed—includes a specific reference to the sea bed, which is rather different.

There may be giant oil reserves under the Antarctic. This morning, I received a lengthy letter from Alan Hemmings, who works for Greenpeace in New Zealand, concerning that gap in the legislation of national Parliaments, the British Parliament's ratification of the Madrid protocol and what is likely to happen with mineral exploration in future.

There are 21 sedimentary basins within the Antarctic continent, so there is a good probability of finding hydrocarbons there. There may be mineral areas outside those covered by the Bill. Although the protocol is likely to remain in force for as long as 50 years, debate on the Bill has been on the assumption that the technology does not exist to undertake deep-sea exploration and mining of Antarctic minerals. In an attempt to pour oil on troubled water—if that is not an unfortunate metaphor—when debating the 1989 Act, the Government often argued, "It doesn't matter very much, because nobody can get down there to mine the oil, even if they had the authority." I beg to differ.

Although the oil is deep under the Antarctic, it is not that much deeper than mining under way elsewhere at present. Two thousand metres is extremely deep water, but production is under way at 900 m in the Gulf of Mexico and exploration wells are being drilled at 2,300 m elsewhere.

Having succeeded in securing the Madrid protocol and making provision in the legislation of national Parliaments, it is essential that we realise that acknowledgement of the fundamental difference between the Antarctic and the rest of the world. We are saying that it is a place of peace, exploration and protection and not a place for mining over the next 50 years or, I hope, any time thereafter. If we acknowledge that, we shall be taking an important step forward.

If, however, we say, sotto voce, "It's okay; at some point mining will be allowed there", the pressure will be on for permits to be granted and exploration that undermines the principles of the Madrid protocol. I hope that we shall clearly state that we mean to protect the Antarctic now and for ever more against mineral exploration and exploitation; its fauna, flora and wildlife; and the sea and what lies below it.

I hope that the other place will return to the question of overflying aircraft which was raised several times in Committee. It is not a minor issue, because the spirit of the Bill could be breached by low-flying aircraft. If an irresponsible operator used an unsuitable aircraft and it crashed in the Antarctic, none of the rescue services or other facilities available in other parts of the world would be at hand. It would fall to the scientific research bases to mount a rescue operation, and that is not their function.

As to tourism, in the context of total preservation of the continent, the ideal would be to have none—but many people have a desire to visit and to see the Antarctic and I understand and share that wish. The people operating the treaty and protocol system must give an assurance that a strict limit will be placed on where tourist operators can go and what they can do. They are already limited, to the extent that tourists cannot touch anything or take anything away. Tourist activities should also be properly financed and equipped. If thin-hulled vessels are used, there will be a serious risk of sinking after colliding with an iceberg, and rescue facilities will be minimal. The crash of the Air New Zealand aircraft shows just how serious it is when any kind of accident takes place in the Antarctic.

The preservation of the flora and fauna of the Antarctic is very important. The whale population of the Antarctic waters has been most disgracefully depleted over decades. Indeed, for a long time, whaling was part and parcel of the British fishing industry, based in Whitby and many other places. We did achieve—everyone who is concerned about these things—the principles of the international whaling convention, of controls on numbers and of protection. Tragically, many countries lied about what they were doing. The Soviet Union lied about the number of whales that it was taking. Japan has consistently sought to undermine the international whaling conventions by the use of what it calls "scientific whaling", which ends up on dinner plates in expensive restaurants in Tokyo. Norway seems to think that it is okay to continue whaling in the northern hemisphere. We must recognise that we are dealing with a precious and highly intelligent mammal. They should be protected for all time, not only in the Antarctic waters but in the rest of the world. Any pressure that we can put on the Japanese and Norwegian Governments to cease their disgraceful practice of whaling will be an extremely important step forward.

This Bill is important. It is a great advance in many respects. I have outlined my areas of concern—the permit system, the deep sea bed and the overflying of aircraft in that area. I hope that, when the Bill goes to the other place, further consideration will be given to those matters. I hope also that we in this House will be prepared to come back and consider it again when regulations are proposed, and when the Government make a statement about what has gone on at the Kyoto conference, because if we are serious about protecting the environment, we must be vigilant. We might have good intentions, but an awful lot of money might be made by people who have nothing but bad intentions towards that continent. The damage that has been done to the whale population is testament to that.

I put on record my thanks to those organisations and campaigns all around the world that changed the atmosphere after 1989, including the World Wide Fund for Nature and Greenpeace, but more personally to Jagdish

Patel, who used to be Greenpeace's co-ordinator on the Antarctic—it is now Ian Reddish—and Sandy Philips from the World Wide Fund for Nature for her work and advice in drawing up pieces of legislation. Without those campaigns, Parliaments around the world would not now be passing this legislation. We would not now be looking at—to the degree that it almost is—the world park in the Antarctic. Instead, we would be looking at something rather worse. I congratulate them and the right hon. Member for Westmorland and Lonsdale on being able to introduce this piece of legislation and, I hope, get it through.

1.42 pm

Mr. Heathcoat-Amory: The Bill has the Government's full and enthusiastic support. It is worth reminding ourselves of its importance and, indeed, of the huge extent of the area about which we are legislating. It is not often that the House of Commons has an opportunity to legislate on an area that is the size of Europe and the United States combined. Indeed, the Antarctic, with its surrounding seas, covers an area of about one tenth of the size of the globe. It is also the largest and most pristine wilderness on earth. It is the coldest, the windiest, the highest, the driest and the least inhabited of all our continents.

Although it sounds a rather inhospitable place, that very fact makes Antarctica of enormous interest scientifically. It is because of its pristine condition that it provides good conditions for the study of subjects such as global warming, the rise of sea levels, atmospheric pollution and ozone depletion. It is covered with a very deep and thick ice cap. Indeed, the Antarctic is thought to contain some 90 per cent. of the world's ice and some 70 per cent. of its fresh water, so today we are considering a matter of great importance. It is right that this country has played such a leading part in the setting up of the Antarctic treaty and now its environmental protocol, which we hope to proceed to ratify as a result of the Bill.

If hon. Members have any spare time, I hope that they will take an interest in the present scientific work, especially that conducted by the British Antarctic Survey. I am sure that they would also be very interested in the early years of this country's scientific engagement with Antarctica and in the extraordinary stories of exploration and heroism. We have today discussed nature in terms of its being a fragile and delicate flower, but, to the men of the early expeditions, it was something to be struggled with, often in conditions in which their very survival was in doubt.

In view of our early engagement and interest in that continent, it is right that we were the first to sign the environmental protocol and, as a result of the Bill, we hope to be ratifying the treaty before the end of this year. I agree with the hon. Member for Islington, North (Mr. Corbyn) about the need to get as many other countries as possible to sign the Antarctic treaty. I do not wish to be negative, but only realistic, when I say that the Bill would apply only to the United Kingdom and, once it had been extended to them, to our dependent territories. That is perhaps an obvious point, but it is important. We cannot legislate for other states. We cannot apply our laws to the nationals of other states except when they are in our territory, and we have to recognise the Bill's limitation in that respect.

There are more than 180 sovereign states in the world, but only about 40 are party to the Antarctic treaty. They may include the biggest and most populous states on earth, but many states are not party to the Antarctic treaty so our ability to control their activities and those of their nationals in Antarctica is inevitably limited.

I wish to respond to two points of detail. I shall be brief because I am aware that the House has other legislation to consider. The Opposition spokesman, the hon. member for Monklands, West (Mr. Clarke), raised the issue of an Antarctic treaty secretariat. We have long supported the creation of a secretariat and it is one of the issues being discussed in Kyoto, probably even as we speak. It is certainly on the agenda. In due course, we hope to get agreement between the treaty parties about the siting of a secretariat.

I deal now with tourism, which was mentioned by my hon. Friend the Member for Harrow, East (Mr. Dykes). It does not have a specific annexe to the protocol, but it is referred to explicitly in it. The very advantage of the Bill, and the protocol to which it relates, is its flexibility. If, in due course, tourism were to become a serious threat to the environment of Antarctica, it would be possible to add a specific annexe to deal with it. At the moment, I am satisfied that the controls over tourists and their expeditions to Antarctica are adequately covered in the legislation.

I am aware that other points have been raised today. If they have not been debated in Committee and if I have not covered them, I am willing to write to hon. Members or to have them raised specifically in another place in due course.

I add my congratulations to my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) on his skill in piloting the Bill this far. I thank him for his tribute to officials in my Department and to the work that they have done. His tribute will be much appreciated. I give my full support to the Bill's Third Reading.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Parliamentary Commissioner Bill

Considered in Committee.

Clause 1

EXTENSION OF JURISDICTION

1.50 pm

Mr. James Clappison (Hertsmere): I beg to move amendment No. 4, in clause 1, page 1, leave out from end of line 24 to end of line 6 on page 2.

This is a probing amendment. It is designed to investigate how far the effects of the Bill will go. I welcome the Bill and I believe that it will be warmly welcomed generally. It remedies an important jurisdictional gap in the work of the Parliamentary Commissioner for Administration. I congratulate my hon. Friend the Member for Winchester (Mr. Malone) on seeking to remedy that gap.

The origins of the amendment are deeply connected with the origins of the Bill. The gap that the Bill seeks to remedy is the gap that exists in the case of tribunals whose members are not appointed by the Lord Chancellor. In the case of tribunals that are appointed by the Lord Chancellor, the Courts and Legal Services Act 1990 enables the Parliamentary Commissioner for Administration to investigate maladministration by the officials in the tribunals concerned. The Bill seeks to follow suit in the case of tribunals that are not appointed by the Lord Chancellor.

The words that I seek to remove are taken from the Courts and Legal Services Act 1990, and their purpose is clear. It is to give effect to the distinction between purely administrative actions taken by staff and actions that are taken in the course of the exercise of a judicial function. The purpose of the amendment is to investigate how far the ombudsman can go in investigating administrative actions and where the boundary lies between administrative actions and those taken in the exercise of judicial functions. The point will be important in the work of the courts, and needs to be clarified.

Mr. Gerald Malone (Winchester): I think that I can satisfy my hon. Friend the Member for Hertsmere (Mr. Clappison). He seeks to discover the depth of the principle by which the Parliamentary Commissioner can look at administrative acts and where the boundary lies between looking at administrative acts and acts that reach a judicial conclusion.

I draw my hon. Friend's attention to the report by the Select Committee on the Parliamentary Commissioner for Administration of 1990-91, which sets out the principle well. The Committee stated:

"all decisions of civil servants and others within appropriate departments and public bodies involving maladministration should be subject to investigation by the Parliamentary Commissioner"—

this is the important point—

"unless any constitutional principle . . . dictates otherwise."

The principle that underlines the clause and at which my hon. Friend the Member for Hertsmere is looking is the principle of separation of responsibilities—the judicial process as separate from the administrative process.

I think that I can give my hon. Friend the assurance he seeks. The clause is simply a reiteration of the principle that was enunciated in the Parliamentary Commissioner Act 1967, which first put the Parliamentary Commissioner on to the playing field. The clause does no more than that. It means, in simple terms, that the legislation as it stands allows the Commissioner to look at administrative acts, but not at anything that could be interpreted as affecting the judicial aspect of any tribunal. In other words, it does not allow the Parliamentary Commissioner to act as another court of appeal.

The matters about which my hon. Friend is concerned are, in any event, always subject to appeal to other courts of law. I hope that that explanation is satisfactory for my hon. Friend, that he is reassured and that he will, on that basis, withdraw the amendment.

Mr. Clappison: On the basis of that assurance, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause stand part of the Bill.

The Parliamentary Secretary, Office of Public Service and Science (Mr. David Davis): I apologise to the House as I will have to leave the Chamber at 2pm for a ministerial engagement. No discourtesy is meant by that.

Mr. John Garrett (Norwich, South): I will miss the Minister.

Mr. Davis: The hon. Member for Norwich, South (Mr. Garrett) says that he will miss me, and I am sure that that is correct.

I crave the indulgence of the House to make a personal comment. I last stood at the Dispatch Box in relation to this Bill in the debate on the money resolution. The House will not be surprised to learn that that motion was moved by Bob Cryer. I want to take this opportunity to place on the record my tribute to Bob Cryer. By his own lights and ideals as a socialist, he was a man of iron-hard integrity. He had great skill as a parliamentarian. I considered him to be a friend and I would like to express my admiration for his integrity and skill and the sense of loss of the House at his departure.

Clause 1 is the substantive clause in this two-clause Bill. I congratulate my hon. Friend the Member for Winchester (Mr. Malone) on introducing this useful Bill, which I hope will receive support from all hon. Members. It is now 27 years since the office of the Parliamentary Commissioner was established. I am sure that most hon. Members will agree that his investigations have significantly strengthened the ability of hon. Members to protect the individual against administrative abuses. I commend the Parliamentary Commissioner, Mr. William Reid, and his staff for the valuable and painstaking work that they undertake.

The Bill is sound, and clause 1 is well drafted. There are good reasons in principle for allowing the Parliamentary Commissioner to investigate the administrative actions of the administrative staff in tribunals. The distinction that my hon. Friend the Member for Winchester has just made with respect to the judicial aspects is very apposite. The clause is aimed solely at administrative actions.

The clause will give members of the public an additional avenue of redress when things go wrong and it will demonstrate that the administrative functions and actions of tribunals are subject to the same public scrutiny as those of other Departments and bodies funded by

Parliament, but without prejudicing the independence of tribunals so far as their decisions are concerned, or creating a secondary appeal process.

I take the opportunity in this clause stand part debate to welcome the Bill. I commend clause 1 to the House and wish the whole Bill as speedy a passage into law as is consistent with the proper use of this opportunity to review the protection that Parliament provides for the citizen and which is a very important part of the parliamentary function.

Mr. Garrett: I will also be brief. I welcome the Bill to extend the scope of the ombudsman. Flicking through a book that I wrote on Parliament not all that long ago, I found, on page 81, that I proposed this very measure. There is foresight for you.

However, the Bill is really only a palliative which happens to suit the Government. There are several defects in the ombudsman system, which I hope the Government will give their views on when they reply to the Select Committee's report of November 1993. I believe that we are due for a report on that within a month or so.

As the Lord Chancellor said in his Hamlyn lecture:

"Ombudsman schemes have gained the confidence and imagination of the public."

Some of the defects go wider than the Bill and I cannot refer to them at length. I am concerned that the Select Committee's proposal that the ombudsman should be able to initiate studies—not on a complaint—should be followed up. That is important. Personally, I believe that the MP filter should be removed, because it is clear from the eccentric distribution of cases taken up by hon. Members that many never reach the ombudsman because of the views of an hon. Member, which may not be appropriate.

As we have already heard, the Bill is concerned about jurisdiction. It enables the ombudsman to examine administrative matters which at present are outside his jurisdiction. The Bill proposes that the staff of more tribunals should be brought within that jurisdiction and it proposes enabling powers, which I particularly welcome, exercisable by order which would enable further tribunals to be added later to the list of those that would fall within the scope.

In his 1993 report, the ombudsman identified a much more substantial problem with jurisdiction, the rapid growth of quangos, not all of which he was told about the creation of—if that is English. I am sure that hon. Members will understand what I am trying to say. In the report, the ombudsman says that to the best of his knowledge the following were added to his jurisdiction: the Welsh Language Board, the Director of Passenger Rail Franchising, the rail regulator, the Office of the Director General of the National Lottery, the Commissioner for Protection against Unlawful Industrial Action and the Urban Regeneration Agency.

He goes on to say that those bodies are within his jurisdiction

"to the best of my knowledge",

because he is seldom consulted about such accretions, and it is usually through the good offices of the Office of Public Service and Science that he is told.

For all we know, a number of quangos are within the jurisdiction of the ombudsman of which he has not been notified. The matter is important, as quangos are on a rising curve again after a recent war against them. The number of quangos will increase from about 2,000 to 7,700 by 1996. We find that there is no mechanism for identifying what is within the ombudsman's jurisdiction.

2 pm

We also have another problem. A curious feature of the unelected state, which is growing so rapidly, is that, with the growth in market testing, more private bodies apparently continue to fall within the scope of the ombudsman but not the National Audit Office. That means that public and parliamentary accountability is out of balance. We can call the entities to account for their decisions, but not their spending.

I should like to know what the Government think. I realise that the Minister will be absent—he has already gone—but perhaps he could write to me about what machinery is proposed to notify the ombudsman of the increases in his jurisdiction.

Mr. Malone: The Bill gives a secondary power to specify through secondary legislation additional bodies that can come within the remit of the Parliamentary Commissioner. That is an extremely useful measure, and it should deal effectively with the problem raised by the hon. Gentleman.

Mr. Garrett: The measure is useful, but it is not useful enough. The Select Committee said:

"We consider that the evidence suggests that the current system of jurisdiction is both bureaucratic and confusing . . . Any obstacle to clear and transparent access to the Ombudsman is to be deplored. It is the case that a large percentage of matters referred to the Ombudsman are not pursued because they are outside jurisdiction either as bodies or as subjects, and this has a negative effect on access and usage."

The Select Committee therefore proposes that the Parliamentary Commissioner Act 1967 be amended to specify exclusions in the jurisdiction of the ombudsman, rather than inclusions. That is by far the better way to do it. When the Government reply to the Select Committee, I hope that such a reform will be introduced.

Finally, as in so many of our institutions, it is time that power moved from Whitehall to Westminster. It is wrong that the expenditure of the ombudsman's office is sanctioned by the Treasury and the ombudsman is appointed by the Crown on the advice of the Prime Minister. The position should be put on exactly the same footing as the Comptroller and Auditor General, where the Public Accounts Commission decides on the expenditure of the National Audit Office and the Comptroller and Auditor General.

The ombudsman is an Officer of the House and is appointed by a motion of the House. As the Select Committee says, there should therefore be a public administration commission on exactly the same basis with the same powers. Why should the Government have anything to do with the scope of the ombudsman? Is it not wholly a parliamentary matter? The matter should be presented to the House by the Speaker, whose independence is woefully unexploited and undeveloped in this place; in other words, it should be wholly a parliamentary matter and the Government should stay out of it altogether.

The unfortunate thing is that Parliament exists to scrutinise and call to account the Government's actions simply to the extent to which the Government will allow. I do not think that that is good enough, and the whole business should be under the control of Parliament.

[Mr. Garrett]

In the meantime—we must get on—this seems to me to be a worthwhile piece of legislation, and I congratulate the hon. Member for Winchester (Mr. Malone) on introducing it. The Bill has the support of the Opposition, but the fact remains that there are some major outstanding matters with regard to the ombudsman and his powers, discretion, scope and jurisdiction which the House must discuss soon.

Mrs. Bridget Prentice (Lewisham, East): Briefly, I speak in support of the legislation which the hon. Member for Winchester (Mr. Malone) has brought to the House. I speak as a Member of the Select Committee on the Parliamentary Commissioner for Administration and, on behalf of the Committee, I want to put our thanks on record for the work done by the Parliamentary Commissioner and his limited staff. They cover a wide range of areas and Government Departments, and they do so assiduously. They constantly make every effort to do so as quickly and as efficiently as possible.

I agree with my hon. Friend the Member for Norwich, South (Mr. Garrett) that it would be good to see an opportunity whereby the scope of the work of the ombudsman can be extended.This is a first step today. I obviously recommend the report of the Select Committee, and I hope that Government will take up some of those recommendations—and particularly that everything should be included unless it is excluded, if I may paraphrase a phrase that is used in other spheres. That way will give power not to the ombudsman but to the citizen, and that is what the role of the ombudsman is about. The Bill—as far as it goes—is a good step towards that happening.

I hope that before long Parliament will reflect the wishes of the citizens of this country by ensuring that any redress that they have will be had at the highest level through the independence and the professionalism which the ombudsman has shown. I support the Bill and I hope that it gets through its stages as quickly as possible.

Question put and agreed to.

Clause 1 ordered to stand part of the Bill.

Clauses 2 and 3 ordered to stand part of the Bill.

Bill reported, without amendment.

Order for Third Reading read.

2.8 pm

Mr. Malone: I beg to move, That the Bill be now read the Third time.

Now that the Bill is back in our safe hands and away from the care of my hon. Friends on the Front Bench, may I first take the opportunity to thank all of my colleagues who supported this measure from both sides of the House —and it is an all-party measure.

In response to some of the points that were made during the clause stand part debate, I can say that the Bill is by way of being a halfway house between implementing something that the Parliamentary Commissioner saw was necessary as a matter of some urgency, and the response that will doubtless be made in due course to the full and comprehensive Select Committee report that is being considered by the Government at present. The gap that the Bill plugs is rather a glaring one and it is in one of the areas where the public come most regularly into confrontation —sometimes constructive—and contact with the Government machine. That is the area of social security administration. Owing to an administrative oversight, which was ultimately identified as a legal loophole, it was necessary to bring the tribunals in that Department's jurisdiction into that of the Parliamentary Commissioner for Administration through primary legislation.The Parliamentary Commissioner for Administration drew the matter to the attention of the Government some time ago and I am extremely pleased that I had to opportunity to use a private Member's Bill to plug that loophole in fairly short order.

The Bill is highly relevant. For example, the tribunal that affects the Child Support Agency is one of tribunals that will come under the jurisdiction of the Parliamentary Commissioner for Administration. As hon. Members on both sides of the House will know, there is great concern about the agency. It is important for the public to know, when they inquire into the administration of legislation that clearly affects them, that they have the fail-safe mechanism of the Parliamentary Commissioner for Administration behind them. As a consequence of this measure, we will achieve some rationality in a situation that was becoming fairly urgent.

The second purpose of the Bill is that it provides a useful clear-up measure. When it was made known that the legislation might be put before the House, I am grateful that the Government asked all Government Departments which tribunals should be brought within its jurisdiction immediately. That is why there are four extra tribunals in the Bill and I welcome that fact.

Perhaps I can reassure Opposition Members who have questioned this. A reserve power will exist to enable them to put some pressure on the Government—if not to bring forward Orders in Council—should the Opposition feel that a matter arises or a tribunal crops up that has not been noticed by the Parliamentary Commissioner for Administration, or anyone else, but which he should supervise. The matter can be dealt with quickly and, should the Government be persuaded to do so, can be placed under his remit by secondary legislation.

It has been a privilege for me to be able to introduce this measure, which seems a small step, but which will have great practical applications and interest for the public.

I thank all those hon. Members from both sides of the House who sponsored the Bill and also those officials who assisted me in drafting the legislation. I use the term "assisted" loosely. It is a euphemism because they assisted me throughout the Bill, from points a to z, and I am extremely grateful. I hope that the House will feel that this worthwhile measure deserves its Third Reading.

2.11 pm

Mr. Simon Coombs (Swindon): First, I apologise to my hon. Friend the Member for Winchester (Mr. Malone) for the fact that I was unable to be here when the Bill was considered previously. I am delighted to be here in time to contribute to this debate and to welcome the Bill, which is extremely valuable.

The measure is a tidying-up operation and is long overdue. The Select Committee on the Parliamentary Commissioner for Administration has exerted considerable pressure, and none too soon. I suspect that we have had to wait until now for such legislation primarily because of pressures on Government time. That is always a problem and I hope that it is one which the Government will one day recognise and that they will allow time for such measures,

which enable the House to come to terms with legislation that has fallen short of its intentions, perhaps only marginally but nevertheless in some important way.

I am glad to have this brief opportunity to address the House because of my concerns over one tribunal that will now be covered by legislation. This measure will bring the child support appeal tribunal under the remit of the Parliamentary Commissioner for Administration. My hon. Friend the Member for Winchester mentioned the tribunal and the great public concern about the workings of the Child Support Agency.

My postbag continues to be full of letters from constituents asking for my help in tackling the appalling difficulties that they face as a result of the formula that Parliament agreed should be the basis for the operations of the CSA. We must secure every possible means to ensure justice for what I can only call the victims of the CSA. Wherever we see a problem, it should be dealt with.

I have no reason to be concerned with the working of the child support appeal tribunal—it has hardly started its work yet—and I cast no aspersions on the work of those individuals employed to deal with cases brought to it. Nevertheless, enough brief exists on the dealings of the Child Support Agency to make us want to ensure that every possible means is available to give those who fall under its malign influence recourse to justice. An increasing number of people are resorting to the courts for justice. Only last week, one of my constituents went to court and achieved £1,000 compensation, having received a mere apology from the Child Support Agency for saying that he had fathered a child, now aged 16 years, which he had not. It was a complete mistake and the accusation, which had come in the form of a letter, had been opened by his wife and caused the marriage to come under considerable strain for a short time. I am glad that he took the matter to court.

I do not wish to stray too far from the subject of the Bill, but I am glad, Mr. Deputy Speaker, that you allowed me to point out that people need recourse to justice and restitution when they are unfairly treated as a result of machinery that Parliament sets up. The Bill makes an important contribution in that respect. I am sure that, before long, other legal appeals against child support will be made. In due course, the European Court of Justice will inevitably be brought in to play because of the manifest unfairness of many of the formulae with which the Child Support Agency is currently required to deal. I hope that it will not be too long before the Government propose further changes in the assessment of child support.

It is important that we plug the gap in the powers of the Parliamentary Commissioner for Administration in order to protect the interests of our constituents, whatever they may be. I criticise none of the individuals who work for the tribunals, but we all know that mistakes happen in the best run families, as Dickens said. We must ensure that our constituents have recourse to justice in those circumstances.

I congratulate my hon. Friend the Member for Winchester on his success in the ballot and on choosing this important measure. I am delighted to be here in the final moments of the Bill's passage through the House. I wish it good speed in the other place and, after the normal interval, into law where it will greatly benefit those few unfortunate constituents who, from time to time, need the services of the Parliamentary Commissioner for Administration.

2.17 pm

Lady Olga Maitland (Sutton and Cheam): I add my congratulations to my hon. Friend the Member for Winchester (Mr. Malone) on presenting the Bill. It has an important role and I, too, am delighted to see that it is widening its scope of jurisdiction.

I particularly appreciate the fact that the disability appeal tribunals will be brought under the Bill's remit. In the forthcoming year, when the arrangements of who will be entitled to disability benefits will change, arguments and delays may arise and the ombudsman's role will be important.

The list includes child support appeal, social security, and medical tribunals, but I was sorry that my hon. Friend the Member for Hertsmere (Mr. Clappison) did not move his amendments seeking the insertion of other areas of activity such as the commissioners of income tax, industrial tribunals and rent assessment tribunals. I understand that those could be included under an order, but, knowing the civil service as I do, I know that orders can take a long time. *[Interruption.]* Up to the Government then, but, none the less, the mechanics are such that it would be more helpful if we simply had an all-embracing remit, such as was suggested by the hon. Member for Lewisham, East (Mrs. Prentice), who asked, rightly, why not have all in until one has a situation when one leaves something deliberately out. There is some merit in that.

The hon. Member for Lewisham, East also mentioned a point with which I agreed, about trying to remove "the MP filter". I think that that was also said by the hon. Member for Norwich, South (Mr. Garrett). I have been helping a constituent by putting him in touch with the ombudsman. Every letter has had to go via me, accompanied by enraged comments asking why he has to go through me, not through any disrespect, but because it is cumbersome and awkward and he needs a speedy response. I agree with him.

Yesterday I met the ombudsman, Mr. William Reid. I found him very impressive and capable, and he has mentioned that difficulty to the Select Committee on the Parliamentary Commissioner for Administration. As a result, although he was unable to provide immediate direct access, none the less a dog-leg situation was arranged whereby the introductory and concluding letters had to go through the Member of Parliament, but the intervening mechanics between the ombudsman and what I call "the client" can proceed. None the less, I do not understand why I need to be the filter. It is helpful for me to be informed, as in the case of a general practitioner being informed by a consultant or the hospital that a patient visits, but after that they get on it. That is something that I should like to put into the thinking process. I hope that we shall consider it another time.

The work of the ombudsman is enormously important and he has had considerable achievements in bringing redress. It is impossible for me to list all the achievements that he has had in one year, but it is helpful to give one example of the work that he has undertaken.

A woman and her family were detained for questioning at a United Kingdom airport after security markings on her passport were found to be blurred. She was interviewed by immigration officers and the police, but, by the time that it was accepted that she was the holder of a genuine passport, not a defective one, she and her family had missed their flight, which meant that she lost money. The family had to buy new tickets and the upshot was that the ombudsman

[Lady Olga Maitland]

was able to intervene and to ensure that she was properly reimbursed for her financial losses resulting from a situation for which she was entirely blameless.

That is only one example of the important work that the ombudsman carries out. I am delighted that the Bill is now on the way and I congratulate my hon. Friend the Member for Winchester on getting it moving.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Building Conversion and Energy Conservation Bill

Order read for resuming adjourned debate on Second Reading [11 February].

2.23 pm

Lady Olga Maitland (Sutton and Cheam) *rose—*

Mr. Deputy Speaker (Mr. Michael Morris): Not moved.

Lady Olga Maitland: On a point of order, Mr. Deputy Speaker. I was standing.

Mr. Deputy Speaker: Does the hon. Lady wish to say, "Now", which is the word that I wish to hear?

Lady Olga Maitland: Now. I am terribly sorry, Mr. Deputy Speaker. I was unfamiliar with the precise procedure.

Mr. Deputy Speaker: I should be most grateful if the hon. Lady would ensure that she does know the procedure.

Lady Olga Maitland (Sutton and Cheam): Mr. Deputy Speaker, I am grateful for your indulgence in permitting me to continue with the Bill. It was launched in the House some weeks ago by the hon. Member for Dundee, East (Mr. McAllion), and it relates to a requirement that there should be insulation against heat loss of dwelling units provided by the conversion of existing dwellings and for connected purposes. In short, we are discussing bringing proper energy efficiency, and consequent savings, into the realm of houses and domestic units altogether. The Government are committed to improving energy efficiency in housing as part of their international commitment to reduce this country's carbon dioxide emissions to 1990 levels by the year 2000. It is an ambitious programme, but it does show the degree of the Government's commitment.

Domestic energy accounts for about one quarter of carbon dioxide emissions in this country. The programmes and measures in place to improve and promote energy efficiency across public and private housing sectors are ambitious and imaginative and constitute important improvements.

I wish to mention council housing and I am delighted to see that the Minister for Housing, Inner Cities and Construction is present. The Green House programme has established a network of replicable energy efficiency demonstration projects to encourage local authorities to develop and apply energy efficiency strategies within their housing programmes. It is a useful project. We are well aware of the general principles of energy conservation and, in a rather haphazard fashion, apply them to our homes. When we put lagging in the loft or install double glazing, we make an important start. But we know that our efforts are not as efficient as they might be and that we could probably do more.

As a result of the Green House programme, 180 schemes across 130 authorities have now been completed or are under way, with the funding over the three-year life of the programme totalling £60 million—no short measure of commitment. Overall, schemes are expected to deliver an average carbon dioxide saving of up to 50 per cent. —a considerable saving to our own pockets—and up to 40 per cent. reductions in energy consumption. That will have a significant effect in protecting the environment.

From 1993-94 onwards, local authorities are required to include energy efficiency as an integral part of their housing strategies and investment programmes. I am sure that the principle is appreciated, but local authorities need a nudge to make that commitment. Energy efficiency is now one of the factors taken into account in considering the annual housing investment programme allocations.

Interim guidance draws on the lessons of the Green House programme and was issued in 1993 to help authorities and to show ways of maximising scope for cost-effective use of resources. It will be of enormous benefit. We should not consider only council housing. As we now have more diversified assisted housing programmes, we must also consider housing associations that fall within the same remit.

The Housing Corporation's scheme on development standards sets out the corporation's requirements and recommendations for all housing projects that receive housing association grant. It is also the basis on which the corporation will assess associations' performance in developing housing projects. Associations will be required to demonstrate exactly what action they are taking. They must help people appreciate the extent of the programme required.

We should consider the domestic sector. I have particular admiration for the housing energy efficiency scheme, which provides low-income households with advice and grants for insulation and draught-proofing. More than 500,000 homes have been provided with insulation since the scheme began in 1991, which is a high progress rate. The provision of the home energy efficiency scheme for 1994-95 is to be almost doubled and extended to include all householders over the age of 60 and the disabled. Bearing in mind the fact that those people feel the cold most keenly, that will have a double benefit and I am sure that it will be greatly appreciated.

I should like to expand a little on the home energy efficiency scheme which provides grants for basic energy efficiency measures. It will pay for such measures as loft insulation, tank and pipe lagging, draught proofing and energy advice. In his Budget, my right hon. and learned Friend the Chancellor helpfully announced that provision for the home energy efficiency scheme was to be almost doubled and extended to pensioners.

It being half-past Two o'clock, the debate stood adjourned.

Mr. Deputy Speaker: Debate to be resumed what day? No day named.

Remaining Private Members' Bills

REGULATION OF POLITICAL FUNDING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 22 April.

MARRIAGE (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 22 April.

HEDGEROWS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 22 April.

NURSERY EDUCATION (ASSESSMENT OF NEED) BILL

Order read for resuming adjourned debate on Second Reading [18 February].

Hon. Members: Object.

Debate further adjourned till Friday 22 April.

DANGEROUS DOGS (AMENDMENT) BILL [*Lords*]

Order for Second Reading read.

Mr. Deputy Speaker: Debate to be resumed what day? No day named.

BUSINESS OF THE HOUSE

Ordered,

That, notwithstanding the provisions of Standing Order No. 14 (Exempted business), the Speaker shall—

(1) at the sitting on Monday 18th April put the Question on the Motion in the name of Mr. Secretary Gummer relating to Local Government not later than one and a half hours after it has been entered upon; and

(2) at the sitting on Monday 25th April—

(i) put the Question on the Motion in the name of Sir John Cope relating to Customs and Excise not later than one and a half hours after it has been entered upon; and

(ii) put the Question on the Motion in the name of Mr. William Waldegrave relating to Government Trading Funds not later than Ten o'clock;

and the first such Motion may be proceeded with, though opposed, until any hour.—*[Mr. MacKay.]*

Gordon Warren

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. MacKay.]*

2.31 pm

Mr. Nigel Forman (Carshalton and Wallington): My reasons for raising the case of my constituent, Mr. Gordon Warren, on the Adjournment are that it is the longest-running constituency case in my 18 years as a Member of Parliament. I have attempted on many occasions to get a just and lasting settlement for Mr. Warren during 12 of those 18 years. I would have dropped the case long ago, as my constituent urged me to do several times, had I not been convinced of the injustice done to him and the moral strength of his cause.

I am making this final parliamentary attempt to clinch a just and lasting settlement for my constituent. I hope and believe that the debate will make a decisive difference.

I shall offer a brief history of the case, which should be of interest to the Minister and the House. The whole sorry saga began in April 1982 when PC Gordon Warren, as he then was, refused to attend an improper all-night party at Sutton police station. Mr. Warren was subsequently penalised for his proper behaviour and retired from the force not long after.

In July 1982, an inference was drawn that he was mentally ill. That was done in his annual qualification report written by then Inspector Bourne-Taylor. In January 1985, a medical certificate on Mr. Warren was signed by a Dr. Bott, medical officer of the Metropolitan police, which alleged that my constituent was mentally ill. In January 1986, another medical certificate, which was subsequently found by the High Court to be unlawful, was signed by the same Dr. Bott stating that my constituent suffered from personality disorder and paranoid tendencies.

Having tried repeatedly with my help over those early years to get a satisfactory solution via political pressure on the Metropolitan police and on successive Home Secretaries in their role as police authority for the Metropolitan police, my constituent understandably chose to explore the possibilities of a legal remedy through the courts. That led him to take the matter to the High Court in May 1988 where, at the end of the hearing, he was awarded about £12,000 in damages for wrongful dismissal from the force, and his taxed costs.

In parenthesis, I should say that the Metropolitan police tried to settle the case in 1988, before it went to court, with an offer of £70,000 damages plus costs, which would have included £33,700 allocated from Mr. Warren's commuted pension, to which he had substantially contributed over the years.

That out-of-court offer was not acceptable to my constituent because, had he accepted it, he would have been bought off partly with his own money and he did not consider the sum to be adequate compensation for all that he had suffered at the hands of the Metropolitan police.

In June 1989, Mr. Warren took his case to the Court of Appeal, when he was awarded a further £3,500 damages and the Lord Justices made some deservedly complimentary remarks about him. Subsequently, my constituent sought my help again, in the hope that the pressure that could be exerted by his Member of Parliament would make a positive difference. The upshot was that in November 1990, the Metropolitan police offered Mr. Warren an ex gratia payment of £50,000 to settle the grievance and to compensate for the harm done to him. Once again, that was not acceptable to Mr. Warren.

With my further help, pressure on the Metropolitan police was renewed, with the result that their ex gratia offer increased to £70,000 in the summer of 1991 following my strong representations to the then Commissioner, Sir Peter Imbert.

Once again, my constituent understandably felt that that was another example of too little, too late—one characteristic of the whole sad story. Mr. Warren rejected the offer, not least because the suggested terms of the apology that was to accompany the payment were not adequate. At my constituent's request, I renewed my efforts after the 1992 general election.

The result of sustained pressure from me and others since then is the Metropolitan police's latest offer, made in February this year, of an ex gratia payment of £85,000 coupled with a certificate of service signed by Commissioner Condon, stating that Mr. Warren's police service had been exemplary, together with an endorsement of the earlier apology offered by Commissioner Imbert accepting that there was no truth in the allegations made against Mr. Warren and offering a full, unqualified apology.

Such progress as has been made towards a fair and final settlement owes much to the efforts of Sergeant Mike Bennett of the Metropolitan Joint Branch Board; Rev. Clive Taylor, former chaplain to the Metropolitan police; Dr. Ian Smith, my constituent's general practitioner; and Mr. Tony Judge, editor of the magazine *Police*.

Sergeant Bennett wrote in *Police Review*:

"Gordon Warren's problem stems from a combination of the intransigence of those in authority, who have stuck together, and an ex-constable who had the effrontery to take them on."

Mr. Judge wrote in *Police*:

"To this select band of brave, infuriating misfits, let me welcome Gordon Warren. By now, many of you will have heard the name. He was driven out of the Met after 28 years' unblemished and unblamed service, on a specious diagnosis of paranoia. It took him four years to get the High Court to overturn that disgraceful decision and award him a paltry £12,000 damages."

My constituent has for his part accepted that if a satisfactory package of apology, certificate and ex gratia payment can be put together, he will give his written undertaking not to pursue the matter further. The components of the possible settlement have been clearly identified by me and others. For clarification, they are a suitably generous ex gratia payment commensurate with the harm done to my constituent and the length of time that he suffered both physically and mentally; a certificate of exemplary service signed by Commissioner Condon; an endorsement by Commissioner Condon of the apology earlier offered by Commissioner Imbert; and, if all the foregoing are achieved, a written undertaking from Mr. Warren not to pursue the matter further. Obviously that fourth element is most important. I feel sure that when my hon. Friend the Minister catches your eye, Mr. Deputy Speaker, he will think that those are the right and just elements in any final settlement.

The real issue now, therefore, hinges first on the terms of the apology, which must be unqualified and explicitly recognise the wrong that the Metropolitan police has done to its former employee and my constituent, and secondly

on the level of the ex gratia payment in compensation to Mr. Warren, which must be sufficiently generous for the reasons that I stated.

I must leave the appropriate words of the apology for my constituent to agree, in consultation with representatives of the Metropolitan police. As to the sum of public money involved in the ex gratia payment, I have always pressed for a generous sum: first, to take full account of the harm done to my constituent by this long and tragic saga; secondly, to give the Metropolitan police a sporting chance to settle the matter once and for all and thus put behind them one of the shabbier episodes in their history.

My constituent, for his part, has always assured me that it is his personal honour and integrity that he wants recognised in a just and final settlement, and that he has not pursued his own cause for so long simply, or even principally, for material recompense. In the light of those factors and the fact that the final draft letter of apology —of which I have a copy—for Commissioner Condon's signature, is, in my eyes, fair, generous and unqualified, I believe that it should be possible, even after so many years of strife and misunderstanding, for men and women of integrity and good will to resolve this sad case once and for all.

To my way of thinking, the final paragraph of the letter, to which I have referred, strikes the right tone of accuracy, justice and humility on the part of the Metropolitan police. I very much hope, therefore, that Mr. Warren will be able to accept it as the key part of the overall settlement. For the avoidance of doubt, and for the interest of the House, I will quote the last paragraph of the letter that would come from Commissioner Condon. It reads:

"The Metropolitan Police Service fully accepts that there was no truth in the allegations that you were mentally ill."—

"you" referring, not to you, Mr. Deputy Speaker, but to my constituent, Mr. Warren—

"In spite of the various efforts which have been made to correct matters, it is clear that you are entitled to a full apology which I unreservedly give."

Before I close, there is one aspect of the matter that I must place on record, at the repeated request of Mr. Warren. It concerns what did or did not happen to the allegations that he made, as long ago as 1983, against Inspector Bourne-Taylor, who was in charge of Sutton police station on the night of the improper party in April 1982; against Chief Superintendent Rideout, who was then the superior officer involved in subsequent decisions on the incident; and against Dr. Bott, the chief medical officer of the Metropolitan police, who signed the defamatory and untrue medical certificates relating to Mr. Warren. The key questions, to which my constituent has never been given satisfactory answers are these.

First, were Mr. Warren's 1983 allegations against those three individuals officially recorded and fully investigated? Secondly, was an investigating officer appointed, and did that officer give him an opportunity to make a full statement and hand over evidence supporting his allegations? Thirdly, was Mr. Warren informed of the result of those investigations in any way?

If my hon. Friend is not in a position today to provide those answers, I should be grateful if he would use his good offices to get answers to me and my constituent in due course.

In conclusion, at the end of this sorry saga, I hope that the Metropolitan police will swallow their misplaced institutional pride, and keep their own legal department firmly under control, and that the Commissioner will seize this opportunity finally to revolve the issue on an honourable and fair basis. I pay tribute to those in the Metropolitan police—there have been many—who have striven for a fair settlement, but I cannot end without censuring the deplorable action of Inspector Bourne-Taylor, Chief Superintendent Rideout—as he then was—and Dr. Bott, who were the three individuals most directly responsible for this long catalogue of injustice to my constituent.

The main thing that my hon. Friend can do is strongly to advise our right hon. and learned Friend the Home Secretary, who is, of course, the police authority for the metropolis, to use all his influence to clinch the sort of settlement package that I have outlined, including, notably, a financial payment at a level sufficiently high to serve the interests of natural justice.

I thank my hon. Friend the Minister for listening so attentively to what I had to say and I look forward to hearing from him a constructive and helpful response which will serve to bring relief to my constituent and restore to the Metropolitan police the reputation for fair and honourable treatment of their employees, which has been badly tarnished in this case.

2.44 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Charles Wardle): I am grateful to my hon. Friend the Member for Carshalton and Wallington (Mr. Forman) for setting out so clearly and lucidly the case of his constituent, Mr. Gordon Warren. Mr. Warren will, I feel sure, appreciate the sustained support that my hon. Friend has given him throughout his long-running dispute with the Metropolitan police. I do not doubt that all hon. Members try to support their constituents whenever they feel that they have a legitimate grievance, but my hon. Friend sets an example to all of us by the energy, commitment and attention to detail that he has shown in this case.

My hon. Friend has already said that this is the longest-lasting grievance in his constituency files, dating back more than a dozen years. The matter is indeed complex and entangled, and I fear that what I have to say in reply to him may not allow his second oldest constituency case immediately to take the place of Mr. Warren's, but I hope that, on reflection, he and Mr. Warren may feel that the elements of a fair and reasonable settlement have finally moved into place and that this debate has acted as the catalyst for their successful combination.

There is not the time, nor I think the need, for me to rehearse the entire history of this very regrettable case or to go over all the ground that has been covered so well by my hon. Friend. There is now substantial agreement among all the parties where it matters. I believe that I owe it to my hon. Friend and his constituent to put that consensus on the record today.

First, there is complete agreement that Mr. Warren served with great credit throughout his career with the Metropolitan police. As my hon. Friend said, the Commissioner has made plain his intention to provide Mr. Warren with a certificate of service, again confirming his exemplary conduct. There is no question about that.

Secondly, there is complete agreement that Mr. Warren's compulsory retirement in 1986 resulted from a

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medical certificate that was not sustainable in law. Moreover, there is complete acceptance of the decision of the medical referees that he was not mentally ill, despite what may have been implied in a staff report prepared about him, or as was certified by the Metropolitan police's chief medical officer.

Thirdly, and this follows clearly and absolutely from the first and second points that I have enunciated, it is accepted by all parties that Mr. Warren was unfairly treated and unlawfully retired from the Metropolitan police. His initial complaint was not properly handled, and I think that that is accepted by everyone.

The Metropolitan police were fundamentally responsible for the chain of events which led to Mr. Warren's unlawful retirement. They accept that fact, as does my right hon. and learned Friend the Home Secretary as the police authority for the Metropolitan police, and so do the Government. Nor is there any question but that Mr. Warren should have redress: the question is precisely what and precisely how much.

There is an important fourth point that cannot and should not be overlooked and which I hope that Mr. Warren will accept must form part of the consensus. I refer to the fact that the whole matter of the unlawful retirement, including the investigation of Mr. Warren's formal complaint in 1983, was examined by the High Court in 1988 and the Court of Appeal in 1989. The courts examined the conduct of the Metropolitan police and of Mr. Warren during the events surrounding his unlawful retirement. The judgment of the courts, which took account of the way in which the Metropolitan police handled Mr. Warren's complaints, must be central to deciding the form and content of the redress that Mr. Warren should receive.

I hope that that addresses the point made by my hon. Friend in the latter stages of his speech. If there is any room for doubt after I have concluded my remarks, I shall write to my hon. Friend to offer further clarification.

The point is simply this. Mr. Warren has had the judgment of the highest courts in the land. They have awarded him compensation for injustice. What we are debating today is an offer of settlement over and above what the High Court and the Court of Appeal awarded.

The final part of the consensus is that there should be two main elements—we have discussed the certificate already—to the final settlement between the Metropolitan police and Mr. Warren: first, an admission of fault and an apology by the Commissioner clearing Mr. Warren's good name; secondly, financial compensation.

First, with regard to the money element, in 1987 Mr. Warren was offered, with Home Office approval, as my hon. Friend has said, an ex gratia settlement of £70,000, of which approximately £34,000 represented commuted pension. The offer was rejected and Mr. Warren pursued his case by way of judicial review before the High Court. The court agreed, and the Metropolitan police accepted, that Mr. Warren had been unlawfully retired on medical grounds, but it refused to order reinstatement or to award exemplary or aggravated damages. Instead, he was awarded some £13,000 compensation for loss of overtime and earnings on top of the pension and payments already accepted.

Mr. Warren appealed to the Court of Appeal, seeking reinstatement and further damages. In 1989, the appeal was dismissed, though a further payment of £3,500 was ordered by the court. The Court of Appeal concluded that

"in the circumstances of the case a modest sum would be proper".

Lord Justice Balcombe went on to say directly to Mr. Warren:

"Looking at this case, as we have done, objectively, while I think we all appreciate the grievances you have felt . . . the police have behaved very properly after the initial problem was recognised."

Lord Justice Balcombe also referred to what he hoped was a recognition on Mr. Warren's part that there are

"two sides to this particular story".

Mr. Warren was refused leave to appeal to the House of Lords both by the Court of Appeal and, directly, by the House of Lords.

Mr. Warren was not, apparently, content with the judgment of the courts and he returned to a direct approach to the Metropolitan police. He sought an ex gratia payment. In November 1990, following careful consideration of the history of the case, an offer of £50,000 was made. Mr. Warren rejected the offer.

Mr. Warren and my hon. Friend then took the matter up with the then Home Secretary. A further full review of the case followed, as a result of which the then Commissioner concluded, and the Home Office agreed, that although there was no legal liability, it would be right to increase the offer to £70,000. This was a very generous offer, exceeding by far the sums contemplated by the High Court and the Court of Appeal, and including provision for Mr. Warren's legal costs and a generous supplement to the sum already awarded for loss of earnings and overtime. Mr. Warren again rejected the offer.

It is essentially that final offer, uprated to take account of inflation, which was placed on the table again in February this year in a further attempt to resolve the matter. The uprating brought the final offer up to £85,000.

I am afraid that my right hon. and learned Friend the Home Secretary and I have gone as far as we can in authorising expenditure from the Metropolitan police fund. We have gone much further than the courts, and we have certainly gone further than reimbursement for loss of earnings and overtime. There is no possibility of going further. I trust that my hon. Friend will accept that if we were to do so we would risk flouting the judgment of the Court of Appeal as to what would be proper in the case.

With regard to the terms of the apology on which my hon. Friend expanded so helpfully, the position is straightforward. The Commissioner rightly wishes to offer Mr. Warren a full apology, endorsing what was earlier offered by Sir Peter Imbert and making it absolutely clear that, as the Court of Appeal put it, authority failed in its duty of fairness to Mr. Warren.

Mr. Warren received, in confidence, a draft of an apology. As my hon. Friend has said, Mr. Warren wrote to the Metropolitan police complaining that the terms of what was sent to him were not what he had been led to expect. The difficulty here, I believe, arose not because of any breach of good faith. I hope that Mr. Warren will accept, as is indeed the case, that the Commissioner had no wish to water down the terms of the apology.

I understand that the Metropolitan police have reconsidered the detailed wording of the apology to see whether a more acceptable formulation can be arrived at. I believe that it has been possible to adjust the wording in a way which fully reflects the Commissioner's wish to give

Mr. Warren the apology he deserves. The House will have noted the passage from the final draft letter that my hon. Friend quoted a few moments ago.

I very much hope that what I have said today, followed by an amended apology together with the certificate of exemplary service and £85,000, will prove acceptable to Mr. Warren. Although, as I have said, the Department cannot properly approve any increase to the sum on offer, we stand ready to offer all the help we can to my hon. Friend and to his constituent in bringing this very regrettable affair to a satisfactory conclusion as soon as possible.

Question put and agreed to.

Adjourned accordingly at five minutes to Three o'clock.

House of Commons

Monday 18 April 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

NATIONAL HERITAGE

Opera

1. **Mr. Jenkin:** To ask the Secretary of State for National Heritage what research he has conducted into the popularity of opera; and if he will make a statement.

The Parliamentary Under-Secretary of State for National Heritage (Mr. Iain Sproat): Opera in this country continues to attract an unprecedented degree of public interest and support. Recent research published by the Arts Council claims that 2.8 million—or more than 6 per cent.—of the adult population attend opera performances.

Mr. Jenkin: Will my hon. Friend take this opportunity to congratulate the orchestra of English National Opera, which at the Olivier awards ceremony received the award for outstanding achievement in opera? Does not that demonstrate that although British opera receives a limited subsidy, there is extremely good value for the taxpayer?

Mr. Sproat: I certainly join my hon. Friend in congratulating the ENO on its award last night; it does marvellous work.

Mr. Sheldon: Yes, but given that there is far more interest in opera as a result of a number of activities over the past couple of years, is not it fitting that there should be greater recognition of that interest, both by the Department and by the Arts Council, in terms of funding?

Mr. Sproat: Opera gets a great deal of support already —£40 million from the various Arts Councils around the country. That is well merited, but it is a substantial sum.

Mr. Dicks: Does my hon. Friend agree that the reason why opera is so popular is that it is funded by the rest of us mugs called taxpayers? If people who went to the opera had to pay the full cost, half of them would not go.

Mr. Sproat: In fact, we are lucky in this country in that a lot of the funding for opera comes from partnership deals —from sponsorship from business, in which we lead the world. The prices of a growing number of opera companies, such as English Touring Opera, are extremely reasonable.

Mr. Fisher: What are the Minister and his right hon. Friend the Secretary of State doing to back up their congratulations with some action? Why is not the Minister helping local authorities to support the excellent education and opera schemes in which most companies are engaged? Why is not he helping local authorities to back excellent touring opera companies, such as the City of Birmingham Touring Opera, Music Theatre Wales or Opera Factory? What is he actually doing? Why is not he even talking to the opera world to discuss the benefit of the schemes—as the Labour party is, with an opera seminar next Monday? Will he stop just talking about opera and use the power that he and his right hon. Friend have to do something to back opera?

Mr. Sproat: I have already said that we are doing a great deal to back opera. Through the various Arts Councils, we are giving £40 million. If any member of the opera community wishes to discuss matters further with me, I shall be delighted.

BBC Charter

3. **Mr. David Martin:** To ask the Secretary of State for National Heritage when he last met the Director General of the BBC to discuss the renewal of the charter.

The Secretary of State for National Heritage (Mr. Peter Brooke): I met the Director General of the BBC on 28 February, when we discussed the BBC's plans for its future commercial activities.

Mr. Martin: At his next meeting with the director general, will my right hon. Friend ask him what is the sense of spending fee payers' money on expensive advertising —on hoardings in tube stations and in newspapers, for example—for particular television channels or radio stations? Will my right hon. Friend comment to the director general that such advertising seems an activity more appropriate for the commercial sector, which the BBC may one day join, and that while the BBC is a public sector broadcasting organisation, it does not seem an appropriate way in which to spend money that fee payers sometimes find it difficult to pay?

Mr. Brooke: I think that I shall see the chairman of the BBC earlier than I shall next see the director general. Whichever of them I meet, I will certainly ensure that I include the subject on the agenda.

Ms Eagle: In considering the future of the BBC charter, will the Secretary of State bear in mind how irritating it was for those of us who were attempting to watch the historic victory of the English test team last week to have our viewing constantly interrupted by advertisements between each over? In considering the renewal of the charter, will the right hon. Gentleman bear in mind the fact that large numbers of people who like to watch sport want to do so uninterrupted by such advertisements? What will he do to ensure that great national events are not confined to minor satellite channels, so that we can all enjoy the drama—be it the English test team or Wimbledon or any other national sporting event?

Mr. Brooke: The hon. Lady will know that the Select Committee on National Heritage is exploring that very issue. There is no question but that the amount of sport being broadcast has greatly increased over recent years. The items that should be subject to the rules were discussed with everybody and agreed at the time of the Broadcasting

Act 1990. I take the hon. Lady's point and, as I say, I shall be reflecting on the report that the Select Committee will make shortly.

Mr. Maclennan: With respect to the commercial activities to which the Secretary of State referred, which the BBC has described in its document on fair trading as supportive of, and complementary to, its public service commitment, does the right hon. Gentleman view the revenues generated from commercial activities as additional to those generated by licence fees?

Mr. Brooke: Of course I can give the hon. Gentleman that assurance. Indeed, such revenues have always been in addition to the licence fee. The BBC has also made it clear, however, that it will be using the profit from its commercial activities to advance the commercial programme in which it is engaged abroad.

Mr. Gale: When my right hon. Friend next meets the Director General of the BBC to discuss the renewal of the charter, will he remind him that we look to the BBC to maintain the highest possible standards of journalism and broadcasting? In that context, will he draw the attention of the director general in particular to the largely synthetic row that one section of the BBC has sought to generate over the D-day celebrations? Will he remind him that there are many elderly soldiers, sailors and airmen in the country who are looking forward to the 50th anniversary of D-day to do two things: to commemorate those who lost their lives and to celebrate a great and glorious victory?

Mr. Brooke: I did not see the programme to which my hon. Friend refers, but I am conscious that it is the subject of a debate at present. I sincerely hope that the BBC, as is generally the case, reflects opinion throughout the country.

BBC (Regional Autonomy)

4. **Mr. Dafis:** To ask the Secretary of State for National Heritage what representations he has received concerning the autonomy of the nations and regions of the United Kingdom within the BBC.

Mr. Brooke: Since the beginning of 1993, I have received 45 letters about the autonomy of the BBC regions. The BBC's regional policies were also mentioned in a small number of the 6,000 responses to the Government's consultation document on the future of the BBC.

Mr. Dafis: Does the Secretary of State share my great concern and the concern of others about the strong centralising tendency currently prevalent in the BBC? That is evidenced, first, in the centralisation of certain functions, which makes it difficult for the BBC in Wales and in other national regions to make discretionary choices on the nature of programmes and, secondly, in the imbalance of funding of network programmes. I believe that 3 per cent. of network programme funding is spent in the national regions, which serve 17 per cent. of the population. Will the Secretary of State give an assurance that when the White Paper appears, there will be measures in it and in legislation, including the charter, to reverse that centralising trend?

Mr. Brooke: I am conscious of the views that have been advanced by the Broadcasting Campaign for Wales, which, to some extent, the hon. Member's comments reflect. The director general made it clear in a speech on 24 March that he was concerned to increase the amount of regional production throughout the country. At the same time, however, he said that he did not believe in quotas, which he thought would be potentially too inflexible.

Mr. Fabricant: Is my right hon. Friend aware that the BBC in Cardiff has a high degree of autonomy? Is he further aware that more money is spent on programmes specifically for the Welsh than on comparable programmes for Scotland and in the three BBC regions? Is he also aware that more money is spent on television in Wales by the BBC than is collected in licence fees paid by the people of Wales?

Mr. Brooke: Being familiar with the Broadcasting Campaign for Wales, I am also familiar with some of the counterpoints. However, as someone who is half Welsh I would not in any way want Wales to be denied its proper share. The director general has said that he is considering the issue on a national basis.

Mr. Maxton: When giving evidence to the Select Committee on National Heritage, both the director general and the chairman of the BBC promised that they would devolve management and programme making to the nations and regions of the United Kingdom. Will the right hon. Gentleman repeat that pledge and ensure that it is written into the charter when he renews it?

Mr. Brooke: Given that the director general and, according to the hon. Gentleman, the chairman of the BBC have made that promise, and as these are management matters under their control, I should have thought that the hon. Gentleman would be satisfied with what has already been said. However, as I said in answer to earlier questions, the White Paper will touch on the subject.

Outdoor Education Centres

5. **Mr. Jamieson:** To ask the Secretary of State for National Heritage if he will make a statement on the progress being made in establishing an accreditation system for outdoor education centres.

Mr. Sproat: The activity centres accreditation committee, established by the English tourist board, has drawn up a draft code of practice for outdoor activity providers, is now devising guidelines for individual activities and is considering appropriate inspection arrangements.

Mr. Jamieson: How does the Minister intend to ensure that outdoor education centres that are accredited by the English tourist board operate the highest levels of safety, with staff competent to undertake potentially hazardous activities? In particular, how will the centres be inspected to ensure that they are not putting children's lives at risk?

Mr. Sproat: The central answer to the hon. Gentleman's important question is that the Health and Safety Executive will be monitoring centres over the next two years at the rate of 100 a year. The precise monitoring arrangements are currently being considered by the ACAC.

Television Licences

6. **Mr. Barry Field:** To ask the Secretary of State for National Heritage what representations he has had from holiday parks and the tourist industry generally about the cost of television licences.

Mr. Sproat: My right hon. Friend has received representations from 27 right hon. and hon. Members and seven letters from others.

Mr. Field: May I declare an interest in this matter? It has come to my attention that Lewis Bullard, the secretary of the National Association of Holiday Centres, has written to my hon. Friend making three points—first, that the industry is seasonal; secondly, that most families go on holiday together and therefore do not watch their televisions at home; and thirdly, that, as hosts provide entertainment for their guests, they do not necessarily watch television in the holiday centres.

Taken together, the Select Committee proposals and the EC distance selling directive have caused great consternation within the industry and we look to the Minister to reassure those involved in it.

Madam Speaker: Did the Minister find a question in all that?

Mr. Sproat: I did, Madam Speaker.

Madam Speaker: I am delighted, because I did not.

Mr. Sproat: On my hon. Friend's first point, I agree that the Select Committee recommended that hotels with more than 50 rooms should pay for each television set thereafter. The same applies to holiday homes and caravan parks. I emphasise that that is the Select Committee recommendation, not the Government's. We are extremely conscious of the need not to place any additional burdens on the businesses described by my hon. Friend. On the question of the EC distance selling directive, the Government are wholly opposed to that directive and will do everything that they can to stop it.

Team Sports

7. **Mr. John Marshall:** To ask the Secretary of State for National Heritage what representations he has received about the importance of team sports.

Mr. Sproat: On 16 February, I hosted a seminar on team sports which was attended by about 25 people from the worlds of sport and education. Since the beginning of this year, my right hon. Friend the Secretary of State and I have received about 70 letters on this issue.

Mr. Marshall: Does my hon. Friend agree that team sports should be encouraged because they improve the health of participants, can be character-building and, in school holidays, may discourage young people from a life of crime? Does he further agree with the old adage:

"Mens sana in corpore sano"?

Mr. Sproat: My response to my hon. Friend's Latin quotation is, "Rem acu tetigisti." I agree strongly with what he said in English.

Ms Hoey: Will the Minister confirm that, in talking about team sports he is not—as has commonly been represented in the newspapers—talking about male-only sports? Is not he also referring to the value of other sports that are played by many women in this country—especially women's cricket? Does he agree that it is not a matter of team sports versus individual sports? We should be talking about and encouraging sport for all and ensuring that schools can give young people those opportunities.

Mr. Sproat: I agree entirely with what the hon. Lady has said about sport for girls and women. I shall do everything that I can to see that that approach is put into practice. I hope that, with my right hon. Friend the Secretary of State for Education, the we can devise a means whereby more team games are played, although not to the exclusion of individual games.

Mr. Robert Banks: Does my hon. Friend agree that British sport is highly regarded in all parts of the world? It is—[*Interruption.*] I accept that there are one or two exceptions. Sport provides an opportunity for us to encourage visitors from other countries to come here to watch football matches, tennis tournaments or whatever. When my hon. Friend next talks to the relevant authorities, will he see what can be done to encourage a greater marketing effort on behalf of sport in Britain? Will he also encourage international events to be held in this country?

Mr. Sproat: I shall draw my hon. Friend's important remarks to the attention of the British Tourist Authority and the governing bodies, but I have no power to make those bodies spend any money on their own marketing.

Mr. Pendry: Is the Minister aware that in most sporting circles his recent emphasis on core team sport is considered to be too narrow and restrictive? Instead, he should be fighting his corner to ensure that sport receives at least two hours a week as an integral part of the national curriculum, so that a variety of sports, both team and individual, can be played. The hon. Gentleman's pious hope that the 5,000 playing fields sold off by the Government should be bought back is an impossible dream as most of them are buried in concrete. Instead, the hon. Gentleman should be pursuing a policy with the Department for Education to scrap circular 909, which allowed the playing fields to be sold off in the first place. There should be a moratorium on the selling-off of playing fields so that schools and the community can benefit from playing fields in future.

Mr. Sproat: The hon. Gentleman makes an important point about the availability of playing fields. My views, in so far as they were correctly reported, do not include buying back the same land; obviously, as the hon. Gentleman said, much of it has been built upon. Instead, we should seek to increase the number of playing fields in urban areas. That should be encouraged. I hope that we shall encourage both team and individual sport in our schools.

Mr. Simon Coombs: Does my hon. Friend agree that, if the English cricket team is to win in Barbados more often than once every 59 years, and if the English women's cricket team is to win the world cup again, it will be necessary to preserve existing playing fields and provide more, and also to provide the necessary funding to ensure that playing fields are in good enough condition for school pupils to play cricket on them?

Mr. Sproat: Yes, my hon. Friend makes an extremely good point. I agree with him.

BSkyB Programming

8. **Mr. Mullin:** To ask the Secretary of State for National Heritage what plans he has to require that BSkyB is subject to the same requirements to broadcast British-made productions as the rest of commercial television; and if he will make a statement.

Mr. Brooke: BSkyB is already subject to the requirement in the EC broadcasting directive to reserve a majority proportion of transmission time for European works where practical, and to achieve this proportion progressively.

Mr. Mullin: But why are the Government making no attempt to enforce the regulations? Is not that extremely damaging to Britain's domestic television? Is it part of the pay-off for the Murdoch empire's support for the Conservative party over a long period? That is the only explanation that I can think of.

Mr. Brooke: The hon. Gentleman is incorrect in his observation that the Government are making no attempt to enforce the provisions of the broadcasting directive. Under that directive we require broadcasters to provide us with the material that is necessary for us to report to Brussels what the proportions are. We are engaged in specific dialogue with the broadcasters who have not met the provisions of the directive in order to verify their progress in connection with it. We are also conscious that the Commission will be asking us the same questions.

Mr. Hendry: Is my right hon. Friend aware that many of my constituents have to watch satellite television because the very hilly nature of my constituency means that they cannot pick up proper signals from the BBC and other commercial channels? Does he agree that it is wholly unacceptable that they should have to pay the full licence fee even though the BBC accepts that they have a substandard signal? Will my right hon. Friend undertake to look into that matter on my behalf?

Mr. Brooke: That question has been raised with me by another hon. Member who was in the Chamber a while ago, but who has now left. I have been willing to explore that subject with the relevant bodies in the past.

Ms Mowlam: Will the Secretary of State consider waiting until the Commission has made a decision, but will he assure the House that, in his cross-media review, he will include regulation across satellite, terrestrial and cable, so that—whether in terms of production, watersheds or current affairs programmes in peak time such as "World in Action"—a level playing field exists as between the different media where regulation is needed? Does the right hon. Gentleman accept that, if he does not do that, we will end up with another short-term, bungled, botched job like the Broadcasting Act 1990?

Mr. Brooke: Seductive though the hon. Lady is, I will not be tempted to explore what the conclusions of the cross-media review will be when we are scarcely halfway through it. As for the hon. Lady's other stricture, I agree with Sam Rayburn that the three wisest words in the English language are, "Wait a minute." The hon. Lady wanted me to wait a year and I am not sure whether the technology will afford us that degree of luxury.

Tourist Industry (Deregulation)

9. **Mrs. Lait:** To ask the Secretary of State for National Heritage what progress has been made on deregulating the tourist industry.

Mr. Sproat: My inquiry into regulatory burdens on the tourist industry identified some 90 regulations which the industry claimed were burdensome. We are pursuing each of those regulations with the relevant Departments.

Mrs. Lait: I thank my hon. Friend for that answer. Is he aware of the Somerset hotelier who had the extraordinary experience of witnessing three fire officers in one room arguing about the best fire precautions for it? Can my hon. Friend assure me that the deregulation initiative will change not only regulations but attitudes in public service?

Mr. Sproat: As usual, my hon. Friend is extremely well informed about such matters. On that occasion, I believe that the argument centred on whether doors into bars or bedrooms should open inwards or outwards. We are concerned to ensure that such overlapping is brought to an end, thus ending some of the burdens on parts of our tourism industry.

Mr. Mandelson: Whatever benefits may be gained by the British tourist industry from the programme of events planned to commemorate the 50th anniversary of D-day, does the Minister accept that frivolous trivialising events can play no part in a dignified tribute to those who lost their lives in the D-day landings? Will he therefore revise his plans in keeping with the views recently expressed to the Prime Minister by the Royal British Legion?

Mr. Sproat: It is very right and proper that we should commemorate the 50th anniversary of D-day. In doing that, we are commemorating the brave actions and deaths of those who fought on D-day. We are also commemorating the great good news that followed—the overthrow of the evil Nazi tyranny. It is not up to us to say how people around the country should commemorate those things. There should be serious and solemn events, and there will be. There will also be less serious and solemn events occurring around the country. We believe that a balance should be struck and that we are striking the right balance.

Mr. Elletson: Does my hon. Friend agree that, although deregulation is the answer to many of the problems of the tourist industry, there are also areas where stricter regulations are needed? Will he therefore accept my constituents' thanks for the part that he played in ensuring that there are changes to the Use Classes Order to curb the widespread and unregulated growth in the number of Department of Social Security hostels in tourist areas?

Will he also tell the House when he expects to be able to announce details of a licensing scheme for such hostels?

Mr. Sproat: I thank my hon. Friend for his kind remarks about the use classes order. He is absolutely right; there are regulations that must stay. All that we are seeking to do is discover those regulations that place an unnecessary burden on the industry. We shall continue to retain the regulations that are valuable and to abolish the regulations that are not. The licensing that my hon. Friend mentioned is a matter for the Department of the Environment.

Mr. John Evans: Is the Minister aware that we have two important tourist attractions in St. Helens, horse racing at Haydock park and rugby league at Knowsley road? Is he aware that one of the burdensome regulations placed on St. Helens rugby league club is the requirement in the Taylor report that the club spend substantial sums of money on improving its ground? Unlike football clubs, the rugby league club receives no assistance from organisations such as the Football Trust. Will the Minister accept my invitation to meet the board of directors of St. Helens rugby league club to find some way of assisting it to obey the instructions in the Taylor report?

Mr. Sproat: I saw St. Helens play Leeds the other day. I thought that they put up a terrific performance and were very unlucky not to win. I will be glad to speak to the directors of the club.

Film Industry

10. **Mr. Clappison:** To ask the Secretary of State for National Heritage what consultations he has had with representatives of the film industry about promoting the film industry in Britain.

Mr. Brooke: Last year, I held a series of consultative meetings with all sectors of the United Kingdom film industry to review the state of the industry and hear their ideas about possible further action to raise the level of private investment in film production. I have also received numerous other representations. I shall announce the Government's conclusions as soon as practicable.

Mr. Clappison: My right hon. Friend will be aware of the Impact initiative, which has received wide support from the film industry, to promote film-making in Britain. In considering the initiative, and in his wider discussions, will my right hon. Friend give full account to the calculation made by Impact that relatively modest fiscal changes could result in a big expansion of film-making in this country? Will he give every encouragement to the seven big American studios, which control 90 per cent. of cinema revenue in Britain, to make more films in this country, rather than just market United States-made films, as the British components of such films almost invariably result in a big improvement in their quality?

Mr. Brooke: I am aware of the proposals that underlie the Impact campaign; indeed, I have been in conversation with PACT—the Producers Alliance for Cinema and Television—as part of the review. Our preoccupation in the review is to ensure that we achieve what I will describe as the self-renewal of the industry, rather than simply giving it a quick fix. However, I acknowledge the point made by my hon. Friend about fiscal incentives. As for the American studios, I am delighted that this year some large budget films are being made here by the Americans. The film industry as a whole is profoundly encouraged by the signs of renaissance.

Mrs. Dunwoody: Does the Minister accept that while it must be nice to have large budget films being made here by American majors, it would be pleasant if we had one or two films made by the British? The British have the ability in writing, acting and directing. Would not it surprise everyone if the Minister were to highlight that by giving some support to this very hard-working and necessary industry?

Mr. Brooke: The hon. Lady and I have regular exchanges on this subject across the Floor of the House. She does not always demonstrate total familiarity with the underlying support that the Government are giving. As for the British industry, I am delighted to say that 67 feature films were made last year compared with 47 the previous year, and the amount of money that was invested in those 67 films was £214 million, compared with £169 million a year earlier.

Arts (Suffolk)

11. **Mr. Spring:** To ask the Secretary of State for National Heritage what is his assessment of the state of the arts in the county of Suffolk.

Mr. Sproat: It is for the Arts Council and regional arts boards to take the lead in making assessments of this kind. I understand that the Eastern Arts Board regards Suffolk as having a healthy and lively arts scene.

Mr. Spring: Is my hon. Friend aware of the great local interest in the National Racing museum in Newmarket in my constituency, and in the Manor House museum in Bury St. Edmunds? Is he also aware that the renowned Bury St. Edmunds festival starts next month? Does he agree that, with the great flowering of interest in the arts in the past 10 years, it is now possible for people to see fine performances and to go to excellent museums, not only in the cities, but increasingly in rural areas?

Mr. Sproat: Yes, I very much agree with my hon. Friend. I congratulate the Eastern Arts Board on what it has done towards achieving that splendid aim.

Brass Bands

12. **Mr. Enright:** To ask the Secretary of State for National Heritage what strategy has been evolved for assistance to the brass bands which previously relied upon collieries, now closed, to support them.

Mr. Sproat: I have a keen interest in the brass band movement, including colliery bands, as an integral part of our artistic and cultural heritage. I recently had a valuable meeting with the British Federation of Brass Bands.

Mr. Enright: Will the Minister harness his considerable enthusiasm to attacking the bumbling of the Department of Trade and Industry and the insensitivity of the Department for Education, whose policies are helping to destroy junior brass bands, which should be fostered? I do not need a public statement from him—just a hint that he will attack them in the background as he has done successfully with regard to team sports.

Mr. Sproat: I am grateful to the hon. Gentleman for his closing remarks and I congratulate him on the persistence and dedication with which he has pursued the question of the band in his constituency. On 18 February, I suggested to him six or seven ways in which he might advance the band. He may also care to have a word with the Voluntary Arts Network which might have some extra ideas, if not cash.

As for talking to the Department for Education and the Department of Trade and Industry, I will gladly pursue my usual friendly and genial conversations with them.

Mr. Jessel: Is my hon. Friend aware that all our hearts are warmed by the splendid sound of brass bands, just as they are by the British Army bands whose high standards of excellence are the envy of the world and who are trained at Kneller Hall, Twickenham? Will he draw the question of brass bands to the attention of the regional arts boards, and say that the whole House is behind them?

Mr. Sproat: I am grateful to my hon. Friend for his kind support which, given his marvellous musicianship, is particularly valuable. I will do as he says.

Mr. Skinner: Although the Minister may give his overall support to the idea of colliery brass bands, the truth is that, under the Coal Industry Bill, the Coal Industry Social Welfare Organisation—the umbrella organisation which deals with colliery brass bands—has had its money reduced by 40 per cent. CISWO must remain intact to look after the brass bands. If the Government can find the money to subsidise opera, they should find the money to ensure that brass bands can continue in every coalfield.

Mr. Sproat: The hon. Gentleman makes an important point. The future of CISWO and related matters are for my right hon. Friend the President of the Board of Trade, but, as I said to the hon. Member for Hemsworth (Mr. Enright), I will do everything proper that I can to see that brass bands continue and flourish.

Tourism

14. **Sir David Knox:** To ask the Secretary of State for National Heritage what plans he has to promote tourism in the midlands.

Mr. Sproat: Government support for tourism is channelled through the British Tourist Authority and the English tourist board. Through the English tourist board, support is also made available to the 11 regional boards, including the Heart of England and East Midlands tourist boards.

Sir David Knox: Does my hon. Friend agree that it is important that overseas tourists should not confine their visits to London and that they should also visit the midlands? Does he further agree that attractions such as Alton Towers and the fine scenery around it in my constituency compare with anything in London?

Mr. Sproat: Yes, I happily agree with my hon. Friend about the importance of Alton Towers, which has the highest number of visitors of any tourist attraction in the country. I also agree about the importance of getting tourists out of London.

My hon. Friend will be comforted a little to know that spending on promotion in the west midlands has been some £400,000 in recent years and exactly the same amount has been spent in the east midlands, contributing about 240,000 jobs in the surrounding areas. I agree strongly with what he says.

Sporting Clubs

16. **Mr. Harry Greenway:** To ask the Secretary of State for National Heritage what grants have been made to sporting clubs for the coaching and incorporation of children of school age; and if he will make a statement.

Mr. Sproat: The Sports Council provides support to sports clubs through its grants to various governing bodies of sport and is encouraging those bodies to focus their work on young people. The council also gives regional grants directly to clubs to assist them with junior sections.

Mr. Greenway: Does my hon. Friend agree that Conservative Members have always been keen supporters of team spirit, team work and team games because we know that that is the best way of handling the natural competitive instinctive in all children and adults as we go through life? Will he do all that he can to encourage clubs of every kind—rugby, cricket, hockey and the rest—to include teams of young players so that, if they cannot be coached in schools, they can be coached in clubs? Can we have teamwork between schools and clubs, which we do not have now?

Mr. Sproat: My hon. Friend makes a good point. Competitive games are valuable in teaching good sportsmanship, team spirit, dedication, losing gracefully and winning modestly. I shall do all that I can to inculcate that, both within governing bodies and between schools, governing bodies and clubs.

PUBLIC ACCOUNTS COMMISSION

National Health Service Trusts

27. **Mr. Simon Hughes:** To ask the Chairman of the Public Accounts Commission if he will make a statement about the level of funding made available to the National Audit Office to investigate the work of NHS trusts in 1993-94.

Sir Peter Hordern (Chairman of the Public Accounts Commission): I refer the hon. Gentleman to the answer I gave him on 21 February at column 13.

Mr. Hughes: May I take the matter a bit further? Given the large number of NHS trusts, investigation is sometimes needed in time to influence the results of a decision. Will the right hon. Gentleman examine whether funds are available not just to carry out the investigation but to do so quickly, which is what is needed in the case of Philip Harris house at Guy's hospital? If it is not used for the intended purpose, it will be a complete waste of £150 million of taxpayers' money.

Sir Peter Hordern: On the general point, the hon. Gentleman knows that hospital trusts are being investigated by the Comptroller and Auditor General and the report is expected in the autumn. On the particular point that he raises, the Comptroller and Auditor General is shortly to reply to his letter and I hope that the response will arrive soon.

Local Authority Housing Departments

28. **Mr. John Marshall:** To ask the Chairman of the Public Accounts Commission what funds have been made available by the Public Accounts Commission to the National Audit Office to investigate the work of local authority housing departments.

Sir Peter Hordern: The audit of local authority housing departments is the responsibility of the Audit Commission and does not, therefore, come within the remit of the Public Accounts Commission.

Mr. Marshall: Does my right hon. Friend agree that there is a pressing need for a further audit of local authority housing when, in Hackney, one local authority house in 11 is unlet and when, while it was under Labour control, large rent arrears in Brent reached 48 per cent?

Sir Peter Hordern: It sounds to me as though those are cogent points to put before the Audit Commission.

Mr. Soley: Would not it be a good idea to investigate authorities such as Westminster, and Government Departments, which have between 10 and 20 per cent. of their housing stock empty? Where those houses are sold on the private market, they depress the national economic recovery by depressing house prices. Is not there a strong case for investigating those public bodies—the Government and Westminster—which have such a bad record on keeping houses empty for political purposes?

Sir Peter Hordern: As the hon. Gentleman knows, local authorities are a matter for the Audit Commission. He is probably also aware that the National Audit Office frequently reports about housing matters to the Public Accounts Commission and the PAC makes reports thereon.

Arts Councils

29. **Dr. Howells:** To ask the Chairman of the Public Accounts Commission what provision is to be made for the Comptroller and Auditor General to examine the performance of the new arts councils of England, Scotland and Wales.

Sir Peter Hordern: The draft financial memorandum for the new Arts Council for England provides that the statements of account will be audited by the Comptroller and Auditor General. In Scotland and Wales, negotiations are under way to appoint the Comptroller and Auditor General as the auditor of the new arts councils. Under section 6 of the National Audit Act 1983, the Comptroller and Auditor General will also be able to carry out examinations into the economy, efficiency and effectiveness with which each of the councils has used its resources.

Dr. Howells: Will the Chairman communicate to the Comptroller and Auditor General the concern of many artists, writers and musicians that the regime of indecision and waste that has characterised so much of the work of the British Arts Council over the past 10 years is not replicated at regional level? Precious taxpayers' money should end up with artists, writers and musicians, not with those who make lucrative careers out of administering the arts.

Sir Peter Hordern: I will certainly communicate that to the Comptroller and Auditor General. If the hon. Gentleman will be good enough to let me know whether there are specific matters that cause him concern, I shall refer those on, too.

Audit Procedures

30. **Mr. Cohen:** To ask the Chairman of the Public Accounts Commission if he will liaise with Her Majesty's Government with a view to bringing forward proposals for a more effective audit of ongoing projects and activities of Government Departments and agencies.

Sir Peter Hordern: I refer the hon. Gentleman to the answer that I gave him on 16 December at columns *764-65*.

Mr. Cohen: As the new quangos spend vast amounts of public money with precious little accountability, should not there be tough new internal and external audit arrangements and, at the very least, a report on Departments' current policies in respect of these quangos, which spend unduly large amounts of public money?

Sir Peter Hordern: As the hon. Gentleman knows, the Comptroller and Auditor General and the National Audit Office by long tradition never report on matters of policy, but do refer to matters when things have gone wrong—as they frequently have. Examinations of public corporations over the past 20 years have revealed many weaknesses and faults. Regrettably, the faults that the Comptroller and Auditor General is able to establish in present corporations are by no means unparalleled—they have gone on for a long time. I echo what the hon. Gentleman says, however, and I remind the House of what an excellent job the Comptroller and Auditor General does on these matters on behalf of the taxpayer and the House.

HOUSE OF COMMONS

Hospitality Rooms

31. **Mr. Flynn:** To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what new proposals he has for additional funding to change the use of rooms used for hospitality in the Palace of Westminster.

Mr. A.J. Beith (on behalf of the House of Commons Commission): The Commission has received no proposals for additional funding for this purpose. I understand that the Catering Committee has no plans to reallocate the private dining rooms operated by the Refreshment Department.

Mr. Flynn: Would not it be beneficial for funds if the mean and spiteful proposal to ban journalists from the Terrace were replaced by a proposal to double the price of alcoholic beverages? The money received could be used both to benefit the health of Members and journalists and to improve the wages paid to our staff. It could also be used to answer a letter that I sent to the Catering Committee on 13 October asking for improvements in our facilities, not for those who spend every day here, but for the groups of pensioners and children from our constituencies who come here once in a lifetime—so that we can offer them the simple hospitality of a cup of tea.

Mr. Beith: The hon. Gentleman has embraced a wide range of subjects in his supplementary question. The Catering Committee has made proposals to provide facilities in the visitors centre which could take over the

cafeteria off Westminster Hall, but those proposals depend on alternative facilities being provided to replace the lunch and other catering arrangements provided there now.

Staff wages in the House compare favourably with those in the private sector.

Disabled Visitors

32. **Mr. Jamieson:** To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, if he will make financial provision available to improve facilities for disabled visitors to the House of Commons.

Mr. Beith: Following a report by an architect specialising in this subject, £250,000 was allocated for works in 1994-95. The Accommodation and Works Committee has approved an initial programme to improve facilities for disabled visitors and will examine further schemes contained in the report. Financial provision for future years has yet to be considered by the Finance and Services Committee and by the Commission.

Mr. Jamieson: Does the right hon. Gentleman accept that access for disabled people to the House of Commons is extremely limited? Given the widespread cross-party support for the Civil Rights (Disabled Persons) Bill, which is progressing through the House, would not it be ironic if the House itself remained so inaccessible to disabled people? Will he ensure that proper funds are available to make the House a model of accessibility for disabled people?

Mr. Beith: Yes, that is the objective of the Commission and the purpose of the report and proposals that we have been considering.

Members' Office Accommodation

34. **Mr. Steen:** To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what funding is being made available for the provision of office accommodation for hon. Members.

Mr. Beith: The agreed programme of works for 1994-95 includes £5 million for continued design and other preparatory work for the new phase 2 building.

Mr. Steen: There are more unoccupied bedrooms in the Palace of Westminster estate than there are in the Hilton hotel, Park lane. Of the 66 bedrooms in the Palace, only two thirds have been used in the past five years. Does the right hon. Gentleman agree that it would be better for those bedrooms to be converted into offices for hon. Members than to be left as bedrooms exclusively for the use of officials?

Mr. Beith: There are not 66 bedrooms, but 66 beds for the use of staff who are required to work during late sittings. Some of the beds are in dormitories which the hon. Gentleman might find do not compare very favourably with the accommodation in the Hilton hotel. The House has made a number of provisions for offices for hon. Members, including additional accommodation at Millbank, and of course the completion of the accommodation in the new building will ensure that all hon. Members who want a single room can have one.

Mr. Maxton: Is not it becoming clear that however much money this place spends on trying to improve facilities for hon. Members, we can never provide on this site a modern, democratic Parliament? Is not it time that the House of Commons Commission was given the job of examining the viability and cost of building a brand new Parliament outside London altogether?

Mr. Beith: Whatever the attractions of such a proposal, the Commission would certainly not embark upon examining it unless it was directed to do so by the House.

Dame Elaine Kellett-Bowman: Bearing in mind the fact that there are 19 bars in this establishment, is it really essential to take as another bar the Lady Members' Terrace Room, where lady Members have worked since 1945, from the days of Bessie Braddock?

Mr. Beith: That matter relates to the complex proposals by the Catering Committee which have yet to be debated in the House. I am sure that the hon. Lady will want to put her point when they are.

Constituents' Visits

35. **Mr. Enright:** To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what plans he has to arrange for a Commons official to be in charge of the arrangements for visits from Members' constituencies.

Mr. Beith: None, Madam.

Mr. Enright: Is not it time, therefore, that the Commission considered this question? Increasingly, our constituents wish to come here to see what is happening and that is causing considerable difficulty for hon. Members. It is not that hon. Members are unwilling to undertake the work, but it is becoming increasingly complex to arrange such visits. A central arranging point would greatly assist our constituents' understanding of the democracy that we serve.

Mr. Beith: I have some sympathy with that suggestion, but I think that it should be considered by the Administration Committee, to which I shall direct the hon. Gentleman's concern.

Day Nursery

36. **Mr. Barnes:** To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, if he is now in a position to make a statement on the provision of a day nursery in the Palace of Westminster.

Mr. Beith: The Commission has now received the report of the survey of demand which was carried out under the supervision of the Administration Committee and has asked that Committee to make a report to the House.

Mr. Barnes: Is the right hon. Gentleman aware that there are 10 commercial organisations in the Palace of Westminster occupying 950 sq m and that the gymnasium covers 350 sq m? In addition, we have just heard about 60 bedrooms. In view of all that, surely we can move much more quickly towards the provision of day nurseries than we have moved hitherto.

Mr. Beith: The Administration Committee has carried out a survey of the likely demand for a nursery and the Commission has made known its view, in terms of its responsibility for the staff of the House, that, if a viable scheme can be devised, it would want it to go ahead. The Commission has asked the Committee to make a report to the House.

Visitors' Facilities

37. **Mr. Tony Banks:** To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what representations he has received urging the provision of additional funds for providing facilities for visitors to the Palace of Westminster.

Mr. Beith: None, since I last answered oral questions on this issue on 21 February, although early-day motion 793 has been drawn to my attention.

Mr. Banks: The right hon. Gentleman is clearly seized of the fact that there is considerable concern in all parts of the House about the appalling facilities that we provide for our visitors. We call them "Strangers", not visitors, and we keep them standing outside in the most inclement weather. We treat them abysmally. This legislature is probably the worst in Europe in its treatment of visitors. When will something be done about the lack of facilities?

Mr. Beith: The hon. Gentleman must address his concern to the Committees that deal with these matters. Some of the problems about which he is concerned are addressed in the Catering Committee's report to which I referred earlier and which I expect to be debated in the House in due course.

Lavatories

38. **Mr. Harry Greenway:** To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what funds have been made available to improve lavatory facilities for visitors to the Palace of Westminster; and if he will make a statement.

Mr. Beith: The sum of £150,000 has been allocated for 1994-95 for the programme of lavatory refurbishment and a further £94,000 to provide new lavatory facilities for the disabled.

Mr. Greenway: I am sure that hon. Members in all parts of the House welcome that news, as will visitors to the Palace of Westminster. Will the new lavatories be more obviously accessible to the public and be properly named—

Mr. Steen: Illuminated.

Mr. Greenway: Illuminated, as my hon. Friend says —so that visitors will be able to identify them easily?

Mr. Beith: I will certainly draw the hon. Gentleman's points to the attention of those responsible.

Parliamentary Questions

41. **Mr. Skinner:** To ask the Lord President of the Council what proposals he has to take oral questions on Fridays.

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): I have no plans to do so.

Mr. Skinner: If the Lord President had been present earlier, he would have heard one or two comments about there being so many quangos in Britain today for which the Government are no longer accountable. There are 7,700 of them and they cost about £1,000 million a week. It would not be a bad idea if a Minister were made responsible for answering questions on Fridays about quangos and the use of taxpayers' money. We would then be able to ask all the questions that we are not allowed to ask the rest of the week.

Mr. Newton: The hon. Gentleman does not do badly on the first four days of the week.

Sir Anthony Grant: Since oral questions are about the most futile way of Parliament scrutinising the Executive, why not move all questions to Friday?

Mr. Newton: Probably because only the hon. Member for Bolsover (Mr. Skinner) would be here to ask them.

Sittings of the House

43. **Mr. Steen:** To ask the Lord President of the Council what proposals he has to confine the sittings of the House to four days a week including one all-night sitting.

Mr. Newton: I have no plans to propose such an arrangement and I do not believe that I would receive much thanks if I did.

Mr. Steen: If we did sit all night one day a week, it would be possible to use some of the 66 beds mentioned earlier—two thirds of which have not been used for five years. Would not it be far wiser to convert those sleeping facilities into offices, so that hon. Members who are squashed together like sardines could enjoy better accommodation in the Palace of Westminster?

Mr. Newton: I will not attempt to embroider the comments of the right hon. Member for Berwick-upon-Tweed (Mr. Beith) in response to a similar question earlier. My hon. Friend the Member for South Hams (Mr. Steen) has assiduously pursued his campaign and has already had some exchanges with the House authorities. I know that they are further considering some of his points. In my judgment, it is right that the matter should be given further consideration.

Mr. Tony Banks: Will the Lord President give an assurance that if we are compelled to use those bedrooms, none of us will be forced to share one with the hon. Member for Leicestershire, North-West (Mr. Ashby) to save on expenses?

Mr. Newton: I am well aware that the hon. Gentleman never sleeps.

44. **Mr. Ian Bruce:** To ask the Lord President of the Council how many hours the House sat in the 1992-93 Session; and what was the equivalent figure in 1978-79 and 1964-65.

Mr. Newton: In the 1992-93 Session, the House sat 1,983 hours and 48 minutes over 240 sitting days—an average of eight hours and 16 minutes per day. The equivalent figures for the 1978-79 Session were 878 hours

and 20 minutes over 85 sitting days—a daily average of 10 hours and 20 minutes. In the 1964-65 Session, the House sat 1,592 hours and two minutes over 177 sitting days—an average of eight hours and 59 minutes per day.

Mr. Bruce: I thank my right hon. Friend for those interesting statistics. Does he agree that we should amend the way in which we deal with legislation? Although much time is spent in debate on the Floor of the House and in Committee, we often exert little influence over the civil servants and Ministers who draft Bills. If we revised the way in which we tackle legislation, we might spend our time more productively.

Mr. Newton: I am sure that there might be ways in which the scrutiny of legislation can be improved, alongside a number of the improvements that have been made in recent years. Having been a Minister in various Departments, I can tell my hon. Friend that he should not underestimate the effect that the probing of the House, both on the Floor and not least in Standing Committee, can have on Ministers and their officials.

Mrs. Dunwoody: Is the Leader of the House aware that nowadays, far from getting better scrutiny, more and more information is being hidden by Ministers, both by referring hon. Members to the heads of executive agencies and by saying that letters will be placed in the Library? That is a reversal of the democratic position and one that is becoming extremely dangerous and all too common.

Mr. Newton: I do not accept for one moment the suggestion that because the information in some of these cases comes from the person principally concerned with the day-to-day administration of the service, without in any way altering the responsibility of the Secretary of State for the overall delivery of that service, there is any kind of concealment. Of course, answers are made available, in a way for which the hon. Member for Newport, West (Mr. Flynn) pressed over a long period.

Bosnia

3.30 pm

The Secretary of State for Defence (Mr. Malcolm Rifkind): With permission, Madam Speaker, I wish to make a statement about events in Gorazde and elsewhere in Bosnia over the past few days.

My right hon. Friend the Foreign Secretary reported to the House on 12 April on the circumstances in which NATO aircraft, to protect United Nations forces, had carried out close air support attacks on Bosnian Serb forces threatening UN personnel in Gorazde on the two preceding days. Following those attacks, efforts were made to achieve a ceasefire between the Bosnian Serb and Bosnian Government forces as the prelude to a general political settlement. But by last Thursday, 14 April, the situation on the ground had deteriorated and a number of serious incidents occurred in and around Sarajevo and in other parts of northern Bosnia.

On Friday afternoon, 15 April, the Bosnian Serbs resumed their shelling of Gorazde. A patrol of British soldiers serving as joint commission observers at a Bosnian army location about 3 km north of the town became involved in an exchange of gun fire. One of them, Corporal Fergus Rennie, sustained a gun shot wound as a result of Bosnian Serb fire. A second soldier was less seriously wounded by shrapnel. Corporal Rennie was retrieved by helicopter and brought to Sarajevo, where, sadly, he subsequently died.

On Saturday 16 April, three Bosnian Serb tanks began firing on the hospital in Gorazde. General Rose called for close air support, which was approved by Mr. Akashi. Two Sea Harriers from HMS Ark Royal, and two American A10 aircraft, were tasked with attacking the tanks. During a reconnaissance run, the Sea Harriers were attacked by a surface-to-air missile, which they managed to evade. At 4.45 pm local time, the Sea Harriers commenced a bombing run. A second surface-to-air missile was fired and hit the lead aircraft, which caught fire. The pilot, Lieutenant Nicholas Richardson, ejected and landed safely.

In an unrelated incident late on Saturday night, another British service man, Marine Timothy Coates, who was serving on attachment to the UNHCR in Sarajevo, was shot dead by personnel manning a Bosnian Government checkpoint in the city. He was off duty and wearing plain clothes at the time.

The House will wish to join me in sending condolences to the families of Corporal Rennie and Marine Coates. [HON. MEMBERS: "Hear, hear."] Both were brave men serving in Bosnia and trying to bring peace to that country. As the House will know, yesterday, Bosnian Serb forces advanced further on Gorazde, which is now virtually undefended. There are now no British military personnel in the town.

The events of the past few days represent a serious setback for the United Nations' peacekeeping efforts in Bosnia and will have grim consequences for the people of Gorazde. There is a tendency in some quarters to criticise the efforts of the senior UN personnel in Bosnia, including Mr. Akashi and General Rose, for failing to deal with the situation. In my view, such criticism is unjustified. Mr. Akashi, General Rose and their UN colleagues have achieved as much as was humanly possible, given the UN military forces available to them and the mandate under which they operate. They deserve our full support.

The United Nations troops in Bosnia are not, and never have been, intended to be a war-fighting force. They were sent to Bosnia for purposes of humanitarian relief and to give time for the peace process to bring results. Some have had quite unrealistic expectations of what can be achieved by the use of air power alone, or by ground forces that are not equipped or organised to operate in a combat role.

A vicious civil war is taking place in Bosnia with a total of almost 200,000 heavily armed Bosnian Serb, Croat, and Muslim forces. There are at present only 15,000 UN peacekeeping forces on the ground. The House is well aware that there has been no support from any quarter for deploying the large UN or NATO combat army that would be needed for the UN to be sure of imposing its will on the warring factions. In the absence of such support, it is quite unreasonable to berate the UN in Bosnia for having been unable to stop the fighting.

General Rose did recently call for more troops to assist in his peacekeeping role throughout Bosnia. The United Kingdom took the lead in co-ordinating an international response, which pledged those additional troops. I have to inform the House that, of the 8,000 troops pledged, only the battalion group promised by the United Kingdom and 300 others, totalling 1,200, have so far arrived.

The United Nations will now need to give careful thought to the implications of current events in Gorazde. Both the United Nations and others who call for action must avoid rhetoric and resolutions that cannot be enforced. There must be a proper assessment by the UN of its continuing ability to carry out the mandate, of what it can do to strengthen that ability and the peace process in general, and of the degree of co-operation that it can expect from the various Bosnian factions. It must also assess the level of risk to the safety of UNPROFOR troops, for which we all have an abiding responsibility.

Events in Gorazde represent a serious setback. It is important to remember that over large parts of Bosnia the UN has been successful in implementing an effective ceasefire and the population are able to resume something like normal life. Sarajevo is no longer under artillery attack. Those achievements are indeed creditable and we continue to give our full support to our troops, and other UN troops in the field, and to their commanders.

Dr. David Clark (South Shields): I thank the Secretary of State for his statement. This is a matter of great concern to many right hon. and hon. Members on both sides of the House. Opposition Members are glad that the right hon. and learned Gentleman does not currently contemplate the withdrawal of British troops from Bosnia.

Disappointed and saddened though we are by the Gorazde tragedy and its terrible, awful consequences, we ought not—as the Secretary of State implied—to let it dominate our thoughts and actions completely. It is worth recalling and emphasising that the peace is still holding in much of Bosnia and that, in central Bosnia, the Croats and the Bosnian Government troops are no longer fighting. It is also worth emphasising that there is some peace in Sarejevo, however tentative, and that life there is far better than many of us would have dared to contemplate a month ago.

I am proud of the contribution that our British troops have made in Bosnia. Let me place on record the Opposition's deepest sympathy for the families of soldiers who have given their lives in the conflict there. [HON. MEMBERS: "Hear, hear."]

[Dr. David Clark]

Will the Secretary of State acknowledge, however, that in a subtle way the mandate of the UN troops needs to be redefined? Is it not the case that that mandate was initially for the provision of a purely humanitarian aid delivery, but has now developed into a mandate for a peace support operation?

Are not the military handicapped by a lack of political direction and strategy on the part of the UN and NATO? Lieutenant-General Rose suggested the role that should be played when he pointed out that he would need more ground troops if the policy of peace support was to be effective. We believe that his request for extra troops was justified, but were disappointed, initially, by the Government's slow reaction. We acknowledge, however, that the Government had a change of heart following the marketplace disaster, and I acknowledge the Secretary of State's efforts in persuading our countries to earmark troops for Bosnia.

Will the Secretary of State enlighten the House on the numbers of troops? What has happened to the troops from other countries, whom the right hon. and learned Gentleman recently told the House were to be sent to Bosnia? Where have they gone? Of the 8,000 troops promised, only 1,200 have arrived.

On his visits to the United States last week, did the Secretary of State discern any change of policy by the United States Administration? In particular, will he comment on reports that the United States has blocked the request, made at the United Nations, to send an additional 8,500 peacekeepers to Bosnia and has approved only 3,700 —many fewer than General Rose requested?

Is the problem in the United States with the Administration or with Congress? What steps are the Secretary of State and the European Union taking to try to reverse that decision? Has any attention been paid to replacing Nordic troops in Macedonia with American troops, thus releasing the Nordic troops for action in Bosnia proper?

After Gorazde, we must ensure that we can reassert the authority of the United Nations, because it is in the interests of Britain and of the rest of the world to do so. In fighting to try to re-establish the authority of the United Nations, we are trying to do something to secure the long-term interests of Britain and Europe.

Mr. Rifkind: I thank the hon. Gentleman for welcoming the efforts of General Rose, of British forces and of UNPROFOR as a whole. He is correct to emphasise that much has been achieved by the United Nations in other parts of Bosnia, and we do not want to lose the benefits of that hard work.

The hon. Gentleman is correct to say that the UN's mandate has developed from being purely humanitarian to assisting in peacekeeping, wherever that has proven possible. It is very important, however, to draw a line between that kind of mandate and any possibility of the United Nations adopting a combat role, which, as he knows, would not be acceptable or consistent with a bipartisan approach. I know that he shares that view.

The hon. Gentleman acknowledged the efforts of the British Government in responding to General Rose's request for more troops and the lead that we took in the United Nations in co-ordinating that effort and in sending additional troops. He asked why so few have so far arrived from other countries. In part, that is, I am sure, because of genuine logistical problems in getting them to Bosnia from various countries around the world, but it will be important that all countries that have pledged additional troops make every effort to send them. The United States has offered logistical support for those who might require it and that should be borne in mind.

The hon. Gentleman asked about the United States Administration and Congress. Congress, not the Administration, has blocked the full funding of additional troops to Bosnia. I know that the President and his Administration are doing their best to persuade Congress to release the necessary funding, and we naturally hope that they will succeed in the near future. The United States has also indicated its willingness to ensure that some of the Nordic troops in Macedonia are released for service in Bosnia, which might have an impact on the number of American forces required.

Sir Peter Fry (Wellingborough): Does my right hon. and learned Friend agree that the events of the past few days have shown that, no matter what weasel words are spoken by the political negotiators on behalf of the Bosnian Serbs, the Bosnian Serbs' armed forces are determined to achieve their own objectives, which makes it exceedingly difficult to forecast what will happen?

In those circumstances, is not every other Muslim enclave surrounded by Serbs now under threat throughout Bosnia? Without the United Nations taking another very long look at its policy, what guarantees can be given that people in those enclaves can be secure? Surely it would be tragic to suggest to them that they might be safe, when, as the people of Gorazde have found, even their hospital is being shelled.

Mr. Rifkind: My hon. Friend is correct to say that the Serbs have shown themselves to be completely untrustworthy in terms of the assurances that they have given: that has been true not only in the past few days but for many months—many ceasefires have been negotiated which have not been honoured by the combatants.

My hon. Friend asked about the other enclaves. He will know that General Rose had been hoping to send a United Nations force into Gorazde to make it much more difficult for the Serbs to act aggressively towards that town. The Government had agreed to allow British troops to be redeployed there if that, in his operational judgment, was the right thing to do.

As for the other enclaves, there are already significant United Nations forces in those towns: in Srebrenica, there are about 500 Dutch United Nations forces; in Zepa, there are about 150 Ukrainians; in Bihaj, about 1,200 French; and in Tuzla, about 800 from the Nordic battalion. Clearly, that will be of considerable assistance to the United Nations in its objectives.

Mr. Menzies Campbell (Fife, North-East): In painting a necessarily sombre picture of events in Gorazde, does the Secretary of State accept that there might be lessons to be learned from the rather different circumstances of Sarajevo, where the credible threat of military action, coupled with intensive diplomatic effort, has managed to restore that community to some semblance of normality? Will he confirm that the Government will not support any lifting of economic sanctions against Serbia as long as safe areas are at risk and there is no overall peace settlement in place?

Mr. Rifkind: Of course, the circumstances in Sarajevo were unique, in that artillery was attacking from the heights, which were themselves credible targets for the use of air power. In addition, there is every reason to believe that the combination of Russian diplomacy and the Serbs' own assessment of the importance to be attached to maintaining that artillery barrage both contributed to that operation having the result that it did.

As for the latter part of the hon. and learned Gentleman's question, of course the imposition of economic sanctions is causing a great deal of economic hardship to the Belgrade Government, as well as to the Serbs in general; it is, therefore, an important weapon, which must be used to its maximum extent.

Mr. John Wilkinson (Ruislip-Northwood): I am sure that the Government and my right hon. and learned Friend will, like the whole House, have as their first interest the security of British armed forces personnel on the ground and in the air over Bosnia. May I express my condolences to the family of Corporal Rennie of the Special Air Service Regiment and to that of Marine Commando Coates who so tragically died? What arrangements have been put in place to enable the commander of the United Nations Protection Force and his subordinate commanders in Bosnia to call on close air support more rapidly and more effectively when the lives of their own forces are at serious risk?

Mr. Rifkind: There is no difficulty about the use of close air support where it is required for the defence of UNPROFOR forces. As we saw in Gorazde itself, General Rose was able to call on air power, which was available within 45 minutes. Therefore, where it is required for the defence of United Nations forces, I believe that the present procedures are indeed appropriate.

Mr. Giles Radice (Durham, North): Does the Secretary of State agree that, unless more United Nations troops are sent to Bosnia, other safe havens will be in danger of being overrun?

Mr. Rifkind: I agree that we must take very seriously the judgment of the United Nations commanders on the ground about the minimum manpower they require to carry out the policy that is expected of them. We cannot have expectations of the UN in Bosnia and then not provide it with the means of carrying out that policy. General Rose has emphasised that he does not wish to adopt a combat role in Bosnia, but that he needs a certain minimum number of personnel if he is properly to implement a peacekeeping role. We agree with him.

Mr. Patrick Cormack (Staffordshire, South): Is it not deeply disturbing that as we begin to celebrate the 50th anniversary of the glorious victory which set Europe free, at the very heart of Europe, in a country where 200,000 people have been slaughtered in the past two years, the words "safety and protection" mean very little?

Does my right hon. and learned Friend not feel that the time has come for the leaders of Government of the four permanent members of the Security Council most concerned to meet together? Will he ask our right hon. Friend the Prime Minister to take the initiative in summoning a meeting of President Clinton, President Mitterrand and President Yeltsin, so that something can be done? It is in no one's interests that ethnic cleansing and the alteration of boundaries by force of an internationally recognised sovereign state should be successful.

Will my right hon. and learned Friend further, and finally, agree that if it were not for the fact that the bulk of the blame attaches to Serbia and the Serbs, we should not have sanctions against them? As we do, let us therefore make it abundantly clear to them that they will not get away with this.

Mr. Rifkind: Close contact between world leaders is, of course, important. My right hon. Friend the Prime Minister spoke to the President of the United States yesterday. My hon. Friend will also be aware of the considerable need to ensure that Russia, who is a member of the Security Council, works in the closest harmony with the other permanent members. Over the past few days, Russia has tried hard to impress on the Serbs the need for considerable restraint. The House will have heard the remarks of Mr. Churkin, the Russian Deputy Foreign Minister, who expressed his own frustration with Serbian mendacity over the past 48 hours.

Mr. Tony Benn (Chesterfield): Is the Secretary of State aware that the warnings given that the situation could lead NATO to stumble into a civil war in Bosnia are turning out to be frighteningly true? NATO is not the United Nations, although the humanitarian and peacekeeping roles may be successful. However, with the experience of 18,000 troops in Northern Ireland for 25 years, with 33,000 people killed or injured during that period, there must be some lessons to be learned.

Will the Secretary of State resist the siren voices from the White House and from this House encouraging further military action? Will he take the matter back to the United Nations Security Council, where all the permanent members can contribute their opinion, and restore it to a UN function, in which any military operations are under the command of the Military Staffs Committee and not under the command of NATO?

Mr. Rifkind: Although I agree that NATO should not become involved in a combat role in the Bosnian war, the right hon. Gentleman must also take account of the fact that NATO has been successful in assisting the United Nations to prevent the Serbs from using air power against their foes within Bosnia and in enforcing the naval embargo, which is crucial to the effectiveness of the sanctions policy.

Sir Jerry Wiggin (Weston-super-Mare): Is my right hon. and learned Friend aware that probably for the first time ever, I agree with the right hon. Member for Chesterfield (Mr. Benn)? I strongly suspect that many people outside the House who are keen to support our forces in anything they do are deeply concerned at what they perceive to be a change in the main policy that the forces are directed to carry out. If the shooting up of tanks by British aircraft is not combat, please may I know what it might be?

Mr. Rifkind: Of course it is combat, but if it is required for purposes of self-defence, my hon. Friend, I am sure, would be the first to justify it. We have made it clear from the very moment that British and other UN forces arrived in Bosnia that, if their lives were under threat, it was entirely appropriate that we should use all the military means at our disposal to protect them. I know that my hon. Friend would have been the first to criticise us if we had so altered the rules of engagement that we exposed our troops

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to attack by Serbian or other forces and could not use the means, including air power, to defend them wherever necessary.

Mr. William Ross (Londonderry, East): Given the actions of the Serbs over the past two years, is it not self-evident that they have very clear objectives? Have the Government or anyone else yet determined exactly what are those objectives? When do the Government expect them to be achieved?

Mr. Rifkind: I have no doubt that the Serbs—and, indeed, the other combatants in this war—have very clear objectives. The United Nations must seek, in a slow, painful, but determined way, to find a way in which each of the factions will realise that military means alone will not produce a lasting peace in Bosnia. Much has been achieved in most of Bosnia with regard to those objectives. However, as recent events have shown, there is still an awful lot to be done.

Mrs. Jacqui Lait (Hastings and Rye): May I add my sympathy to that expressed by my right hon. and learned Friend and by the spokesman for the Opposition, the hon. Member for South Shields (Dr. Clark), on the death of the soldiers in Bosnia, and especially express sympathy to my constituents, the parents of Marine Coates? Will my right hon. and learned Friend assure me that he will bear in mind at all times the danger of dragging the United Kingdom into another war in a region of historically unresolved conflict, and that he and his colleagues will ensure that we do not slip and slide into a European Vietnam, killing young men and women for no discernible gain?

Mr. Rifkind: My hon. Friend is correct to emphasise those points. One of our main objectives over the past two years has been to seek to ensure that the war in Bosnia has not spread to other countries in that region. So far, that objective has been successful.

Mr. Derek Enright (Hemsworth): In view of the lack of practical purpose shown by the United States of America in recent months, would not the Secretary of State consider looking closely with his European colleagues at what is happening in the context of the European Union? Will he also ensure that those deliberations are made public as far as possible, to take along with them the majority of the peoples of Europe?

Mr. Rifkind: There are quite significant limits to what can be expected from the European Union with regard to military personnel able to assist in Bosnia. As the hon. Gentleman will be aware, for its own reasons, Germany is unable to be involved in the process—nor has Italy been able to, until recently. There are severe constraints. If there were an overall peace settlement in Bosnia that required an enhanced UN presence, it would be quite unrealistic to believe that that could be achieved without the active involvement of the United States.

Mr. Peter Viggers (Gosport): Does my right hon. and learned Friend agree that it was absolutely right to support the peace initiative in the past two months, but that our role in Bosnia remains twofold? One role is to support the distribution of humanitarian aid and the other is in monitoring the peace. If there is no peace, there is no mandate. Will he therefore discuss in all the decision-making centres what our role can be in future, but, in doing so, will he bear in mind the fact that there would not be support in this country, in my view, for sending further troops to Bosnia?

Mr. Rifkind: The purpose of the mandate is to try to help to achieve a peace. Much has been achieved, not only in the Sarajevo area, but elsewhere in central Bosnia, where there has been no fighting between Croat and Muslim forces for some considerable period. All the efforts must concentrate on seeking to ensure that the progress that has been made in central Bosnia should also be available in those areas where Serb forces are involved, as that would be the best way in which to ensure that peace was eventually brought to that weary land.

Mr. David Winnick (Walsall, North): Is not the most immediate and pressing matter concern for the security and safety of a town under siege, because of the known activities of the Serbian warlords, such as ethic cleansing and mass murder? Do the Secretary of State and the Government generally accept that what is now at stake is the credibility of the international community? The Serbs have exploited to the utmost the indecision—the manner in which the west generally has been so reluctant to act. Have not we learnt the basic lesson that one cannot appease fascist oppression? One either faces up to it or the fascists will win, as, so far, they have in Bosnia.

Mr. Rifkind: I notice that the hon. Gentleman has been careful to avoid saying what his especial remedy would be for resolving that predicament. Unless he is calling for many thousands of British and other soldiers to be sent in a combat role to Bosnia, frankly, his words are no more than the words of a windbag.

Sir Peter Hordern (Horsham): Is it not the case that there has been virtually no response to the call for international support from other countries, and notably not from the United States, in its failure to provide ground support? That being so, and as my right hon. and learned Friend has clearly said that the United Nations will not be involved in a combat role, is it not doubly important that the role of our British forces should be carefully defined, and that clear limits should be set for their involvement?

Mr. Rifkind: I could not agree more with what my right hon. Friend has said. It is extremely important when lives are at stake that functions should be clearly spelled out. We should not have unrealistic expectations of what can be achieved at the military level. It is precisely because rhetoric has so outstripped reality over so many months that people are now able to claim that the United Nations has failed in its task. I believe that those on the ground in Bosnia serving the United Nations have achieved all that could reasonably be expected of them. That needs to be acknowledged.

Mr. Calum Macdonald (Western Isles): Is the Secretary of State for Defence saying that resolution 836, which authorises the use of force to defend safe areas as defined by the United Nation, is a piece of rhetoric and a resolution that cannot be enforced? The right hon. and learned Gentleman's argument seems to rest on the proposition that it is not practical or feasible to impose a peace over the whole of Bosnia. But that was not the proposition that was tested at the weekend, which was

much more limited—whether the UN and the international community had the will to defend a small enclave of a few square miles and fewer than 100,000 people.

Mr. Rifkind: The hon. Gentleman cannot escape the fact that even the very wording of resolution 836 is ambiguous. It refers to "any measures" and uses the phrase "acting in self-defence". That implies the ambiguity that is at the root of the problem. We have seen the limitations that air power alone has in resolving a problem of this sort.

I know that the hon. Gentleman cares deeply about this subject and I respect his sincerity. Unless, however, one believes that air power by itself could relieve Gorazde, one has either to consider the use of ground forces in a combat role or to recognise the limitations in implementing resolution 836 in the way that the hon. Gentleman seeks.

Sir Patrick McNair-Wilson (New Forest): Is it not time to abandon the fiction that peace can be imposed from outside if the combatants do not want it? What knowledge does Her Majesty's Government have of the real aims of the Serbian Administration? They have 70 per cent. of Bosnia already; how much do they want?

Mr. Rifkind: We can only speculate on the objectives of each of the factions. It is clear, however, that it is a war about territory and that each of the factions is seeking to grab as much territory as possible to strengthen its negotiating position for the final political settlement. That clearly is part of their thinking. It is also evident that no political settlement that is not rooted in the consent of all the three communities can have any chance of bringing lasting peace to Bosnia.

Mr. D. N. Campbell-Savours (Workington): May I say to the Secretary of State what I really do believe? If Margaret Thatcher had been Prime Minister today, she would have sorted out this bloody—I use the word advisedly—nonsense one and a half years ago. At least she demanded that fascism should be stopped in its tracks in the heart of Europe, whereas this Conservative Government have ducked the issue.

Mr. Rifkind: I hear what the hon. Gentleman says. I would remind him that even my noble Friend Lady Thatcher made it clear that she did not support the use of British or other UN troops in a combat role on the ground in Bosnia. If an individual is not prepared to support that policy, and unless one is arguing that the use of air power alone can somehow impose peace on Bosnia, the hon. Gentleman is putting forward a proposition that is not sustained by reality.

Sir Archibald Hamilton (Epsom and Ewell): My right hon. and learned Friend referred to the fact that there was not a large enough force forthcoming to be sure of the UN imposing its will in Bosnia. Does he accept that no force, however large, could impose the UN's will on Bosnia? Surely we should learn the lessons of the Americans in Vietnam and the Russians in Afghanistan.

There is no military solution to the problems of Bosnia. There is a civil war into which it appears we are being inexorably drawn. I hope that there is no question of changing the UN's mandate there beyond humanitarian aid. I hope that we will consider withdrawal seriously, before we suffer some ghastly disaster, as the Americans did in the Lebanon.

Mr. Rifkind: My right hon. Friend is correct to point out that even a large combat army could, at best, hope to achieve only short-term objectives in Bosnia, because it would very quickly become an occupying army and, without a political settlement, would experience the same difficulties as those experienced by other such armies in other parts of the world. Therefore, I agree with my right hon. Friend's analysis.

Mr. Dennis Skinner (Bolsover): Is the Secretary of State aware that the look on the Prime Minister's face tells everyone everything today? This is another Government failure—and they were warned—and it is a Common Market failure into the bargain. Does the Secretary of State have any contingency plans to withdraw the troops before the television crews withdraw first? For God's sake be careful before the Government follow them into the next cockpit.

Mr. Rifkind: The hon. Gentleman makes his usual constructive contribution on these occasions. With regard to the latter part of his remarks, of course we have quite properly considered the safety requirements of the British forces. The hon. Gentleman can rest assured that whatever would be required to ensure their safety—whatever the eventualities might be—has been taken into account.

Mr. Bill Walker (Tayside, North): Is my right hon. and learned Friend aware that many of us are deeply concerned about the risks that our troops are taking? Their professionalism and courage have never been in doubt. However, attempts to pretend that surgical air strikes could somehow take place were wishful thinking, given the terrain and weather conditions in Bosnia. Anyone who has flown over the area is aware of that.

Does my right hon. and learned Friend also realise that the absence of the Germans' and Americans' presence on the ground means that the prospects of obtaining realistic measures in terms of negotiations have been substantially weakened—if they were ever viable? The absence of those two great powers on the ground is causing problems in the negotiations.

Mr. Rifkind: My hon. Friend referred correctly to a number of considerations. He is correct to emphasise the limitations on the use of air power. Air power can assist in defending our forces and it can be of assistance in certain very specific circumstances. However, it is quite unrealistic to believe that it can somehow deliver a peace to Bosnia in the absence of other factors pointing in the direction.

Mr. Tony Banks (Newham, North-West): If the international community is going to allow the Bosnian Serbs to put two fingers up to the United Nations, could we at least lift the arms embargo so that the Bosnian Government can defend themselves adequately?

Mr. Rifkind: I understand what the hon. Gentleman is saying about the arms embargo. He will appreciate that if the arms embargo were lifted, two factors would flow: first, there could be no continuing United Nations presence in Bosnia, with all the humanitarian consequences that would flow from that; secondly, there could be no possibility of continuing Russian co-operation with the rest of the United Nations. As I understand it, it would require a resolution of

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the Security Council to lift the arms embargo. I find it difficult to believe that the Russians would agree to that. It would therefore have quite serious consequences.

Mr. Terry Dicks (Hayes and Harlington): Will my right hon. and learned Friend consider withdrawing completely? Some of us said at the beginning that it was a mistake for British forces to be in Bosnia under any circumstances. We have now lost four British lives. What are the circumstances that my right hon. and learned Friend will consider when he thinks about withdrawing? People are sick and tired of having British forces at risk when there is no British interest there at all.

Mr. Rifkind: British and other UN forces have been responsible for saving hundreds of thousands of lives over the past two years. We must therefore think hard and long before considering that that role has come to an end. We have always argued that the presence of British forces should be continued so long as two criteria are met: first, that they can carry out their mandate and, secondly, that they can do so without unacceptable risk to themselves. We must constantly monitor the situation to see whether both the criteria continue to be met.

Mr. Chris Mullin (Sunderland, South): Can the Secretary of State confirm that the credibility of the United Nations and the stopping of ethnic cleansing in the former Yugoslavia are in Britain's interests? Has it not been obvious from the outset that the only thing that would stop Serbian aggression is overwhelming superior force, and from the outset some of us have argued that that is what should have been employed, including—in case the Secretary of State accuses me of mincing words—the use of ground troops? Is not the reason why we are in this mess the fact that we failed to exercise leadership from the outset?

Mr. Rifkind: I certainly acknowledge that the hon. Gentleman has been one of the few to carry through the logic of his position. I also acknowledge that if military force were to be part of international policy, that would require the massive deployment of ground forces. There are some 15,000 UN troops in Bosnia. There are about 200,000 heavily armed Serbs, Croats and Muslims who are fighting each other.

Clearly, the hon. Gentleman can work out for himself the likely size of a UN or NATO force that would be required not simply to make an impact but to take over the permanent military occupation of a country as large as Bosnia. He must also take into account how long that force would be likely to be required, and what would be the likely response of Serb, Croat and Muslim fighters over the many years that such a force would have to try to pacify Bosnia.

Sir Dudley Smith (Warwick and Leamington): As this is a European civil war, will my right hon. and learned Friend please make the strongest possible representations to his brother Ministers in the Western European Union and NATO that they must shoulder a greater part of the burden of the peacekeeping operation? At the same time, may I echo what the hon. and learned Member for Fife, North-East (Mr. Campbell) said earlier—that we must keep sanctions in place and, if possible, intensify them? Sanctions work well, but there are some distressing seepages.

Mr. Rifkind: I very much agree with my hon. Friend that European countries must make the fullest possible contribution to helping in problems of this sort. I know that the Federal Republic of Germany is anxious to see an end to the constitutional constraints on its own contribution and we hope that that will be possible before long.

Mr. Max Madden (Bradford, West): As the Bosnian tragedy unfolds, is it not clear that what is happening is the direct and terrible consequence of appeasement, which has continued since the start of the conflict? Does the Secretary of State agree that, as we are at the 59th minute of the eleventh hour, this is not the time for politicians, who are the guilty parties, to try to shift the blame on to the United Nations, the military or anyone else? Is it not now clear that the international community, through the United Nations, should either mobilise the means to stop aggression in Bosnia or give the people of Bosnia the means to defend themselves?

Mr. Rifkind: Once again, the hon. Gentleman is careful not to spell out exactly what he is recommending. If he did, people would be able to pass comment on the merits of his proposals.

Mr. Winston Churchill (Davyhulme): Does my right hon. and learned Friend agree that it is impossible to overstate the gravity of a situation in which the United Kingdom, as a permanent member of the Security Council, has pledged to honour and maintain safe havens in Bosnia, when one of those safe havens is being overrun by hostile forces at present? Can he assure the House that at no time in recent days have requests by General Rose for air strikes been turned down, other than on weather grounds?

Finally, can my right hon. and learned Friend say whether the Sea Harrier that was shot down over Gorazde at the weekend was equipped with a hands-off fully automated electronic counter-measures system? When will his Department give approval for the urgent operation requirement which it has already drafted for unmanned air vehicles, which could avoid the necessity to deploy the Special Air Service Regiment in such exposed areas?

Mr. Rifkind: On the latter part of my hon. Friend's question, clearly there are some operations for which ground-based forward air controllers will always be required. My hon. Friend knows that that must be true in many circumstances, but not in every circumstance.

On the earlier part of my hon. Friend's question, I am not privy to any internal conversations within the UN. However, I have no reason to believe that General Rose has made any requests in recent days in respect of Gorazde that have not been accepted.

Mr. Harry Barnes (Derbyshire, North-East): Do negotiations ever take place with Serbia about economic sanctions? Economic sanctions are fast becoming one of the few cards we hold, yet they are a problematic card. It is likely that they assist Milosevic to retain power, while devastating the country economically. Sanctions also hit the Albanians in Kosovo, but do nothing to control the armed position with regard to the Serbs in Bosnia.

Mr. Rifkind: There are always different views on the efficacy of economic sanctions, but it is clear that

Milosevic and his colleagues would dearly like sanctions to be lifted because of the damage they are doing to the economy of his country. Therefore, in that respect they are clearly a useful part of the pressure which can be applied against him.

Mr. Jim Lester (Broxtowe): Can my right hon. and learned Friend clarify the status of the safe havens policy, and say whether the UN has any means to maintain and achieve it other than persuasion?

Mr. Rifkind: It has been General Rose's view that, to make the safe havens policy effective, it is necessary to get significant garrisons of UN personnel into the safe havens. That is what he was trying to do in Gorazde, but he was unsuccessful. We have garrisons in the other safe havens, and that aspect of General Rose's policy is much more likely to succeed in respect of the other towns.

Mr. Harry Cohen (Leyton): What are the Government doing to get the release of the UN hostages who were taken by the Bosnian Serbs? Is the Secretary of State still satisfied that the humanitarian aid policy is the one which results in the least loss of life in Bosnia?

Mr. Rifkind: I understand that some 16 UN personnel have been released, and efforts are continuing to ensure the release of the others.

On the latter part of the hon. Gentleman's question, it is at the heart of the dilemma we all face that there is no doubt that the humanitarian efforts lead to the saving of many thousands of lives, yet one is conscious that, by themselves, they do not contribute to ending the war. Therefore, it is constantly necessary to balance the factors and to come to an honest judgment on where the interests of the people of Bosnia most lie.

Mrs. Angela Browning (Tiverton): Does my right hon. and learned Friend agree that military advice on the ground should not be ignored? If that military advice says that 8,000 more troops are required, but those troops are not forthcoming from the other member states, my right hon. and learned Friend may well have to decide, in the interests of British troops, between leaving those troops there and facing yet more casualties and withdrawing them and their armaments from the UNPROFOR.

Mr. Rifkind: Twelve hundred of the 8,000 have arrived and, as far as I am aware, the other countries that have promised troops have not said that they have changed their minds or that they are no longer proposing to send them. It is clearly important that they act as quickly as possible, so that the troops can arrive in Bosnia and be available to General Rose to help carry out the policy that he is seeking to implement.

Ms Kate Hoey (Vauxhall): Does the Minister realise that many of us—on both sides of the House—have been saying for more than two years that the Serbs were not interested in diplomacy, discussions or talking, and that they were interested in a Greater Serbia? Does he now agree that, as the international community has failed so dismally, we cannot sit in the House of Commons and say that we will prevent the people of Bosnia, including the Government and the Muslims, from being armed and able to defend themselves if we are not prepared to do it?

Mr. Rifkind: I appreciate the hon. Lady's point of view, which is perfectly respectable, but she must accept that it implies the ending of the humanitarian operation in Bosnia. She must also realise that there are practical difficulties in implementing such a policy, given that it would require the repeal of Security Council resolution. As Russia—a permanent member of the Security Council—has made it clear that it would not support such a resolution, any ending of the arms embargo would have to be in defiance of a UN resolution. I am afraid that that cannot be ignored.

Mr. Roger Gale (Thanet, North): May I take this opportunity, which has been denied me by parliamentary convention for two years, to pay tribute to members of our armed forces who have fought the humanitarian war in Bosnia, sometimes at the ultimate cost? Will my right hon. and learned Friend confirm that he has given, and will give, General Rose the UK military support that he demands? Was not General Rose right to say that wars cannot be fought from white trucks?

Does it not behove those who appear to wish to fight to the last drop of somebody else's blood to say clearly how many troops they wish to send, how long they want them to stay there, and how many body bags they are prepared to see come home? If they are not prepared to do so, should they not recognise that there is a limit to what the United Nations can achieve?

Mr. Rifkind: May I use this opportunity to thank my hon. Friend for his sterling work as Parliamentary Private Secretary to my colleague, the Minister of State, Ministry of Defence? I agree with his assessment that it is important that we do not create false expectations. Nothing could be crueller to the people of Bosnia than to use rhetoric that creates an expectation which, in the event, cannot be fulfilled.

Mr. Nigel Griffiths (Edinburgh, South): As the Government's current policy is based on the Serbians not turning their fire on United Nations personnel but confining their attack and slaughter to civilians and others in Bosnia, is there not a moral imperative to permit the Bosnians the right to defend themselves?

Mr. Rifkind: I can only repeat what I said to the hon. Member for Vauxhall (Ms Hoey): this is a dilemma, and there is no simple answer to it. But the hon. Gentleman must also question the implications for the UN humanitarian operation, which, I notice, he carefully avoided referring to.

Mr. Nigel Waterson (Eastbourne): Does my right hon. and learned Friend agree that those hon. Members who subscribe to the "something must be done" school of thought and talk airily about committing more troops to Bosnia, should be pressed to say exactly what they mean, so that their constituents can weigh up the dangers to which those hon. Members are prepared to expose British troops?

Mr. Rifkind: My hon. Friend puts the case eloquently and reasonably. Hon. Members on both sides of the House will realise that if this House is to command respect, it must not call for policy through rhetorical flourishes unless it is prepared to live with the consequences of what it recommends.

Mr. Keith Mans (Wyre): My right hon. and learned Friend has rightly described to the House the vicious and nasty civil war in what was Yugoslavia. Bearing in mind the events of the past few days and the huge contribution

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made by British troops towards reducing the slaughter in that country, does he feel that the UN mandate can continue to be applied without further resources from other countries, and the burden being shared by other nations? If that proves impossible, can British troops continue to carry out their present role without that further help?

Mr. Rifkind: I said in my statement that careful thought will have to be given to how the mandate is operating and whether anything is needed to increase its effectiveness. At present, we should attach importance to the successful achievements which General Rose and his colleagues have to their credit in Sarajevo and the Croat and Muslim areas of central Bosnia. Their achievements have brought a welcome peace to many hundreds of thousands of people. Were that to be put in jeopardy by a withdrawal of the UN, it would be a heavy responsibility, on which we would not wish to embark unless there was no credible alternative.

Mr. Julian Brazier (Canterbury): In rightly stressing the importance of having realistic objectives, does my right hon. and learned Friend accept that that must extend also to existing UN stated objectives? Does he accept that there is no historical example of safe havens being maintained by air power alone, the first unsuccessful attempt at that being Dien Bien Phu?

Mr. Rifkind: I agree with my hon. Friend that the use of air power alone will rarely have more than a limited military consequence, which must be borne in mind in any statements of policy by either the Security Council or others interested in these matters.

Mr. Bernard Jenkin (Colchester, North): Is it not remarkable that those who advocate more troops and a more aggressive military stance are at a loss to explain where they will get those extra troops? Is it not now clear that, unless we can sustain our peacekeeping role and allow our troops to protect themselves effectively—that requires United States involvement to have any credibility—we shall have to look seriously at withdrawal? I remind my right hon. and learned Friend that it was Lord Owen who drew our attention to the fact that we might have to withdraw.

Mr. Rifkind: Certainly the United Kingdom makes the second largest contribution of forces to the United Nations in Bosnia. I do not believe that anyone would want to suggest that we are not carrying our full share of responsibilities. If there were a need for a significant number of additional UN forces, that burden would have to be shared more widely.

Mr. Jacques Arnold (Gravesham): Will my right hon. and learned Friend be more forthcoming about nations that have promised troops and not delivered them, and about those that have not promised any at all? Surely that is the point that gung-ho types opposite should take into account before running the risk of shedding the blood of our own forces.

Mr. Rifkind: The immediate objective is to meet the need for the 8,000 personnel whom General Rose has said he requires to carry out his current policy. If the countries that have pledged troops are able to ensure their arrival, that requirement will have been achieved.

Lady Olga Maitland (Sutton and Cheam): What discussions has my right hon. and learned Friend had with the Russians in the past 24 hours, and what discussions does he plan with them? Does he agree that Mr. Churkin has been disappointed by the response from Belgrade, but that any hopes that we may have must rest with the Russians exerting due influence on Belgrade? After all, that is where the sheer energy for this brutal war has been coming from.

Mr. Rifkind: My hon. Friend is correct to say that the Russians have been constructive over the past few days. The Russian Foreign Minister, Mr. Kozyrev, has been in Belgrade; Mr. Churkin has been negotiating in Bosnia. It is therefore important that all the permanent members of the Security Council speak with a single voice on this matter, as far as possible.

Sir Russell Johnston (Inverness, Nairn and Lochaber): The Secretary of State for Defence has continuously referred to the "warring factions" of the Croats, Bosnians and Serbs, ignoring the American-brokered agreement between the Croats and the Muslims. That agreement makes it clear that the only aggressors in the current circumstances are the Serbs. The Muslims are not trying to break out of Gorazde to gain territory, certainly. Is not the right hon. and learned Gentleman essentially telling us that the west, the international community, is incapable of dealing with Serbian aggression?

Mr. Rifkind: The events in Gorazde of the past few days have undoubtedly been the consequence of Serb aggression, but there still are a number of warring factions in Bosnia. One of the British soldiers who lost their lives in the past week was killed by Serbian action; a Bosnian Government soldier shot the other one dead. The hon. Gentleman must therefore appreciate that the war continues, although I welcome the progress made in respect of the Croat-Muslim relationship.

Points of Order

4.27 pm

Mr. Max Madden (Bradford, West): On a point of order, Madam Speaker. This statement has run for nearly an hour, showing that there is widespread interest in and concern about the terrible events in Bosnia. You well know that you have said in the past that, when applications are made for an emergency debate, you are highly unlikely to consider them unless there has been a specific change of Government policy.

The horrors of Bosnia continue day by day, and the Government are clearly unwilling to provide a debate in their time which would give critics of Government policy time to expand on our arguments and a chance to answer the challenges that have been made to us during questions on this statement.

If the Government on Thursday do not announce a debate on Bosnia next week, would you be prepared to accept an application under Standing Orders for an emergency debate, to allow the Government to explain their policies on Bosnia, and to give critics of Government policy time to advance our arguments?

Mr. Patrick Cormack (Staffordshire, South): Further to that point of order, Madam Speaker. I believe that the hon. Member for Bradford, West has made an important point. People outside do not understand why this grave international crisis is not properly debated in this House. In the whole of the two and a half years or more since the Serbian aggression began in Croatia, we have had a handful of debates, and most of those were not exclusively on the Yugoslav situation.

Therefore, may I ask you, Madam Speaker, to consider most sympathetically the point of order by the hon. Member for Bradford, West (Mr. Madden): that, if a debate is not announced on Thursday, you might be minded to consider its importance next week?

Madam Speaker: I never divulge my thinking in advance. The matter is rather hypothetical, and the House will have to leave it to me. I have clearly heard what hon. Members on both sides have had to say about the matter.

BILL PRESENTED

SOCIAL SECURITY REGULATIONS (CHRONIC BRONCHITIS AND EMPHYSEMA) AMENDMENT (No. 2)

Mr. Michael Clapham, supported by Mr. Eric Clarke, Mr. Eric Illsley, Mr. Mike O'Brien, Mr. Tony Patchett, Mr. Dennis Skinner, Mr. Kevin Hughes, Mr. Ted Rowlands, Mr. Alan Meale and Mr. Lawrence Cunliffe, presented a Bill to amend the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations to reduce to 10 years the aggregate period of underground work required to qualify for benefits in cases of chronic bronchitis and emphysema; to amend the regulations relating to medical examinations for these diseases; to amend provisions relating to the percentage levels of disablement required to qualify for benefits in respect of these diseases; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon 22 April, and to be printed. [Bill 92.]

Orders of the Day

Trade Marks Bill [*Lords*]

Order for Second Reading read.

4.30 pm

The Parliamentary Under-Secretary of State for Technology (Mr. Patrick McLoughlin): I beg to move, That the Bill be now read a Second time.

The Bill represents an important measure for industry and commerce in the United Kingdom. Though long and, in many areas, complex, the Bill will make it easier for industry and commerce to register their trade marks and will provide owners of registered trade marks with wider infringement rights.

The Bill will harmonise our law with the laws of other members of the European Union. That is important, because business wants to have the same registration criteria and protection for its trade marks as are offered in other member states. It also implements our obligations in respect of trade marks arising from the final act of the GATT Uruguay round which was signed last week.

The Bill is also deregulatory, because it sweeps away the need for businesses to present the Patent Office with legal documentation for relatively straightforward changes to trade marks registration.

The importance of trade marks in day-to-day commercial activity is easily recognised. I doubt whether any of us could go through the day without using someone's trade mark, but trade marks are seldom recognised by most people as valuable assets. That is, of course, exactly what they are. Some have been valued in company balance sheets at several hundred millions of pounds, and the transfer of ownership of registered trade marks internationally each year is valued at billions of pounds.

There are some 350,000 trade marks on the UK register. Each year, there are approximately 35,000 new applications for registration. Therefore, it is important that the statutory framework that surrounds this important area of commercial activity should reflect the needs of businesses. The Government believe that the Bill does that.

The Bill completely replaces the current Trade Marks Act 1938. At present, the law does nothing to support the international marketing strategies of our large exporting companies; nor does it reflect the needs of small and medium-sized companies for an easy registration system.

When we started to discuss the draft European directive on trade marks with representatives of industry and commerce, it became obvious that there was a need to reform the whole of our law on trade marks. Therefore, the Government set out in the White Paper "Reform of Trade Mark Law" proposals for legislation. The White Paper was published over three years ago and received a very favourable response from business.

Since that time, extensive consultation has continued with organisations representing industry, commerce, the legal and trade mark professions and consumers, usually through the Standing Advisory Committee on Industrial Property. Of course, that does not mean that the particular wishes of every sector have been met, but the result is a Bill which commands the full support of industry and companies large and small. The Government believe that it

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reflects industry's needs for a law that maximises the protection given to owners of registered trade marks, yet reduces to a minimum the amount of regulation. It means that the direct costs to industry and commerce will be reduced and, therefore, their ability to increase investment in product development and marketing will be enhanced.

Part I of the Bill implements the directive and, in doing so, establishes a new code for the registration of trade marks. Clauses 1 and 3, in essence, provide for a mark to qualify for registration if it is capable of distinguishing one trader's goods or services from those of another. This means that it should be possible to register as a trade mark, for example, a container or a geographic name, where those have proved to be distinctive in the marketplace. Those are unregistrable under the current law, which defines a trade mark in a narrow and restrictive way.

Mr. John Marshall (Hendon, South): My hon. Friend will have read in the press that some manufacturers seek to use the Bill as a means of restricting or phasing out own-label products. Does he agree that own-label products in the grocery trade—about which the Minister for Industry, my right hon. Friend the Member for Hove (Mr. Sainsbury), who is also present on the Front Bench, will be happy to inform my hon. Friend—offer the consumer greater choice and more competitive prices, and that it would be wrong to use the Bill to phase them out?

Mr. McLoughlin: My hon. Friend anticipates a matter that I may mention later.

Clauses 9 to 13 specify the rights given under registration. The infringement rights are widened. Under the 1938 Act, the owner of a registered mark can sue someone for infringement only if that person uses the same mark on the same goods or services as those for which the mark is registered. The Bill extends infringement rights to cover similar goods or services. That means that if the owner of a registered mark observes that his mark is being used by someone else on goods or services that are the same as, or similar to, those covered by the registration, he will be able to sue that other person for infringement and seek damages.

The directive is the result of negotiations in which the UK participated fully. United Kingdom industry and commerce were, through interest groups, fully consulted. Harmonisation occurs only in those areas where differences in the substantive law of member states could distort competition. The directive does not affect procedures connected with the registration of a trade mark. For example, it requires member states to protect the rights of earlier registered marks, but does not tell them how that should be done.

We decided, after consulting users of the trade mark system, that in the United Kingdom the registrar of trade marks will continue to carry out a search of marks already registered and to refuse an application for registration where that conflicts with an earlier registered trade mark. Clause 5 reflects that. Small companies, in particular, will benefit.

As I said, the Bill deregulates in a number of ways. In particular, the procedures for the registration of assignments and licences of trade marks, which are also dealt with in part I, will be much simplified. The current law requires the registrar to fulfil a kind of consumer protection role. That is an old-fashioned notion. Other bodies and modern legislation can do that job far more effectively. Customers are far more sophisticated than they were in 1938, when the current trade mark law was enacted. More important, it is not in the interests of the trade mark owner to do anything that would cause confusion in the market—and registration could be revoked if, through the actions of the proprietor, the trade mark becomes misleading.

It will not be the registrar's job to police the assignment or licensing of trade marks. The present requirement for the registrar to examine in detail the deeds of assignment and the licence agreements will be discontinued. That will reduce the burden on owners of marks as well as the running costs of the trade mark registry.

Industry tells us that will save it more than £30 million a year. In addition, the resources saved in the Patent Office will be applied to the more positive objective of meeting customer service targets.

Current trade mark law does nothing to support the international marketing strategies of companies in the United Kingdom. Part II remedies that. It makes provision for the United Kingdom to ratify the Madrid protocol concerning the international registration of trade marks. That will make it much easier for UK industry to protect its marks overseas.

An international trade mark registration system known as the Madrid agreement has been in operation for more than 100 years and has a membership of more than 30 countries. That membership has, however, been fairly static. It has not appealed to countries that, like the UK, examine trade marks before registering them. They include the United States of America, Canada, Japan and the Scandinavian countries.

For that reason, a protocol to the Madrid agreement was agreed in 1989, which overcomes all the disadvantages of the old agreement. The UK took a leading role in the negotiations on the protocol and we signed it. Ratification, however, needs the Bill, which provides for the making of regulations to bring the protocol into force here.

Once the protocol comes into force, a simple arrangement will enable UK companies to obtain an international registration, covering any or all of the countries party to the protocol. The registration will have the same rights and legal effect in those countries as a national application.

That will be of considerable financial benefit to UK trade mark owners. At present, a UK trade mark owner who wants to protect his mark overseas must apply separately for registration in each of the countries concerned. That involves observing whatever procedures each country requires and paying fees in local currency. Some countries insist on the use of a lawyer. All that, as can be imagined, involves a great deal of trouble and expense. Industry told us that the new international registration arrangement should save it up to a further £30 million per year—a considerable benefit.

A further option for companies wishing to protect their trade marks overseas will be the Community trade mark, which will come into being as a result of an EC Council regulation that was adopted last year. The Community trade mark office will open for business in about 1996, in Alicante. The test for obtaining a Community trade mark will, of course, be the same as that applying in all member states. But, through a single application, a proprietor will be able to secure a unitary right that is effective in all

member states. Therefore, in the European Union, industry has a further choice when managing its international trade mark portfolios.

Parts III and IV of the Bill deal with administration and general provisions. I should like to single out the provision dealing with trade marks counterfeiting. That is a growing problem throughout the world and the United Kingdom is not immune to it. The offence trades on the reputation of famous and established trade marks. Unscrupulous traders copy goods sold under well-known trade marks. That devalues the reputation of the trade mark, because the counterfeit goods are frequently of inferior quality and might even be dangerous. Moreover, it also harms traders in the genuine goods, who, consequently, lose business. The Bill, therefore, will strengthen the protection against trade mark counterfeiting.

It is an essential ingredient of the offence under the current trade mark law that a trader intends that a consumer should believe that the goods were genuine. There has, however, been a dramatic growth in the practice of selling counterfeit goods clearly advertised as "brand copies".

Until recently, it was believed that that was, none the less, an offence under the Trade Descriptions Act 1968. However, the divisional court held in a recent case—Kent county council *v.* Price—that this was not so, observing that the Trade Descriptions Act existed to protect consumers and, as the defendant was advertising the goods as fake, they were not deceived. There was, therefore, no offence.

However, as the Bill is concerned with the protection of trade marks, clause 87 defines the offence in terms of unauthorised use of the mark. That protects the legitimate rights of trade mark owners. Even if an unscrupulous trader sells the goods as "genuine fakes", it will still be an offence, because he will be deliberately exploiting someone's mark without their permission.

Some concerns were expressed, both in another place and elsewhere, that the anti-counterfeiting provisions in the Bill went too far and could have made the person who inadvertently infringes someone else's trade mark liable to criminal charges. They felt that such infringements should be left to the civil courts. The Government believe that the changes that have been made in another place remove that danger and better focus the criminal sanctions on deliberate counterfeiting.

It will not have escaped notice of hon. Members that one of the issues surrounding the Bill has been given wide coverage in the press and on television—the issued termed "lookalikes", which my hon. Friend the Member for Hendon, South (Mr. Marshall) raised earlier. The issue, however, is a new one. It was not raised until the end of last year, despite the fact that the Government consulted exhaustively on the White Paper and the Bill for some five years.

Last December, a number of large firms banded together to form the British Brand Owners and Producers Group, with the aim of pressing for the inclusion of a clause in the Bill to curb what have become known as "lookalike products". These are own-branded products allegedly designed to look like the brand leader's goods. It is claimed, for example, that supermarkets sell their instant coffee in jars with labels designed to look like other, well-known brands. Industry is divided and although the brand owners are pressing their case vigorously, many others feel that existing remedies, such as passing-off, are adequate, or that it is not a matter for the Bill. Furthermore, many organisations have emphasised that distinctive shapes and packaging will be registrable under the Bill.

During consideration in another place, an amendment was tabled that would have made it an infringement of a trade mark to market goods designed to look like those of the trade mark owner, even though the actual trade mark was not used. The Government resisted that; it was, in any case, incompatible with the EC trade marks directive.

Those advocating action then changed the amendment to introduce a new cause of action for unfair competition. The Government, therefore, decided to consult via the Standing Advisory Committee on Industrial Property. The committee was a channel through which the discussions on the White Paper and the Bill were carried out, and it is appropriate that it should be involved here.

The advisory committee met on 30 March and discussed the issue. Many other organisations with an interest in the "lookalikes" issue, including the British Brand Owners and Producers Group, were present. Each organisation put its case, and made written submissions. The Government have not yet taken a view. We are continuing with the consultation process, but at this stage we do not believe that it is an issue that can be addressed under trade marks legislation.

Dame Peggy Fenner (Medway): Will my hon. Friend give way?

Sir Dudley Smith (Warwick and Leamington): Will my hon. Friend allow me?

Mr. McLoughlin: I give way first to my hon. Friend the Member for Medway.

Dame Peggy Fenner: I must tell my hon. Friend that there will be considerable relief that he does not believe that the action of the British Brand Owners and Producers Group in its amendment in the other place forms a proper part of the Bill. He will know, no doubt, that National Opinion Polls carried out a survey on whether people can be confused by so-called "lookalikes", and found that 78 per cent. of consumers, who, as my hon. Friend said, are very sophisticated, are never confused. MORI carried out an even more recent survey and came to exactly the same figure. I hope that he will regard this as a competition matter and not at all a matter for the Bill.

Mr. McLoughlin: My hon. Friend has adequately voiced the concerns of other people as well as the Brand Owners and Producers Group, which has voiced other concerns. This is something that, obviously, will be addressed throughout our consultation process. I am grateful to my hon. Friend for her view.

Sir Dudley Smith: I am tempted to say that any politician will tell my hon. Friend that opinion polls are invariably wrong, but I will not go down that line.

My hon. Friend said that this was a relatively new subject in that the representations had come fairly late. I stress that they did so because the problem is growing, and growing daily. As I heard the hon. Member for Workington (Mr. Campbell-Savours) say, one has only to look at the Coca-Cola issue in Sainsbury today.

Mr. McLoughlin: I am grateful to my hon. Friend for his cautionary word about opinion polls. I wholly agree with him. I never agree with them unless they say what I want them to say. That is possibly the line that we

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politicians always take. I am, therefore, very cautious about opinion polls. But he rightly points out the way in which this issue has, perhaps, come more to the fore. It did so rather late. The Bill had been widely debated for a long time. That was the point that I was stressing. We must address ourselves very carefully to whether this would be a right issue for the Bill. That was the point and concern that I was reflecting to the House a while ago.

The Bill, though long and complex, meets the Government's objectives in relation to UK industry. It simplifies and deregulates the national trade mark registration system and, therefore, saves time and money. Reduced costs will assist UK industry to compete in international markets. The provisions in the Bill for the Community trade mark and the Madrid protocol will help also. But, perhaps more important, the Bill represents what users of the trade mark system want. I hope that the Bill will command the support of both sides of the House and that we will give it a fair wind. The sooner that it is on the statute book, the sooner will the benefits start to accrue. I commend the Bill to the House.

4.49 pm

Mr. Nigel Griffiths (Edinburgh, South): Hon. Members on both sides of the House welcome the Bill: we understand the importance of trade marks to both British business and national and international trade. Unlike the Bill, however, the debate is concerned with the Government's delays and dithering over the presentation of legislation.

As we all know, trade marks are among a company's most valuable assets. Household names such as Persil and Pedigree Chum are all protected by trade mark legislation. Trade marks are a token of the esteem in which the public hold consumer products, and of a company's investment in achieving quality in a product.

The problem is the time that it has taken for the Bill to be presented. On the Government's own admission—the Minister has just said as much—the measure is likely to save British business £30 million. Why have the Government dithered for four years, while a White Paper published in 1990 has gathered dust on the Minister's shelf? He has had to blow the cobwebs off it.

The Minister must also explain why, during those years of dithering, businesses spent an unnecessary £90 million that would have been better spent on jobs in the businesses concerned and on taking up opportunities that they lost because of the delay. Those costs—and £90 million is the Government's figure, not mine—have all been passed on to the consumer. Businesses have begged the Government for action, but little has been done.

In October 1991, a letter to *The Times* stated:

> "Industry will continue to be deprived for at least two years and probably more of the proper means for the protection of its trade marks."

The delay has cost business dear. Despite that plea, however, nothing was done.

In June 1992, even Conservative Members were concerned about the Government's dithering. In reply to a parliamentary question, the then Minister, the hon. Member for Gainsborough and Horncastle (Mr. Leigh) reminded the House that there had been many representations on the matter from business—from the Director General of the Confederation of British Industry, Sir John Banham, to the president of the Institute of Trade Mark Agents, Richard Abnett.

The Minister said that there was no time: that the Government's priorities did not allow them to legislate, although business was losing £30 million a year because of the delay. Yet in that very year, although they could spare no time for an important Bill for businesses, the Government found time for the Cardiff Bay Barrage Bill and 51 other measures that were deemed to have a higher priority than the reform of trade mark law. There was no movement for yet another full year—until the end of 1993, when a Bill was at last produced and debated in the House of Lords.

That, however, was only part of the culmination of a number of lengthy delays. More than 20 years ago, Sir Reginald Mathys reported on British trade mark law and practice, and made a number of recommendations to amend the law. None of those recommendations have been implemented in the intervening 20 years, save one—the requirement to register trade marks.

The White Paper published in 1990 followed extensive consultation on the Mathys plan. During the White Paper's consultation period, businesses were asked to make representations by the end of 1990; no action was taken for three years, however. Apparently, the Government had other priorities. Certainly, the President of the Board of Trade has had other priorities recently—for instance, ceasing to be President of the Board of Trade as quickly as possible.

We have four key concerns: the issue of "lookalike" products, the problem of brand copies and disclaimers, the return of seized copied goods to the copier and the future and role of the Patent Office. Recently, there has been much belated lobbying on the issue of lookalike products. On one side, some manufacturers and copyright holders fear that the public might make a mistake in their local grocer's shop or supermarket—that, for instance, they might mistake Coca-Cola for Sainsbury's cola. On the other side, are the British Retail Consortium, the Consumers Association and the National Consumer Council, all of which believe that public choice would be restricted if—in the Bill or in future—the Government introduced provisions to protect packaging in itself, as a concept, and to prevent non-branded goods from being marketed in packaging that might resemble that of branded copies.

In fact, non-branded goods are often merely using packaging that the public have come to accept as symbolising a certain type of product, rather than the particular product being offered by the branded producer. We all find it useful, for instance, to see yellow bottles of washing-up liquid when we are shopping: the colour tells us that the fragrance is lemon. Similarly, the red tops of some coffee jars tell us that the coffee is decaffeinated. Those who lobby for the banning of non-branded similarities would condemn consumers to a lack of choice and much higher prices. The Consumers Association estimates that non-branded goods are between 20 and 25 per cent. cheaper than branded goods.

If the House accepts the arguments for an amendment now or later, it will pander to some of the companies with near-monopolistic market shares. Procter and Gamble and Unilever have 87 per cent. of the market share in detergents; Kelloggs has 57 per cent. of the share in cornflakes. Last year, Kelloggs was involved in a

disgraceful attempt to stop its cornflakes being sold at a discount by Shoprite and the Great Northern Co-op chains because it wanted to set the price; no doubt it colluded with other outlets that were not prepared to cut the price of Kelloggs cornflakes. Nestlé has more than half the market share in instant coffee, and Pedigree—which I praised earlier—has built up nearly 60 per cent. of a sector of the dog food market.

Mr. Douglas French (Gloucester): Would it make any difference to the hon. Gentleman's views if the branded product and the alleged lookalike were manufactured by the same source?

Mr. Griffiths: I do not think so. The packaging of some products that I buy looks remarkably like some branded packaging, and the contents also look very similar. I was taking it for granted that I could buy the original product at a discount. Let us say, however, that I was wrong, and that I was buying an inferior product. In this sector of the market, where products often cost pennies rather than pounds, the scope for a consumer to make an irretrievable mistake or to be deceived is much more limited, and the scope for damage to the consumer is narrower as well. Provided the consumer is not being deliberately deceived into thinking that he is buying branded goods and the manufacturer is not being cheated out of moneys, I can see no harm in it.

Mr. Malcolm Bruce (Gordon): The hon. Gentleman gave figures showing that Kelloggs remains the brand leader. It remains so not because of the protection of the Bill but because it has marketed a product that people want to buy. Is not that far and away the best practice, because people are capable of making a rational choice? The hon. Gentleman is right in his line of argument: the suggestion that branding requires the additional protection of law is contrary to the consumer's interest.

Mr. Griffiths: The hon. Member makes a forceful point.

The second matter that I wish to deal with is disclaimers, which were mentioned by the Minister. I am sorry to say that his interpretation seems to differ from that of the industry or of trading standards officers and other enforcement officers. I hope to have a chance to question him further on that in Committee.

One of the problems is that people running car boot sales at the disreputable end of the market, as against the majority of highly reputable market stalls, are getting away with selling illegal fakes and copies by putting up a sign declaring that goods are copies. It is no comfort for businesses that have invested in the development of a product and have tried to ensure its quality to find that it is a defence in law for someone who has illegally manufactured similar goods at far lower cost and of a far lower quality to say that they are copies.

Kent county council trading standards officers have drawn my attention to problems that have arisen when counterfeit items have been seized. I received a letter dated 2 September 1993 from the British Phonographic Institute on the problems of securing convictions. It believes that

"the stance adopted by the CPS will enable criminals to trade in illegal goods with impunity especially in the wake of a recent decision of the Divisional Court".

which the Minister cited,

"in 'Kent County Council' v. Price which has permitted the use of disclaimers on counterfeit goods as a defence to charges under Section 1(1)(b) of the Trade Descriptions Act 1968."

That Act is the key measure that trading standards officers use to combat counterfeiters. The BPI continues:

"As a result of the Court's decision, Kent Trading Standards Officers are no longer taking action if disclaimers are used in conjunction with the sale of counterfeit goods."

Mr. McLoughlin: I am aware of the BPI's point, but the hon. Gentleman will know that the Bill deals not with counterfeiting but only with trade marks. In opening, I specifically referred to counterfeiting of trade marks.

Mr. Griffiths: The Minister has now made it clear what he is saying, but that reinforces my fear that laws on other areas of counterfeiting do not have the support of enforcement officers. The Crown Prosecution Service has been singled out for criticism for not taking a sufficiently vigorous approach to the prosecution of criminals who trade in illegal goods.

The Minister mentioned the importance of the clauses that address the problem, but potential loopholes have been drawn to our attention. Clause 87 proposes the insertion of the words,

"with a view to gain",

which may cause problems because they imply an element of guilty knowledge. Trading standards officers, who are in the front line of enforcement, tell me that they can foresee an offender evading liability by claiming that he or she was not selling for profit. Clause 87 (3) contains the phrase,

"knowing or having reason to believe".

Again, difficulties may arise in proving guilty intention.

Trading standards officers show a distinct lack of confidence when they ask why the word "infringement" is used in the defence subsection—subsection (5)—and not in the offence subsection. They ask whether a defendant will be able to claim that he was not aware that the use of a sign infringed a trade mark. They point out that prosecuting counsel may have problems securing convictions.

Like trading standards officers, we believe that the Bill is a clear improvement, but it should contain a strict liability element. Our fears are echoed by market traders closer to home. Jubilee Market Hall in Covent Garden is concerned about the Crown Prosecution Service's failure to act in several cases where illegal traders are offering counterfeit goods and have been arrested for doing so.

We seek a guarantee that, under the Bill, at least at some, if not all, of those practices will be eliminated so that a prosecution can be brought without any difficulty and, if proven, a conviction secured.

Concern has been expressed about the inadequacy of provisions for returning goods that have been seized where, for some reason, a conviction has not been secured. Kent county council drew our attention to a recent case in which a consignment of counterfeit clothing and Reebok and Adidas sportswear was imported into the United Kingdom. The consignment was seized and detained by Customs, but, because there were no apparent perpetrators in the United Kingdom, it was difficult to institute proceedings. Customs rightly ask what it is supposed to do with 5.5 tonnes of counterfeit clothing. There is no quick way of ensuring that it can be disposed of legally or that it does not go back on the market.

There are, of course, more serious cases in which the people responsible for the illegal manufacturing plants in this country that make fake goods are detained and charged, but, for technical reasons, are not convicted. In such cases, there is no way in which the legitimate

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manufacturer who holds the trade mark can have the counterfeit goods properly impounded and destroyed instead of being returned to the person responsible for manufacturing but against whom no prosecution is likely or whose conviction has not been secured. British business has pleaded for the trade mark provisions to be put on a par with those in section 100 of the Copyright, Designs and Patents Act 1988.

My fourth concern relates to the role and future of the Patent Office. For 119 years, we have been fortunate in having a public body, paid for by business and the taxpayer, to monitor the registration of patents. It is probably one of the reasons why British manufacturers secured a world lead in protecting their investments. The sad fact is that, had the Government acted quickly to implement the White Paper published in 1990, we should have been in pole position to have the European service based here. Due to their dithering and failure, the new trade mark is to be administered by a Community trade mark office located in Alicante, Spain, instead of in its rightful place. Because of the length of time that we have had a Patent Office and patent protection, that rightful place was in this country, in south Wales or elsewhere.

As we have lost the opportunity to have the European trade mark organisation and office in this country, just as we have lost so many other opportunities in Europe because of our dithering stance, we want an undertaking from the Minister that he will not weaken the service provided by the Patent Office either by embarking on an unwanted and costly privatisation exercise, in which neither the consumer nor business would have much faith, or by hiving it off in any other way. It is important that an office with such a responsible function, and which deals with thousands of millions of pounds' worth of business covered by patents, remains firmly in the public sector and remains open in Britain and does not move to Alicante or anywhere else.

As I said, my main regret about the Bill is that there has been so much delay and dithering. The opportunities and the £90 million which the Minister said that business had lost because of the delay in implementing the Bill are history. The Bill's best provisions should be introduced as quickly as possible so that businesses and their employees and consumers can benefit without further unnecessary delay.

5.13 pm

Sir Dudley Smith (Warwick and Leamington): I broadly support the Bill and its objectives, which have been admirably outlined by my hon. Friend the Parliamentary Under-Secretary of State for Technology. The Bill will achieve the necessary updating, which is overdue. I do not agree with the criticisms expressed by the hon. Member for Edinburgh, South (Mr. Griffiths), but I do agree that there has been a delay, although it is sometimes wise to proceed carefully to get things right and experts believe that the Bill represents an advance and is right in many respects.

I must declare an interest in that I have been involved in the industry for more than 30 years, although not as a trade mark expert. I have been connected with trade marks that affect a business's progress. I am also connected with a number of companies that manufacture consumer goods and, in view of my earlier intervention, it will not come as a great surprise to my hon. Friend the Minister if I concentrate primarily on that issue.

The need to include in the Bill powers to deal with the problem of look-alike products has already been explained to the House. My hon. Friend may say that the Bill is not the appropriate vehicle for that, that representations have come too late or that other considerations need to be taken into account, but look-alike products are a serious and growing problem. Lookalikes is the generic term used in the industry. Such products have packaging and labelling deliberately designed to resemble the overall appearance of existing brand leaders.

The House will be aware that counterfeit goods are passed off as originals. That is rightly regarded as a criminal activity because it harasses legitimate manufacturers. However, producing look-alike goods is not a criminal activity although it is undesirable and, in my view, as morally reprehensible as passing off goods as something that they are not. It is subtle and deceptive.

The hon. Member for Edinburgh, South implied that the manufacturers of brand leaders want to run own-label goods off the supermarket shelves, but that is not the case. I must emphasise that I am not against own-label or own-brand products, whatever one wishes to call them. What the supermarkets and big retailers are doing is a perfectly legitimate sales operation, which has grown enormously in the past 25 years; it has added to competition and helped to increase sales and the prosperity of this country. However, I decry their deliberate imitation of brand-leader goods, which is wholly wrong. I shall not mince my words: it is cheating, and it is not legitimate competition, which is so necessary in our society. I am all in favour of proper competition, but it must be fair and should not involve the deliberate copying of someone else's products.

I know that my hon. Friend the Member for Medway (Dame P. Fenner) is closely involved with the British Retail Consortium, the retailers' trade organisation. Via that organisation, retailers are making much of the fact that their own-label approach is in the consumer's interest and helps to reduce prices, but they have no logical excuse for blatantly copying other people's products in order to mislead or confuse the consumer into believing that it is the same product or from the same source. They ruthlessly and unscrupulously imitate goods with household names, and it is sometimes very difficult to tell at a glance which is the house brand and which the brand leader. There will be serious long-term consequences unless unfair competition legislation is introduced in due course.

Branded goods have been developed after considerable investment and with much expertise and research. Someone who gains from that investment by selling a look-alike product gains an unfair advantage. The hon. Member for Edinburgh, South mentioned the share of the market gained by certain dog foods, by cornflakes and other products. It is extraordinarily important to remember that companies have developed their share of the market through their skill and by producing an excellent product. The fact that they have been able to obtain a large share should not be to their detriment. I am all against total monopoly; there is plenty of room available for others who want to come in to segment the market. However, I do not believe that it should be done in this way.

If the branded goods manufacturers are gradually run out of town—there were recent suggestions that at least

one big manufacturer was considering dropping one in five of its brand names because of falling markets—there will be a serious effect on employment, not only in manufacturing industry, but on allied industries.

Mr. French: Does my hon. Friend accept that in many cases, the branded goods manufacturer agrees to be the producer of the own-label or other look-alike product? What does my hon. Friend say to that?

Sir Dudley Smith: That is sometimes true. Speaking personally, it is not a process that I like or with which I agree. The vast majority of branded products are produced by a company that does not also produce a duplicate range for the supermarkets.

I was talking about the erosion of branded goods and the difficulties that it will present for employment and for our industrial effort; I think especially of television and newspapers. Consumer goods advertising is one of the bulwarks of the television industry. My hon. Friend the Member for Lewes (Mr. Rathbone), whom I see here today, probably knows more about advertising than any other hon. Member. He knows that advertising involves the jobs of hundreds of people. If we constantly erode the advertising base, we shall suffer the consequences.

Perhaps even more important than the loss of jobs in various activities is the fact that branded goods sales in Europe and the rest of the world will be undermined. Who can carry on exporting if his home market is fatally undermined by lack of action by the Government? We shall penalise ourselves, yet again, in terms of exports.

The consumer is called in aid by the retailers, and has already been referred to in this debate; I have no doubt that we shall hear of the consumer again. Will he be so pleased when, in years to come, he can buy any cornflakes, any soap powder or any toothpaste he likes as long as it is a Sainsbury's or a Tesco product? That will be a possibility as a result of the road down which we are going. Will he be happy when the supermarket chains, having cornered the market in branded goods, proceed to increase their prices? That is the logical end. We may get cheaper prices at first, but when a monopoly begins to be established as the branded goods drop off, extra charges will begin to be put on.

We used to pour scorn on the fact that in communist countries, only the state version of anything was available. I hope that in the years ahead, we shall not have to fight a rearguard action to save our own competitive practices. Supermarkets are rightly appreciated by the public because of their convenience, service and simplicity; we all use them. They have an important place in today's society, but surely they cannot be allowed to undermine and to finish off the branded goods industry as they have the small trader through the determination and advocacy that led to the Sunday Trading Bill.

I believe sincerely that the present Bill gives us an opportunity to do something about unfair competition. It is the first vehicle before the House for a long time which would allow a clause to prohibit the practice about which I have spoken and which would allow fairness for a significant part of British industry. The EC directive, which the Bill necessarily follows, gives that opportunity. I am subject to correction, but I do not believe that the practice to which I have referred is allowed in other European countries. I can see the day coming when we shall have a European directive on this issue. We shall then have to comply with it, although we appear to be a little hesitant at present.

I realise from what my hon. Friend the Minister has said that he has no intention of accepting an amendment on this matter in Committee, so I suppose that it would be fruitless to table such an amendment. However, I warn him in the most friendly way that we shall inevitably have to come back to this issue. It is of great importance to many people —not only to the consumer, but to British industry. Those people are entitled to be heard and to have the foremost consideration in the matter. I know that my hon. Friend the Minister is a reasonable man, so I very much hope that he will take on board what I have said and what, I hope, other hon. Members will say as well. I hope that in due course, we shall see some light from the Government on the issue.

5.24 pm

Mr. Paul Flynn (Newport, West): I quote:

"Nid da lle gellir gwell."

The motto of the Bettws comprehensive school in my constituency is appropriate to the debate for two reasons: first, this is a good Bill, and the motto means that there is no good that cannot be improved on; secondly, the young people at that school are looking to the Bill, although they may not know about it now, because it may have a profound effect on their futures. Almost the largest employer in my constituency, which is certainly the provider of the best-paid and highest-skilled jobs in my constituency, is the Patent Office. We look to the future of the Patent Office with some confidence based on its success in relocating in Newport, but also with some trepidation because of the many threats to it.

We shall want to make improvements to the Bill in Committee. I found the convoluted argument of the hon. Member for Warwick and Leamington (Sir D. Smith) rather strange. He seemed to say that the Bill was likely to take the bread out of the mouths of billionaires. We see on the Conservative Benches two groups of vested interests: those who run the supermarkets and those who produce the main branded products. The two groups are in dispute; both are very prosperous. It is an artificial dispute because, in many cases, although the branded product has a different label, it is chemically identical to the product in the other package. As the hon. Member for Gloucester (Mr. French) made clear, the reason is that many who manufacture branded goods also produce those goods for supermarkets where they are sold under own-name labels. The consumer has the choice between having branded names on her or his shelves for snob value or not paying the advertising costs and buying the unbranded goods—the supermarket's own brand. That is the real battle that is going on; in terms of the Bill, it is very much a side issue.

The Bill has been long awaited and will do a great deal of good. It comes after the almost complete relocation of the Patent Office from London to my constituency, which was the subject of an Adjournment debate in 1988. There has been a splendid report on that relocation by the National Audit Office. The report praises the relocation as a success which has worked in all aspects, especially the trade marks aspect.

The alteration or registration of trade marks almost always requires a face-to-face interview between the people who want to register the trade mark and the Patent Office. Many of the interviews are carried out in London, but some are carried out via video links and some are

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carried out in Newport. I can foresee difficulties when the move is made to Alicante. Although that move may be inevitable, we must continue to ensure that the maximum number of registrations are carried out in this country and that we keep the national interest.

A matter about which I am greatly concerned may be dealt with under clause 5; I seek the Minister's guidance. I refer to the use to which trade marks are being put. There is one trade mark in particular, which has been used abroad and, to a small extent, in this country, on which I think we should legislate because it is used by companies in a way that is surreptitious and deceptive. We were all astonished when, about 30 years ago, one company, Guinness, advertised without using the name of its product. Now many products are advertised in a totally mysterious way, with advertisements which to many of us seem meaningless. Unfortunately, many of those advertisements are produced by cigarette companies, which have perfected the art of the advertisement that mentions neither the product nor the name of the company. There is a grave danger in that art, which we must address because there is a Bill going through the House at present that would ban the advertising of cigarettes. We know that there is a trade mark registered for cannabis cigarettes called Marleys, which may well have come about as a crime-reducing measure.

In other countries, cigarette advertising is banned. In Hungary, there is no advertising of cigarettes, but there has been an enormous growth in the consumption of cigarettes. Two brands in particular—Marlboro and Camel—are involved. The company that owns Marlboro has persuaded all the clubs and many of the pubs in the area to become Marlboro clubs. The signs above the clubs say "Marlboro Magyar Club"; they are in red and white and mimic the well-known Marlboro advertisements. Camel cigarettes are banned, but on almost every bus in Budapest there is a sign showing the familiar camel advertising not Camel cigarettes but Camel shoes; I do not know whether such shoes exist.

In Britain, Dunhill produces a whole range of goods which are advertised. It sells a cigarette lighter that looks similar to the design of the Dunhill cigarette packet. Also in this country we have recently seen subtle advertisements by a tobacco company which I shall not name, which uses blue and white and a certain kind of lettering. That company advertised at a sporting event in my constituency without mentioning the name of the company or the product; however, it was clear from the sign what it was advertising.

It is sad to note that those advertisements were criticised because it was claimed that, because of the moronic jokes that they included, they appealed especially to children and young people. Unfortunately, the danger is that the work of the House and its possible future decision to ban or to restrict the advertising of certain products, which may well happen with cannabis cigarettes, could be frustrated if we allow the trade marks for products to be used to advertise different products.

There would be no difficulty in avoiding that under clause 5, which lists a number of reasons why a trade mark should not be registered. It specifies, for example, that a product shall not be registered for goods or services similar to those for which the earlier trade mark is protected. I should like some guidance, either later in the debate or in Committee, on whether that would apply to a cigarette company that decided to produce Silk Cut tee-shirts, trainers, computer games or anything else that might appeal to young people, thus advertising its product in a devious way and abusing its trade mark. I have no argument with companies such as that which owns Mars, which has used its product to advertise similar confectionery. There are frozen Mars bars, Mars drinks and so on and that seems perfectly legitimate. However, either we need a new clause or we need to expand clause 5 to ensure that that cannot happen in future, because I am afraid that the clever and subtle advertising that occurs could well mean that, against the wishes of the majority of hon. Members and the people of the country, advertisers get round the new laws.

The future of the Patent Office is of considerable importance and is certainly a matter of great concern in my constituency. While I do not wish to press the Minister on that matter with too much urgency, because we want the right decision rather than an early decision, may I gently remind him that in October he told me and a number of representatives of the Patent Office that a decision would be made by Christmas? There have been claims that a decision has, indeed, been made. It was claimed in *The Daily Telegraph* that the Price Waterhouse report suggested that what has been planned—possible privatisation, contractorisation, management buy-outs—was not practical because it would require primary legislation. I know that the Minister appreciates the anxiety felt by many people who work at the Patent Office and realises that they have been in a state of uncertainty for a long time. Although I do not want to press the hon. Gentleman to make a bad decision rapidly, I hope that he will give the matter serious consideration.

One point that I commend to the Minister, if he is considering the future of the Patent Office, is contained in a letter to the President of the Board of Trade from the Minister of State dated 14 February. The Minister of State, Welsh Office referred to a meeting attended by representatives of a number of unions and myself at which he said that the points about the future of the Patent Office and other agencies of the Department of Trade and Industry were strongly made. He went on to say:

"It was suggested, for example, that the existing agency status could be developed further, to enable them"

— the agencies—

"to bid for a wider range of work."

That point may be developed in clauses 78 and 79, because they concern the register of trade mark agents. I hope that the Minister and his Department will seriously consider adding the comptroller general of the Patent Office to that register. If the chief executive of the Patent Office became a patent agent and a trade mark agent, it would be a useful way for the agency to improve and enlarge its role and make its role far more profitable.

There are resources available in the Patent Office which may be used profitably so that it becomes competitive in the uncertain years ahead. However, that means a change in the status of the office. The Patent Office has existed for a long period. The Government must not be hide-bound on the issue. There was a certain resistance to "next steps" agency status at first, but it has been a success in managerial terms and in the running of those bodies. They were great monoliths before and could not be run effectively by Ministers in Whitehall. There have been

obvious gains in management efficiency in the process and there are now about 75 such agencies. It would be a bad move if "next steps" agency status led to the further steps of contractorisation, a management buy-out or privatisation. In the case of the Patent Office, that would be especially disastrous.

At last, the Government are saying that certain bodies are unable to be privatised. It was a great pleasure to see that the Department of Transport recently decided that the Vehicle Inspectorate was one such body. There must be a similar case to be made in respect of the Patent Office. There is not a patent office in the world in commercial hands. The office cannot conceivably be placed in a position where it would be subject to commercial influential and control. Its independence is paramount; it must exist in that way. It has become a great national resource. My hon. Friend the Member for Edinburgh, South (Mr. Griffiths) paid tribute to it and we may take some pride in our role over the years as a world leader in the registration of patents and trade marks. The White Paper has already been mimicked in several countries—even before the introduction of the legislation—and the processes that take place in Britain lead the world. We cannot conceivably go down the path of contractorisation, privatisation or management buy-out.

Our intellectual property is a great national resource. It is difficult to think of the design on a can of baked beans as intellectual property, but it is of enormous value. It is a priceless resource. We have excelled at the fascinating business of registering patents and trade marks and we can continue to do so. I appeal to the Government, and to the House generally, to invest in the Patent Office, expand its work and enlarge the area in which it works. The message is clear from the users of the Patent Office—those who register trade marks—from the industry generally and from the staff of the office at virtually every level: do not change the status of the Patent Office; we must remember that the Patent Office at Newport is a world brand leader; beware of cheap imitations.

5.40 pm

Mr. Iain Mills (Meriden): I am glad that there seems to be cross-party support for the Bill. It is a most significant and important measure. I am sorry that the hon. Member for Edinburgh, South (Mr. Griffiths) felt that we had been laggard in introducing it. I have some sympathy with that view—I should have liked to see it earlier—but having introduced it in the teeth of a fairly hectic parliamentary programme in the second year of the Government's office ain't half bad. The ensuing advantages to industry have been made clear in answers to my questions and in debate. All those who have spoken so far have referred to those important advantages.

A sad feature in one sense—if I am fortunate enough to be called to serve as a member of the Committee that will consider the Bill, I am sure that we shall go more fully into these matters—is that the office that will administer the Community trade mark, which is one of the main planks of the Bill, will be located at Alicante. I know that some hon. Members will say that it is an area of low employment. I am sure it is, but the United Kingdom has the necessary infrastructure.

I chaired a committee that considered measures designed to promote the interests of London. Against that background, the only serious location for intellectual property of the sort that we are discussing is London. I should have said that any interests I have in intellectual property are clearly defined and registered in the Register of Members' Interests, which has recently been republished. Anyone who wants to read about any of my involvements will find the relevant information in the Register, including my chairmanship of the committee that considered the Community trade mark.

The Community trade mark office will be extremely important because it will to some extent, if it is not effective, become marginalised. Like the hon. Member for Newport, West (Mr. Flynn), I have the greatest admiration for both the London and Welsh operations of the Patent Office, but we must remember that we are seeking the Community trade mark to lower costs for industry, especially for small and medium enterprises that are trying to build up their brands. It will be a disaster if we do not have a good and effective trade mark office to administer what we shall be enacting.

I have written to the comptroller general of the Patent Office to suggest a meeting between myself and members of the committee I represent—they are eminent people who are involved in intellectual property—to discuss, if not a sub-office in London, a facility rather like that which we have at Newport, where there could be videos, faxes and other electronic communications with Spain. I have written to Mr. Jacques Delors, who is well known to us all. His reassurances on the facilities that will be provided at Alicante leave me with some doubts. Air services and the ability for people to register trade marks give rise to doubts in my mind. We must proceed with the Bill, however, and I look forward with enthusiasm to the Committee stage, if I am involved.

There are aspects of the Patent Office's work that I should be happy to see privatised. I recognise, however, that the judicial and quasi-judicial features of Patent Office judgments would be difficult to put into private hands. Perhaps the privatisation of some aspects of registration and marketing could be considered. The Patent Office exercises a judicial function in making judgments when companies are in dispute over trade marks, and I would be concerned about privatisation in that context.

I welcome the Bill, because it will update the Trade Marks Act 1938, which is something that those of us who are involved in trade marks and intellectual property have been seeking for years. The Bill represents the best news that we have had for a very long time. As my hon. Friend the Minister said, the Bill implements the protocol to the Madrid conference, which the United Kingdom negotiated. It is rather miserable if the hon. Member for Edinburgh, South, who speaks from the Opposition Front Bench, is downscaling the benefits to Britain that will flow from the Bill. I hope that he will not be too negative when the Bill is examined in Committee.

I strongly support the Bill, but I have some questions for the Minister, which I shall put briefly. I have met him and warned him about most of my questions. The rights of representation for trade mark agents and trade mark courts are important. They reflect the Government's philosophy in introducing the Bill and trying to lower the costs of registering trade marks and patents for those in industry and business.

I am informed that trade mark agents do not have the same rights as patent agents in terms of a trade mark court, which would be a court of first instance. There is a means of lowering quite considerably the cost of registering trade

[Mr. Iain Mills]

marks. I am informed that, in France and the Benelux territories, such as Holland, the cost of registering is between £3,000 and £5,000, whereas in the United Kingdom, because of the way in which our system works, it could be between £20,000 and £50,000. Everything that hon. Members have said about the value of trade marks to our companies, large and small, makes it that much more expensive to obtain registration and protection.

Many of those who are seeking registration are put off by the high cost of doing so. If there are international boundaries and difficulties in deciding where a case will be brought, the likelihood is that the companies concerned will seek to register their trade marks in France or in the Benelux countries.

The Community trade mark will help, but it is necessary that we have rights similar to those in other countries in Europe. That means that trade mark agents will be able to plead, just as patent agents do. I understand that most parties to the institutions that are concerned are happy—except, I guess, solicitors, who have right of audience and may not wish to see that right extended to trade mark lawyers.

Let us move to simplified court procedures, agreed facts, a statement of case, discovery only with the leave of the judge, and cross-examination on matters that we could discuss in Committee. I have been in correspondence with my hon. Friend the Minister and with the Lord Chancellor. My hon. Friend the Parliamentary Secretary, Lord Chancellor's Department, in his letter of 8 February, stated:

"The proposal to introduce a county court jurisdiction for trademark cases is not one to which the Department would be opposed in principle, but it is something which we would wish to consider carefully before committing ourselves to it."

My hon. Friend goes on to explain that it is not primarily a matter for the Bill, and I am happy to accept that. It is relevant, however, to the climate that the Bill will introduce, of lower costs for those who are wishing to involve themselves in the registration and protection of intellectual property.

The term trade mark attorney was discussed during the consideration of the Copyright, Designs and Patents Bill, as it then was, in Committee. It was discussed also in the other place on several occasions. I would hope to raise the matter if I am called upon to serve as a member of the Committee that will consider the Bill. I understand—perhaps my hon. Friend the Minister will write to me if he feels that it is not appropriate to respond today—that at present a trade mark agent could call himself a trade mark attorney.

There is no inhibition, but there may be some who are involved in intellectual property, such as solicitors, who feel that the same level of qualifications as solicitors should be required. As a result of the Government's efforts and the responsibilities of the institute that represents trade mark agents, which it has accepted gladly, qualifications for agents have been introduced over the past few years that leave them extremely well qualified.

The structure of qualification is such that, should I wish to find another job and to qualify as a trade mark agent —I am already somewhat qualified in marketing—I would seek the leave of the House to spend time late at night not voting after debates, but studying carefully, as a solicitor would, to qualify to practise as a trade mark agent.

I want to raise a few brief matters with the Minister. The remedy for groundless threats is perhaps best left to Standing Committee. However, clause 19 provides a right of action against those who threaten retailers and other non-primary infringers—both manufacturers and importers—with infringement proceedings unless the trade mark proprietor can show that the acts complained of are an infringement. I hope that I will be able to raise the problem of groundless threats with my hon. Friend in Committee, as they are likely to disadvantage trade mark proprietors.

I was involved with the work of the anti-counterfeiting group long before I became a Member of this place. When I worked in the motor industry, I looked after new products, branding and counterfeiting. The anti-counterfeiting group is, by and large, satisfied with the agreements made in the other place in respect of the counterfeiting measures.

However, I agree with the hon. Member for Edinburgh, South that there are questions about the effectiveness of the Crown Prosecution Service. Are we really happy about the problem of disclaimers, particularly with regard to the lower market car boot sales and the less responsible car boot sales, when we are keen to deregulate local authorities' powers in respect of trading standards officers? My constituency is in the centre of England, crossed by the M6 and the M42. We have an awful lot of car boot sales in my constituency, and I am concerned about the laundering of counterfeit products through those sales.

The Minister referred to Kent county council *v.* Price. Are we satisfied with that judgment? Like the hon. Member for Edinburgh, South, I am concerned about the apparent ease of return of counterfeit goods when no court action is taken against an infringement. I hope that my hon. Friend can reassure me that that matter can be controlled, or that an amendment may be tabled to deal with that. I should be grateful if my hon. Friend could reassure me on that point, either by letter or in Standing Committee.

Without such a provision, if the owner of the goods is identifiable, the trade mark owner will still be put to the trouble and expense of taking civil action, or threatening it. It has been recognised that we do not want counterfeit goods. We estimate that counterfeit goods cost more than 100,000 jobs in this country as they are brought in to compete with our brands. I seek advice from the Minister on that point.

I want now to consider lookalikes, and I assure the House that I will be brief, as other hon. Members have referred to them already. I have been involved in intellectual property in the House, and before I became a Member, for nearly 30 years. The late entry into the Bill in respect of lookalikes is controversial. I have some support for both sides, in that it is clearly competitive, as my hon. Friend the Member for Medway (Dame P. Fenner) said, to have goods competing on the shelves.

As hon. Members have said, people who are selling products to big retailers may be producing the same goods, in the same packaging, as their own brands. Having examined the information and spoken to most of the key players over the past few days—I hope to meet representatives of the Consumers Association and the retailers when they come to the House tomorrow—I find it difficult to be convinced that the public are totally fooled by the fact that a bottle may be the same shape and colour, when the trade mark is clearly quite different.

Sainsbury markets Head and Shoulders, and also its own brand called Headway. In terms of legal action, that is not counterfeiting. It may be considered to be passing off, but I very much doubt it. I strongly suggest to the British Brand Owners and Producers Group, the Consumers Association, the retailers and anyone else involved—I spoke to most of the main parties on Friday and today—that they should get together and discuss the matter. If they believe that a legislative solution is required, they should offer a proposal to the Minister.

I recall with almost burning interest the problems we had in the Standing Committee that considered the Copyright, Designs and Patents Bill. Group after group approached the Minister, or asked for my help to meet the Minister. The interests involved car part design versus car manufacture design. In that regard, who has the design rights—must match, must fit? The two parties must manage to iron out their differences and produce an acceptable proposal.

There have been discussions among the various parties. I have received a fax of a letter from Paul Walsh of the British Brand Owners and Producers Group. He states that the group has presented its case to the Government and to the standing advisory committee:

"We have also had separate but inconclusive meetings with the Consumers Association. We would therefore be happy to meet with the British Retail Consortium"

and the Consumers Association

"in a further attempt to find a mutually agreeable solution to the problem of copying brands."

Dame Peggy Fenner: I am not sure whether my hon. Friend is aware of this, but, during the growth of own labels, there have been only 25 cases of manufacturers talking to retailers and they have been able to resolve their differences. I am sure that my hon. Friend is right to say that such consultation has been informal, but it has worked.

Mr. Mills: I thank my hon. Friend for her helpful comments. Perhaps what she and I have said will help to persuade the two parties to get their heads together to produce a solution, instead of posing problems for the House and the Minister to resolve. There are clearly arguments on both sides. I do not wish to take sides, but I believe that the problem must be resolved. If we do not resolve it, a European solution may be imposed.

I want to leave some minor drafting points with the Minister. Clause 3 states that a sign shall not be registered as a trade mark if it is a

"shape which gives substantial value to the goods."

That phrase is taken from the directive. Similarly, a trade mark shall not be registered if the application is made in bad faith. If an applicant files in respect of a very broad range of goods going far beyond those on which he does intend to use the mark, is that bad faith? No doubt the Standing Committee will have to examine what is in accordance with honest practices. As it is incurably vague, "honest practices" will be very difficult to define.

I want to end, as it would be most unfair of me not to leave sufficient time for this important Bill. The Minister rightly referred to the significance of trade marks and brands. Many companies are now assessing the value of their brands and including them on their balance sheets.

As chairman of the all-party motor industry group, I found it interesting when we talked to BMW. The people at BMW told me that they valued Rover's brands very highly. BMW purchased Rover not just because Rover was most attractive in terms of work practices, cost-efficiency, unit labour costs and attitude: it purchased Rover because of its brands.

Increasingly, we must protect our companies from predatory purchasing—no longer because a company wants the factories or assets, but because that company wants the intellectual assets. I appreciate that the Minister has emphasised the importance of assessing brands. The Bill is important, and, if I am fortunate, I look forward to discussing it further.

5.58 pm

Mr. Malcolm Bruce (Gordon): As the debate proceeds, it is clear that we are finding controversy only around the edges, because there is wide agreement that the Bill is needed. Indeed, it has been needed for some considerable time, as it is more than 50 years since the last major piece of trade mark legislation in this country. The Bill appears to have hit the right balance in most areas. It seeks to simplify and lower the cost of trade mark legislation, and to achieve our obligations within the European Union, at a time when we are moving into the next round of talks on the general agreement on tariffs and trade.

I wonder whether the Minister can comment on the fact that it is unfortunate that two different systems of trade mark registration are being established almost simultaneously, as the Bill acknowledges—the Community trade mark and the international trade mark, which is promoted by the World Intellectual Property Organisation. I wonder whether there is a possibility of harmonisation, rather than divergence. If not, it is clear that we will be back here in a few years to see how we operate in that situation. We should be aiming for a worldwide system, rather than two different systems.

The Bill addresses in some detail anomalies that have been outstanding for some time, such as introducing the idea of a sign that can be represented graphically. I know that at least the Coca-Cola people wish that that had happened a little earlier, because it would have saved them some money. There are others for whom the development is obviously welcome. The Bill has also got rid of one or two anomalies, such as the idea that drug manufacturers can register the colour coding of their pills. That seems to take the matter to an absurd degree, but SmithKline-French got away with it for a while.

The reference to lookalikes seems to have sparked off the liveliest debate. That may be because, in a technical and specialised area, it is the one area of populism with which even the tabloid newspapers can get to grips. Obviously, the issue is generating heat, even if light is not flooding in everywhere at present.

I can understand why people who have invested money in developing innovative products, marketing them, advertising them and securing acceptance for their brand names may want to protect their investment. However, marketing in the proper sense of the word is the best way to protect the investment. The quality of the product, the quality of the marketing and the consumer's acceptance of the product ensure that branded goods secure a premium position in the market.

People know that branded goods are more expensive than own-label goods. As I said in an intervention on the hon. Member for Edinburgh, South (Mr. Griffiths), someone like Kellogg—which produces a basic commodity—has two simple practices. First, it makes it clear, and

[Mr. Malcolm Bruce]

advertises, that it makes the product for no one else; if people want the product, they must buy it under the company's brand name.

While the hon. Gentleman said that it was disgraceful—perhaps it was disgraceful in the context in which he referred to it—that Kellogg was somehow trying to protect the price level at which its product entered the market, nevertheless he acknowledged that it was the brand leader at that price. Clearly people believe that it is worth spending more money to buy Kellogg's Cornflakes than any other cornflakes.

In addition, do we need to amend this or any other legislation to protect the position of Kellogg in the market? The Armageddon suggested by the hon. Member for Warwick and Leamington (Sir D. Smith)—the elimination of brand products—takes a lot of believing in reality. Indeed, I have a great deal of confidence that most of our manufacturers and marketers of fast-moving consumer goods know how to ensure that they stay ahead of the game.

At the risk of detaining the House any longer on this matter, I should say that the debate has a slightly historical connection for me. In a previous incarnation a long time ago, I worked as a buyer of proprietary products for Boots the Chemist. At that time, I discovered that Boots was wasting an awful lot of space marketing its own brand of toothpaste, and it was losing the company money. When Boots realised that, it decided to discontinue its own brand and market Colgate; it subsequently produced a better product, and marketed it more successfully. That shows that own branding does not always come out on top, even in profitability.

The representation we received from Boots summarises the matter well. The company has some qualification to make a special plea that it is in the unusual position—the company describes it as "probably unique"—of being a major manufacturer of branded products such as Nurofen, Strepsils and so on; a contract manufacturer of own-label products; and one of the largest retailers of own brands which are accepted as national brands in their own right, such as Boots No. 7 cosmetics.

Boots summarised its position by saying:

"We do not believe that a wish on the part of manufacturers to protect market share is in itself a reason for legislation which can *only* operate against the public interest."

In referring to the amendment tabled in another place, Boots said:

"The remedy is to develop and launch an even better product that leaves the competitor standing . . . This amendment is protectionist, anti-competitive and clearly against the public interest."

That sums up the situation well.

I have no objection to the argument that those who believe that there is a point of concern should talk about it, but I am not at all sure that the House should do anything about it; indeed, I am glad that the Minister has said that he does not intend to do anything in terms of this Bill.

It is interesting that the Bill has addressed some issues that have caused controversy. For example, it recognises that we can have a concept of well-known makes; clearly, that is a Community idea which has been imported here. It also provides a new protection that does not exist in United Kingdom law at present, which allows goods to take advantage of an established reputation. Whatever the merits of the argument, presumably it would have foreclosed in advance the elderflower champagne argument and, ultimately, would have saved both sides some money.

It is also interesting that the Bill specifically provides for the introduction of collective marks. That seems a useful way of enabling smaller businesses to group together and secure the brand identity of products in the market which they could not afford to secure individually. That is a welcome and positive development, as is the recognition that where small businesses have been trading under a name locally, they will continue to be allowed to use that name even if a similar name has been registered nationally.

Once again, that arises out of the Chelsea Girl and Chelsea Man case. Chelsea Girl tried to prevent a small shop from operating under the Chelsea Man image; Chelsea Girl tried to shut it down. That was a case in which a big operator managed to invest in registering its brand and tried to shut down someone who had been in business long before the big operator. I am glad that the Bill recognises that situation and seeks to protect small local businesses by allowing them to operate within a locality, given that they have already established their reputation even though they have not registered the brand name.

The provisions relating to infringement and the remedies for infringement clearly recognise the way in which things have moved since 1938. Big business needs to take on board the potential disadvantages of being so successful in its branding that a brand becomes generic, and it can no longer protect it. The question whether the Hoover company has necessarily lost by that is debatable. I think that Hoover lost more as a result of the way in which it promoted the brand, rather than the quality of the brand itself.

One issue that arises is that exclusive licensees will be able to bring infringement proceedings in their own name without having to wait two months to see whether the proprietor commences proceedings. It has been argued that the Bill says that non-exclusive licensees must still wait two months. The simple question is: why is there a distinction?

In the context of a major national brand, two months is probably not a long time. However, for a small retailer, two months may be the difference between being profitable and being forced into loss. It is not clear why that time delay is still allowed in the Bill. It has been suggested that, at the very least, there should be a provision to allow an interlocutory injunction while a case is pending. That seems to me to be in the interest of small business rather than big business.

In general terms, the Bill clearly has support on both sides of the House, and it meets needs that we must address under international and national obligations in an area of law which certainly needs updating. There has been some comment on the delay, and some concerns have been expressed about the role of the Patent Office. The Minister must take on board the fact that, in updating and changing the intellectual property law, we should be mindful of what is going on outside the United Kingdom.

We should not do anything to prejudice either the interests of our businesses or our ability to ensure that British practice becomes part of the shaping of international practices. Rather than making any ideological attack on the Minister about the future of the Patent Office, I would ask him and the Government to be mindful of those considerations.

I am sure that he will recognise that we have a reputation in this area, not least because we have some world brand leaders and because we have been succesful at brand marketing. We must also ensure that changes and updates that may be necessary advance our interest, and do not set it back. The important thing is trade marks, patenting and intellectual property as it matters to UK business, and ideology should not get in the way of it. I hope that the Minister will take on board the fact that that is the balance that matters.

6.11 pm

Mr. John Whittingdale (Colchester, South and Maldon): As has been said, this is largely a technical Bill and, despite the valiant efforts of the hon. Member for Edinburgh, South (Mr. Griffiths), I suspect that it is unlikely to generate too much party political controversy. I therefore do not wish to detain the House for too long.

Nevertheless, it is an important Bill and one for which British business has been calling for a long time. The central concern of the Bill is protection of intellectual property, and it is closely related to the laws governing counterfeiting and piracy which are increasing dramatically. One of the helpful results of the Bill will be that it will provide a clearer and less ambiguous definition of what is a trade mark.

Some have tried to argue that trade marks are an attempt by manufacturers to inhibit competition or to create a type of monopoly. I do not accept that argument. I believe strongly that trade marks are in the interests of consumers. They are an essential means of identifying a manufacturer's product and they are frequently symbols which are guarantees of quality. They are also labels of origin which are an acceptance by manufacturers of responsibility for the product which bears them.

The law rightly confers on the owners of trade marks protection to prevent them from being abused by other manufacturers. Those who attempt to abuse are trying to con the public, pass off goods as being of a different origin and defraud manufacturers of the genuine article. Manufacturers, it has been said, frequently invest millions of pounds in the advertising and promotion of their products. They are also entitled to protection to ensure that that investment is not stolen by companies that pass off the goods as being of a different origin.

I therefore strongly welcome the provisions of the Bill. A harmonisation of the laws on trade marks across the European Community will be of great benefit to British business. I have not always been a totally enthusiastic supporter of all matters related to integration across Europe, but, in this instance, I firmly believe in the single market. Like my hon. Friends, I have taken pleasure in pointing out the excellent record of the Government in implementing single market measures. This particular one has been a glaring omission and I am therefore pleased that we can now add it to our record. It is high time that we did so.

The measures to implement the Madrid agreement are of equal importance. The protection of trade marks and copyrights cannot be achieved on a national, or even a Community, basis alone. They must be tackled internationally and that is one of the reasons why the general agreement on tariffs and trade was so important.

I want to say a few words on piracy and counterfeiting which have been mentioned in the debate. There is no doubt that piracy is costing industry millions of pounds every year. The video industry has estimated that it loses £150 million each year through counterfeiting. Gucci has said that it costs the watch industry £450 million each year, and makers of perfume, jeans, computer software and sports equipment are all victims of counterfeiting.

Manufacturers lose sales and the consumer loses any form of protection given to him by law. Usually, the quality of counterfeit goods is poor and the product frequently is not even safe. Recently in Essex, trading standards officers discovered that even the spare parts of cars were being sold under counterfeit brand names. Those spare parts were not just of poor quality, but were unsafe and certainly would have led to serious accidents if they had been used.

Every-day products are sold in car boot sales and by street traders in Oxford street and elsewhere which purport to be brand-named goods. In many cases, the consumers who buy them know that they are not the genuine article since they are paying sometimes one tenth of the price. Nevertheless, manufacturers are still losing sales as a result and their products are being devalued.

The Bill will help improve the situation. It will extend the definition of trade marks and make it easier to register them. The provision to prevent traders selling so-called brand copies is particularly welcome. Traders have attempted to get around the existing law by placing disclaimers on the goods and by acknowledging that they are copies. That has been become a commonplace practice at car boot sales where trading standards officers have been powerless to act. I welcome the fact that the Bill closes that loophole.

However, I am disappointed that the Bill does not go further. In particular, it will not benefit copyright goods such as compact discs and music cassettes. Traders simply delete the trade mark since the product is sold, not on the basis of that trade mark, but on the basis of the artwork, packaging and content. I know that my hon. Friend is aware of the importance of the music business to this country. It is one of our most successful industries, contributing some £800 million in exports and invisible earnings. Indeed, it is hard to think of any other field in which British artists and performers have such a commanding lead.

Yet the music industry is seriously threatened by piracy, with thousands of counterfeit CDs pouring out of China and elsewhere. It is estimated that 14 per cent. of music sales in Europe are now pirate recordings, rising to 30 per cent. in Asia and the middle east and to more than 50 per cent. in Latin America. That is not only depriving British record companies of potential exports worth about £160 million, but it is affecting the domestic market.

By simply removing the company trade mark—while otherwise copying every aspect of the packaging—traders will be able to sell goods without fear of seizure by trading standards officers. I recognise the argument by my hon. Friend the Minister that the Bill is narrowly defined and is concerned simply with trade marks. I still regret that it was not possible to include a provision to allow trading standards officers to seize goods that they believe infringe the Copyright Act 1911, as they will be able to do in future for those goods that they believe infringe the trade mark laws. I hope that my hon. Friend will consider the matter again and see whether there is any way in which the Bill may be amended to allow the problem to be addressed.

[Mr. John Whittingdale]

Finally, I hesitate to plunge into the argument between the Minister and my hon. Friend the Member for Warwick and Leamington (Sir D. Smith) on the subject of look-alike products. However, I recognise that there has been a dramatic increase in recent years in the number of look-alike products sold by major retailers. Frequently, they are manufactured and marketed under similar names in similar packaging to the brand name goods with which they are competing. It is, therefore, understandable why the manufacturers of the original brands should feel aggrieved and should want the provisions of the Bill to be extended to ban look-alike products. Although I understand their view, I could support such a measure only if I thought that consumers were buying such products believing them to be the branded article. The fact that they are usually sold next to the brand-name product and at a cheaper price suggests that they are not.

My hon. Friend the Member for Medway (Dame P. Fenner) has already referred to opinion surveys that show that consumers purchase look-alike products knowing that they are not brand-name products. I therefore tend to share the view of the Consumers Association that outlawing own brands would have nothing whatever to do with consumer protection but everything to do with market protection.

Mr. Malcolm Bruce: Does the hon. Gentleman also acknowledge that own-brand retailers such as Sainsbury, Boots and Tesco essentially market a brand image and that they need to maintain a quality standard if they are to sustain consumer confidence?

Mr. Whittingdale: I entirely accept that. Those manufacturers have taken great pride in the quality of their products and it is clearly in their interests that all their products should be of a high quality. If not, they would do substantial damage to their general image.

However, retailers have a duty to ensure that their own brands are not too similar to branded products. I understand the argument that the shape of a container may be dictated by its function, and I should not want a manufacturer to be given a monopoly over a product's shape or function, but if it becomes apparent that the only reason for choosing a feature or shape is to increase the product's similarity to a branded product, the manufacturer of the brand-name product would be entitled to take action under existing law covering the passing off of goods.

Although the law already covers that problem, I hope that both manufacturers and retailers will take advantage of the suggestion by my hon. Friend the Member for Meriden (Mr. Mills), who has a long and distinguished history in the field, to come together and discuss what can be done to allay the fears that undoubtedly exist among brand-name manufacturers.

The Bill represents a valuable step forward in increasing the protection of trade marks and thus intellectual property. It is no doubt a field in which British companies need all the protection that they can get. I hope that my hon. Friend the Minister will see whether protection can be increased in any other way, particularly to cover the problems faced by the music industry. If it is not possible to amend the Bill to cover that problem, I hope that in the near future he will consider introducing additional legislation to deal with it.

6.22 pm

Mr. Tim Rathbone (Lewes): First, I apologise to you, Mr. Deputy Speaker, my hon. Friend the Minister and the House for not being here at the beginning of the debate. I could not escape from an earlier meeting. Secondly, may I, at the outset, declare an interest—I am a parliamentary consultant to Chanel. I am grateful to Chanel for its briefing, but wish to make it clear that any opinions that I express are entirely mine and should not be laid at its door.

Like other hon. Members, I congratulate the Government on the Bill—on how it has been presented and on the accent that it has placed on the seriousness of trade marks and counterfeiting. From what I have heard from the professions involved outside the House, thanks are due to my hon. Friend's departmental officials for their consultations and positive reactions to representations made to them. In the same breath as welcoming the Bill, may I welcome the amendments that the Government made in another place, particularly the closure of the loophole in current legislation, which does not allow the seizure of goods in the form of a trade mark—a small element of counterfeiting—and the criminal provisions forbidding the use of the phrase "brand copy" or similar phraseology. Those are both important small additions to the Bill for which the Government deserve praise.

I also welcome the easier qualification of trade marks for registration, the simpler procedures for assigning trade marks and the better protection of trade marks overseas. I hope that that will lead to general ratification by all European Community members of the protocol to the Madrid agreement on the international registration of trade marks. Will my hon. Friend the Minister reassure me about the Government's position on that?

I wish to raise one or two questions, the first of which you, Mr. Deputy Speaker, will understand better than most because you have shared with me a certain amount of time in the woolly world of advertising. It concerns comparative advertising. I am worried about the effect of clause 9, which can weaken the trade mark's legal protection. That would run contrary to the thrust and point of the Bill. It could allow unknown or lesser-known competitors to ride in unfairly on the coat tails of brands that are well established in the marketplace at the cost of those brand producers, and could even mislead consumers. I should prefer the whole question to wait upon the European Community trade marks directive, which the Bill has over-anticipated. The directive on misleading advertising will probably appear in the next few months and certain words have been suggested as a specific clause to deal with imitation products:

"comparisons must not present goods or services as imitations or replicas of goods and services which are already protected by registered trade marks, trade names, and/or designations of origin."

Whether we adopt those words now as an amendment to the Bill, or postpone action until the directive exists, the directive will come down the road towards us and this country, like others in the European Community, will have to fall in line. That is particularly the case as the Government have emphasised their intention to achieve that position on other trade mark issues. So I hope that action on that front can be delayed.

In the meantime, if action is to be taken, it is important to understand properly the meaning of "unfair use". The concern has been expressed to me that the clause could lend itself to litigation to establish the meaning of "unfair

use". In the interests of clarity and certainty, and even if it may keep some business away from my hon. and learned Friends who are lawyers, it would be better to deal with the matter as straightforwardly as possible. On that basis, I hope that the Community wording will be adopted. The overriding concern must be that comparative use of trade marks is fair and safeguards are sufficient.

Like my hon. Friend the Member for Warwick and Leamington (Sir D. Smith), may I say a word about lookalikes? What has been said so far may have caused people to mix up the problem of lookalikes and the question of private labelling. The problem of lookalikes is about identifying an act of unfair competition to supply goods that look similar by shape, colour, design or name to goods with a distinctive appearance, where it would take unfair advantage of that appearance or lead to an association between the goods.

The Paris convention on the protection of intellectual property requires EC countries to provide effective protection against such forms of unfair competition. The United Kingdom, unlike most of the rest of Europe, has no such legislation. The directive itself must conform with the Paris convention, and the Government aim to align the Bill with the directive.

It seems from the debate in another place that the Government believe that they are fulfilling their obligations under the Paris convention by means of the laws governing trade mark infringement and consumer protection. It was on that basis that an amendment was withdrawn in another place while the Government reviewed the matter. I understand from what the Minister said that the review has taken place and it has been decided not to include such a measure—I therefore hope that a further review will take place.

I welcome the Government's confirmation of the serious nature of product counterfeiting and their requirement to retain current sentencing provisions—an unlimited fine and up to 10 years' imprisonment. I hope that the courts will bear that in mind when dealing with counterfeiting cases. As we know, sentences are sometimes provided for the courts, but then not sufficiently used, even though certain cases may deserve them.

Counterfeiting certainly acts to the detriment of consumers, who are entitled to expect protection against products that are not what they claim to be, of legitimate retailers, who are entitled to expect fair competition, and of brand owners, who are entitled to expect protection for the branded products in which they have invested and for which they have offered quality control guarantees. It is to the advantage of this country that we set an example in our legislation, with effective enforcement and deterrent sentencing.

The Government have offered reassurances in another place that police and trading standards officers continue to have a duty to enforce the criminal laws against counterfeiting. I should welcome further confirmation from my hon. Friend of police powers and duties in this respect.

My last worry concerns the doubts that some have expressed about when the Bill, if it passes smoothly through its parliamentary stages, will become law. I am led to believe that that is unlikely to happen before the end of the year. If so, it will allow counterfeiters to exploit the weaknesses of current legislation during the most lucrative time of the year—the build-up to Christmas. It would thus be of significant benefit to the prosecuting authorities, to legitimate retailers, to consumers and to brand owners if the Bill were delayed as little as possible and if the Government made every effort to ensure that at least the anti-counterfeiting provisions come into force by September or October. If the Minister cannot reassure me about that today, I hope that he will do so at a later date.

6.33 pm

Mr. McLoughlin: Every hon. Member who has participated in the debate has given the Bill—in general—a warm welcome. It would be wrong to answer some of the questions that have been asked in a Second Reading closing speech, but they will be dealt with in Committee.

The hon. Member for Edinburgh, South (Mr. Griffiths) did his best as an Opposition spokesman to attack the Bill in the expected manner, but he may have gathered from the tenor of the rest of the debate that this really is not the sort of Bill that demands his sort of attack. It comes a little rough to hear him criticising the Government for not being consistent on Europe; his party has changed its policy on Europe at every single general election. The same goes for his accusations that we are putting extra costs on British industry; his party would implement the social chapter, so that, too, was a bit of a joke. I therefore cannot take too seriously some of his objections.

I am nevertheless grateful for the hon. Gentleman's general welcome for the Bill and in Committee we shall—rightly—examine some of the important cases and points that he highlighted.

The hon. Member for Newport, West (Mr. Flynn) mentioned the review at the Patent Office. We had hoped to make an announcement about that before today, but we are not in a position to do so. We shall make one to Parliament in due course.

I am grateful for the credit that the hon. Member for Newport, West gave to the operations of the Patent Office. I seem to recall hearing him, in the distant past, attacking "next steps" agencies of other kinds—

Mr. Flynn: I refer the hon. Gentleman to the Leader of the House who, in an uncharacteristic moment, paid tribute to my work criticising the lack of accountability of "next steps" agencies, and said that he agreed with my campaign, supported by the Rowntree Foundation, which aimed to get the Government to publish replies from "next steps" agencies. Those replies used not to be published in *Hansard*: now they are.

Mr. McLoughlin: I am glad to hear that the hon. Gentleman has managed to get across some of his points to a caring and listening Government.

I recognise immediately the expertise that my hon. Friend the Member for Meriden (Mr. Mills) brings to the subject. Probably most of his questions will be dealt with in greater detail in Committee. He asked me about trade mark attorneys. Proposals concerning the use of the title trade mark attorneys were received only recently, so it is difficult to give full consideration to that at this stage. Again, it is doubtless a point for Committee.

My hon. Friend also asked me about county courts. He will know that the Government are considering extending their jurisdiction to allow them to hear trade mark cases. The Courts and Legal Services Act 1990, however, contains all the necessary powers to confer such jurisdiction on county courts, so it would be wrong to use this Bill for that purpose. I know that my hon. Friend has

[Mr. McLoughlin]

made representations on the subject to the Lord Chancellor and I have no doubt that we shall discuss it again in Committee, as it is important.

In my opening speech, I explained why I believed that the proposals in the Bill deal with a number of the points that arose out of the Kent County Council *v.* Price case. We shall return to that in Committee, too. It is related to many of the wider issues raised by my hon. Friend the Member for Colchester, South and Maldon (Mr. Whittingdale).

The hon. Member for Gordon (Mr. Bruce) talked about establishing two systems. The establishment of a Community mark as well as the international protocol is not at all unfortunate. Those systems are complementary and provide international business with a choice, according to where its interests lie. The confusion suggested by the hon. Member does not really exist.

My hon. Friend the Member for Colchester, South and Maldon made some wider points about counterfeiting; some of what he said certainly concerns the British Phonographic Institute. It has discussed those concerns with me. We are dealing primarily with trade mark legislation rather than counterfeiting legislation, and it is important that that is understood.

My hon. Friend the Member for Lewes (Mr. Rathbone) asked about comparative advertising, which is addressed in clause 10. My information is that clause 10 does not go against the draft directive on comparative advertising. Clause 10(6) is very much in tune with the directive in its most recent draft. My hon. Friend asked why comparative advertising was allowed to be used. The Government's intention was announced in the White Paper. We think that the present position is too restrictive on competition.

It is reasonable to be able to identify competing products by reference to their trade marks. However, use must be in accordance with honest practice. To do otherwise would allow an unknown brand, for example, to get a leg up on the chain by claiming equivalence with the brand on which the marketing effort was being expanded. We shall return to that issue in Committee and possibly on Report.

May I put my hon. Friend the Member for Lewes right on the issue of lookalikes. As I said, the Government have not yet taken a view. We are consulting on the matter, but at this stage we do not think that the issue can be addressed under trade marks legislation. I think that that also answers the point of my hon. Friend the Member for Warwick and Leamington (Sir D.Smith). I can tell him that that matter did not come up during the early part of consultation on the Bill, but came to us fairly late. Many of my hon. Friends raised that matter in the debate.

The Bill will replace an outdated Act that has ceased to serve the best interests of industry and commerce by making it easier to register a trade mark, widening the rights given to a registered trade mark and deregulating procedures. United Kingdom companies will undoubtedly benefit. The international aspects should enable those companies that export their branded products to register more easily and protect their trade marks overseas. I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

TRADE MARKS BILL [*Lords*] [*MONEY*]:

Queen's Recommendation signified.

Ordered,

That, for the purposes of any Act resulting from the Trade Marks Bill [*Lords*], it is expedient to authorise the payment out of money provided by Parliament of any expenses of the Secretary of State in consequence of the Act.—*[Mr. Kirkhope.]*

TRADE MARKS BILL [*Lords*] [*WAYS AND MEANS*]

Ordered,

That, for the purposes of any Act resulting from the Trade Marks Bill [*Lords*], it is expedient to authorise the charging of fees in respect of applications and registration and other matters under the Act.—*[Mr. Kirkhope.]*

Isle of Wight (Structural Change)

6.42 pm

The Minister for Local Government and Planning (Mr. David Curry): I beg to move,

That the draft Isle of Wight (Structural Change) Order 1994, which was laid before this House on 22nd March, be approved.

I pay tribute to my hon. Friend the Member for Isle of Wight (Mr. Field), who has carefully followed all the debates, has made many representations and has kept himself closely in touch with opinion throughout the island. I hope that the legislation attracts widespread approval in his constituency. I hope that in subsequent orders we shall achieve a similar measure of consensus, because that would be helpful.

The draft order gives effect to the Local Government Commission's main recommendations for local government structure on the Isle of Wight. We think that more effective and convenient local government on the island will be achieved by establishing a unitary authority for the whole island—the commission's first recommendation—and that that will reflect the identities and interests of local people. That recommendation has received all-party support from the local authorities on the island and from both district and county councils.

The order provides for reorganisation on 1 April 1995. On that date, the functions and powers of the borough councils will transfer to the Isle of Wight county council, which will become the sole principal council for the island and will be known as the Isle of Wight council. I emphasise that under reorganisation entirely new councils will be established. We are not debating the takeover of somebody by somebody else—the destruction of one form of council and the exaltation of another form. What emerges will be borrowed from both, but will be different from both as they are presently constituted.

To ensure a smooth transition to the new structure, the county council will be given some extra powers from 3 May. Those will enable it to make the necessary preparations, including budget setting, and appoint staff for the assumption of its full competence under its new powers the following April.

In response to local views, we are providing for elections to the Isle of Wight council in May 1995 so that councillors with a fresh mandate may take over responsibility for providing all local authority services. The Local Government Commission recommended that the unitary authorities should continue to produce separate local and structure plans. In the only amendment that we have made to the commission's proposals, we say that the planning needs of the island would be better served if the unitary authority were to prepare a unitary development plan rather than to continue the two-tier planning system. The draft order provides for such a requirement.

It will probably be more helpful to the House if I confine my introduction to those remarks. By leave of the House, I shall sum up and answer questions that are directed to me.

6.45 pm

Mr. Doug Henderson (Newcastle upon Tyne, North): The Minister said that he wants to expedite the business of the House by reserving his position until questions are posed to which he will try to provide answers. I am pleased that he has taken that position because a number of questions are pertinent to the Isle of Wight and also to the order's implications for the rest of the country. I hope that the Minister will be able to reassure us on such matters.

The Minister is aware that local government reorganisation is controversial in the areas that are affected—potentially in 39 county areas and in various district councils. It is controversial within the political parties. As the Minister will also know, it appears to be controversial in such beautiful parts of the country as Oxfordshire and, I think, Norfolk. I have always believed that it is never wise to listen to too much gossip in the House, but there is considerable gossip that reorganisation is controversial in parts of Suffolk—even in south Suffolk. Plainly, many hon. Members are deeply concerned about the matter and I share many of those concerns.

I make it absolutely clear that the Opposition firmly support the principle of the establishment of unitary authorities in England. We have not been converted recently to that: we have believed in it for a long time, and even before the 1974 reorganisation of local government. We support the principle because we believe that boundaries that can be established on a unitary basis in many instances better reflect the communities that the local authorities based in those boundaries seek to represent. There is a sense of identity that is sometimes missing from the structure of local government in some parts of the country.

The Opposition have also supported the principle of unitary authorities because an effective and efficient unitary authority can avoid duplication—of which, as many hon. Members know, there are many instances in local government. On planning, for example, district and county councils have to liaise and there is sometimes a certain amount of difficulty in understanding who has responsibility for what. On recreation and the link with school sports, there can often be different responsibilities for providing similar facilities.

The avoidance of duplication has always been impressed on me as being important. Cost savings may not necessarily occur, but they can accrue if there is greater efficiency, better service and more value for money. That would allow more services to be provided to communities throughout the country for the same money available now. If more money were allocated, even more facilities could be provided if efficiency gains are made.

One strong argument in favour of unitary authorities is that the public know who is responsible for issues affecting them and administered by local government. I have always found that helpful in my own local authority. The public know that if the matter is one dealt with by local government, Newcastle city council is the responsible authority. They do not have to determine whether it is a district or county council issue. Those arguments have long been held by the Opposition in supporting unitary councils.

I shall comment on how the order will impact on the Isle of Wight, but also refer to its implications for the other 30 authorities.

Madam Deputy Speaker (Dame Janet Fookes): Order. Although the House may have a wide-ranging debate as to the order's effects on the Isle of Wight, I caution the hon. Gentleman against extending his remarks to the rest of the country.

Mr. Henderson: I am grateful for that reminder, Madam Deputy Speaker. Before entering the Chamber, I

[Mr. Henderson]

noted that I should refer only to general issues affecting the Isle of Wight, but which may have similar implications elsewhere.

With specific reference to the Isle of Wight, the Opposition support the establishment of a unitary authority. Island authorities are different and the order reflects their special position. It is similar to the type of authority established in the Scottish islands, where there is general agreement that a unitary authority is the best way forward.

Representatives of work people in the Isle of Wight and both district councils informed me that although the people of the Isle of Wight support a unitary council, they do not support a takeover by the existing county council of the functions of district authorities. People view as democratic the establishment of a new Isle of Wight authority that would embrace the powers previously held by the county council and district councils.

If a new authority is not established from the word go in new elections in which the people of the Isle of Wight can judge who they want to represent them, it is likely that the authority will get off to the wrong start. Some practices prevalent in the old county council, but which the new authority might want to change, could become re-established. When a new authority was eventually elected in May 1995, it would be unable to change established practice. That would put district authority staff at a disadvantage by comparison with county council staff, because they will prepare the plans for the new authority. That strengthens the argument for a democratic structure from the word go, in which new councillors bring together the experience of the county council and district councils in saying how they believe the authority should be shaped in future.

Mr. Curry: This should not become a point of contention, so perhaps it would be helpful if I intervened. If the successor organisation is coterminous with an existing organisation, we have no choice but that it should acquire the formal status of the existing council. On the Isle of Wight, we decided to entrust the county with preparing the elections because the overwhelming majority of representations were to do that, so that the new authority could be established. It is clearly intended—it is spelt out—that virtually the first act of the new council will be to hold elections. Elsewhere in the country, in the overwhelming number of cases—I say that because one does not know the exact circumstances—it is the intention to hold shadow elections that will prepare for the new councils, and the hon. Gentleman's point will be met. In the Isle of Wight, the circumstances are a little particular, which is why we chose the route that we did.

Mr. Henderson: The Minister anticipated my question. Many legal interpretations of the Local Government Act 1992 confirm the Minister's assertion that where boundaries are coterminous, the Government have no option but to proceed in the way that they intend. Given that situation, is there not political advantage to all in acknowledging that weakness and that any new structure would be strengthened by having a democratic basis from the word go? Even in the Isle of Wight, where there is no great opposition to the concept of a unitary authority, there is enormous strength of feeling on the issue. That perhaps undermines the arguments for a unitary authority there—but that concern would pale into insignificance by comparison with the opposition that the Minister would meet in other parts of the country, where there may be a majority but no consensus on what should happen.

I will give way to the Minister, if he will confirm that with every other order that comes before the House, there will be no question of not establishing a shadow authority from the word go.

Mr. Curry: As the hon. Gentleman knows, in the case of Cleveland we indicated that we are considering whether to follow the Isle of Wight precedent, to get the new authority operational, where there is a shift to councils that are established—in the sense that no entirely new entities are being created. Our general intention, however, is to have shadow elections, for precisely the reason that the hon. Gentleman gave—and particularly so that people may feel that recruitment, and so on, is on a level playing field.

Mr. Henderson: My interpretation of the Minister's intervention—he will correct me if I am wrong—is that there may be circumstances in which, in instances where boundaries are coterminous with existing boundaries, the Government will not feel under an obligation to initiate a shadow authority from day one. If I am right—and I note that the Minister does not seek to intervene again—that will cause considerable concern throughout the country. I can assure the Minister, on the basis of telephone calls that I received all last week, at the weekend and this afternoon, that many authorities have a deep interest in the matter.

Mr. Michael Bates (Langbaurgh) *indicated assent.*

Mr. Henderson: At least one Conservative Member acknowledges that that is so. Those authorities will be watching this debate like hawks for any guarantee that will prevent something being imposed in future that they would find unacceptable.

Ms Marjorie Mowlam (Redcar): I express my appreciation to my hon. Friend on behalf of hon. Members on both sides of the House with an interest in Cleveland for teasing that out of the Minister. Many in Cleveland will be deeply disappointed at not having a chance of democratic elections as part of any changes.

Mr. Henderson: I am grateful to my hon. Friend for reinforcing my interpretation. I should not like to be left standing in the cold on the platform at Darlington station on my way to Newcastle, with a lobby of Cleveland councillors asking me for a definitive interpretation of the Minister's remarks.

Mr. Curry: I always acknowledge the dexterity of Opposition Members in teasing out of me something that we stated publicly to the local authority associations.

Mr. Henderson: I am not sure that that takes the debate much further. Local authority associations may tell me that even after teasing something out of the Minister, they are not clear what it means.

Mr. Bates: Had not Cleveland county council decided to waste taxpayers' money by challenging in the High Court the decision of the local government commissioner, the situation that the hon. Gentleman advocates could have been possible.

Mr. Henderson: I understand the strong views that are held in Cleveland and I will not comment on a case that may go before the courts. If the courts endorse the view that an error was made in the way that recommendations were prepared, it would be difficult for hon. Members to be critical of a county council that took action to protect the services in its area. Before the hon. Gentleman gets too excited, he should wait for the court to make its announcements on that subject.

I shall try to categorise my comments into two parts. The second part is about the implications of the order on the rest of the review, or, in other words, the general principles that apply to the order and which will apply also to the rest of the review. There are many suspicions in the country about the Government's motives in the order and elsewhere. I notice the Minister smiling at that point, so he obviously recognises, as I have, that that is the case. There are suspicions, because many people throughout the country, especially in areas such as Cleveland and Humberside, fear that, with the local government review, the Government are attempting to cherry-pick or pick off councils with which they do not agree—for example, Labour-controlled councils and councils that have adopted policies with which the Government differ.

Other suspicions are held by people who want to have a review and have a unitary authority established in their area. They feel that they will not have that opportunity, because the Government will run for cover after cherry picking Cleveland and Humberside and not complete the review. That would mean that some areas—in, for example, East Anglia, the midlands and the south—that would want a review, to have the chance to make the case for a unitary authority, will not have the opportunity to do so. They do not believe that the review will be completed.

I can understand why those suspicions exist, because local government members in areas such as south Norfolk and Oxfordshire—I have even heard it said of members in parts of Yorkshire, who are in power—are opposed to the review and the impact that it will have on their areas. It will not be easy for the Government to ramrod any order that they want through the House. If the Government want the support of the House for their orders, they will have to make arguments that can be supported by hon. Members and which will take on board or counteract the suspicions that are held not only by hon. Members but by councillors, officers of authorities, staff and the public in many parts of the country. I do not want the local government review to be discredited. I do not want it to lose public support, but I believe that, if the Government cannot allay those suspicions, there is a risk that the whole review will be sidetracked into oblivion.

I make the Opposition's position clear to the Government. We stated in meetings that were held with authorities throughout the country that we will examine each order on its merit. But that approach is not without condition. The Government should not take our attitude to the order as a signal of our attitude to mainland reorganisation. I warn the Government tonight that parliamentary support for the procedures of the review will depend on undertakings being given on the following five issues: first, that the review will be thorough and genuinely cover the country as a whole; that there will be no cherry picking of areas such as Cleveland, Humberside, Derbyshire or Avon; that the review will be completed; that recommendations will be acted on; and that consistent principles will be adopted throughout.

Secondly, there should be no gerrymandering of specific boundaries for narrow party political advantage. Thirdly, in shadow authorities, there should be all-out elections—as I argue for the Isle of Wight—from day one. Fourthly, in subsequent years, a third of the council should be up for election annually. That could be advantageous for the Government, because if they accepted condition three —that there should be all-out elections—and suffered an horrendous defeat, if there are elections on the basis of a third of the council, it is easier for the Government to recoup some of their position in later years. So there may be strong arguments in that for the Government. Fifthly, the Government should meet the reasonable representations that will be made to them by the staff commission about the way in which staff are treated when their jobs have been changed as part of the reorganisation.

I do not wish to detain the House further than is necessary, but I should like the Minister to reconsider establishing a shadow authority on the Isle of Wight. If primary legislation is required to achieve that, I assure him that there will be no obstruction from the Opposition.

The Minister will recognise that he has a problem, because it will be difficult for the Government to get any recommendations through the House in relation to reorganisation. We support the principle of unitary authorities, but we want that principle to be established fairly. I do not believe that it can be, unless those five conditions are met.

7.5 pm

Mr. Barry Field (Isle of Wight): In the Southampton *Evening Echo* last week, my star sign said:

"The world owes its onward impulses to those who are ill at ease; permanently happy individuals confine themselves to ancient limits!"

The following day, my right hon. Friend the Lord President announced the debate on this order, for which I have campaigned for so long. The day after, my hon. Friend the Member for Salisbury (Mr. Key), the Minister for Roads and Traffic, announced that there would be signing on the M27 to the Isle of Wight—the completion of a nearly seven-year campaign. So, all in all, the Isle of Wight's birthdays have almost all come on the same day.

It is a privilege, given to few in the House, to be afforded the opportunity to move history an inch. It is probably rarer still that an hon. Member may have the opportunity to legislate for his or her constituency in total isolation from the rest of Her Majesty's kingdom. Tonight, a possibly unique and historic occasion is taking place, when just one hon. Member has that opportunity on behalf of an entire county and two districts or, in the Isle of Wight's case, the two borough councils of South Wight and Medina, which, coincidentally, comprise in their entirety a parliamentary seat.

So here we stand on the threshold of the most major and radical reorganisation of local government that the island has seen in contemporary history: a single authority for the delivery of all the services throughout the island. We could debate the warts and glitches in the enabling legislation and the fact that we have an inheritor authority, as has already been mentioned, and not a fresh start as was envisaged by the local government commission. We could debate the lack of a true shadow authority and the peculiar election cycle and adjustments that the parish and town councils will have to make in due course to their own election cycle. We could debate the fact that, of the four times that I have

[Mr. Barry Field]

lost my temper since becoming an hon. Member, two of them were over this order, and were directed at my hon. Friend the Member for Banbury (Mr. Baldry), who is the Under-Secretary of State for the Environment. I should like to apologise to him and thank him for his great kindness and understanding of my frustration. We could debate the merits and demerits of the unification of the planning process and its application and possible precedent, like the inheritor arguments, for those who may yet follow the island's example towards the unitary goal.

But, tonight, I do not intend to follow those points, for some of them, as has already been mentioned, require primary legislation. I had to exercise my judgment as to whether I could and should hold out for further changes and embellishments, or accept that a bird in the hand is worth two in the bush. In my opinion, the proposals for a change in local government in the shire counties probably no longer command a majority in the House, and certainly do not warrant further delay.

Did I therefore gamble the art of the possible on all the vagaries of the legislative wheel of fortune, whose uncertainties are all too well known to hon. Members? It is true that I upped the ante, as they say; but then, if I had not, would we ever have got this far? I doubt it.

It is not often that a Back Bencher has the opportunity to pray in aid the opinion of a leading counsel; but South Wight borough council, which was particularly concerned about this point, sought the opinion of Mr. Jeremy Sullivan QC. In his concluding remarks, he stated:

"I would have thought that litigation which prolonged uncertainty as to the future of local government structure for the Island would not be desirable from the Council's point of view."

I took that view in regard to further legislation. I know that that counsel's opinion has been sent to Opposition Members.

As so often happens in the House, the devil is in the detail. The detailed requirements of these changes nearly unhinged the consensus that had been built up on the island in favour of this reform. My hon. Friend the Minister for Local Government and Planning has promised me in private to give an undertaking that, when the reorganisation for the whole country is complete, he will review the electoral cycles of the new unitary authorities vis-a-vis the existing and/or remaining authorities to see whether any alignment would be welcome; I hope that he will put that on the record tonight, as well as the arrangements for aligning the parish and town council elections on the island, which do not appear in the order.

There remains the concern that I have already expressed on the Floor of the House about the combination of the three standard spending assessments and their effect on the island's future spending pattern. I know that my hon. Friend the Minister is minded of that.

Having spent nearly nine years working towards the success of this change, both inside and outside the House, I have never lost sight of the fact that, while the loudest noise comes from the councillors, those most affected are the men and women for whom local government service is both a career and a livelihood. I would fail in my duty to those who have given such excellent service to the island if I did not tell the Minister that there remains a substantial reservoir of mistrust among staff at all levels that the staff commission does not seem to have fully hoisted on board their concern that we are to have an inheritor authority.

Only last weekend, another staff deputation came to see me and expressed continuing concern about the fact that although the county council gives the appearance of consultation, it also gives the impression that everything has been fixed in advance. Feelings are running high on this aspect of the reform. I accept that the masterly inactivity occasioned by the delay in the order has not helped, and that once the process is embarked on some of the fears will evaporate; I must put it on record, however, that if the employees' misgivings turn out to have some foundation, it is to the staff commission and only the staff commission that they can appeal. The Minister must ensure that the commission has the teeth to give effect to the need for transparent and fair decisions, especially in regard to borough council staff.

The other matter that I wish to raise concerns unfinished business. The commission did not deliberate on the question of the island's boundaries in relation to the Solent, but drew attention to our concerns. The Select Committee on the Environment, of which I am a member, has touched on the subject again in recent weeks. Judging by the interest that that has caused, I feel certain that every hon. Member with a coastal constituency considers that the problem must be addressed sooner rather than later.

Some on the island have eased the process; others have opposed it. I have no wish to mention any of them tonight, however. We have an island saying: "No one mentioned, no one forgotten." So, to councillors and officers who have helped the process I say thank you; as for those who have opposed it, my most fervent hope and prayer is that their misgivings will be proved to have been unfounded. As I have said on many occasions, I have carried a far heavier burden in obtaining these reforms than may be realised. I am very conscious that the last thing that those of us who value local government want—after all the dust has settled and all the changes have been made—is for the man on the Southern Vectis omnibus to go around saying, "Who on earth thought this one up?" After all, the purpose of the reform is to make local government more user friendly, more efficient and—dare I say it—more comprehensible to the good citizens of the Isle of Wight, who are paying for it.

I will let the House into a secret: I have a horror of having any road or building named after me. I believe in the words, "If you wish to see my monument, look around you." To have delivered this reform to my own constituency in under seven years in the House is a piece of remarkable good fortune—but, like so many of my constituents who are lucky enough to live on the Isle of Wight, I sometimes do not want to share the island and my good fortune with anyone else.

Although I am mindful that it was my right hon. Friend the Member for Henley (Mr. Heseltine), the President of the Board of Trade, who put the legislation through the House, I hope that he will accept that he will not find a coded message in my likening myself to Frodo Baggins in Tolkien's "Lord of the Rings". He had to destroy the one ring that his Uncle Bilbo had obtained, against all the odds, to keep it from Sauron the Dark Lord so that he could not use it for his evil purposes.

I have been pleased to hold the ring for the Isle of Wight's reform, but the Dark Lord that I see in the national picture of these reforms of local government is a bill that the nation can ill afford, and a reform that exactly fits the rule of Hapsburg politics so eloquently articulated by Count Taaffe:

"Beyond the achievement of a level of supportable dissatisfaction on all sides, I have no political ambitions."

My constituents, and the nation, will have to wait for my memoirs to learn of the effort that went into securing this order and the consensus on the island that lubricated its path. It has not been easy, but then anything worth while in this life rarely is.

I understand that the other place has provisionally set aside 28 April for debate on the order, subject to what happens here tonight. I hope that the order will be approved in this House without a vote: that is what the island would wish, and I believe that it would clearly reflect the island's views.

As I said at the beginning of this short debate, I am conscious of a sense of history in the making tonight. I feel that I can only close by paraphrasing the time-honoured words used to launch every ship that has served the island since time began. Accordingly, I wish this order and the new Isle of Wight council Godspeed: may all who serve in it, whether as employees or as councillors, find fulfilment, and may all its deliberations and decisions be to our island's advantage.

7.19 pm

Mr. David Rendel (Newbury): I was waiting for the bottle of champagne to be broken over somebody's head, but I am glad to see that that does not happen in the Chamber.

I was interested by the speech of the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), in which he spoke of opposition and the Isle of Wight in one breath. Interestingly, on the island, the opposition are the Conservatives and the administration is the Liberal Democrats. I am not sure where the Labour party stands —I suspect virtually nowhere.

The Government have shown uncharacteristic generosity in introducing the order before any other. If there is any cherry picking on the Isle of Wight, the cherry certainly is very orange.I say "uncharacteristic" because if the order is passed, as I hope it will be, considerable power will be put in the hands of the new Liberal Democrat administration, which won an increased majority last May. That is very welcome.

Almost everybody agrees that the order should be passed. I understand that all three parties represented here and people on the island agree, so I very much hope that the order will be passed, but there is a difficulty in the way in which it has been handled, which has been mentioned and to which I should like to refer briefly.

An inheritor authority—a continuing authority—will take over straight away. The difficulty is the possibility of some unfairness to the staff of the two councils that will be abolished, compared with staff in the other council, and to a certain extent, although this is probably less important, to the councillors concerned.

More important than either of those possibilities is the lack of democracy. It is clear that some electors will choose different candidates—perhaps even different parties—for different jobs in government. One obvious example is the Isle of Wight, where the electorate, for reasons best known to themselves, chose a Conservative Member of Parliament but a Liberal Democrat administration for their county council. There is no reason to suppose, therefore, that the electorate would wish the same people on the successor authority as on the county council. It is unfortunate that they should be unable to make that further choice. I hope that the Minister will address the lack of democracy and will assure us that this situation will never arise again in any other reorganisation.

Mr. Barry Field: Would the hon. Gentleman put himself in my shoes for a moment? Would he have continued to try to force the Government's hand and have occasioned a delay in the introduction of the order of a year, or perhaps two years, or would he have taken the view that uncertainty is the bedevilment of good management in local government and have taken the opportunity afforded now to get on with it?

Mr. Rendel: I thank the hon. Gentleman for that intervention as it gives me the chance to say that I agree that any further delay would be unfortunate. It is in the best interests of staff that they should know where they stand and I would not have tried to delay the order in the way that he suggests. In that sense, he has acted in the right manner, but it leaves us, nevertheless, with the difficulty that, unless we receive an assurance from the Minister, further reorganisations may get into exactly the same trouble as we have got into here. I hope, therefore, that we shall receive an assurance from the Minister later.

I have a personal interest in this matter not only as spokesman for the Liberal Democrats on local government, but as the Member representing the area covered by Newbury district council, which may retain exactly the same boundaries when it becomes an unitary authority if an order is proposed later this year. I do not want an unitary authority in my area to be simply a continuing authority, as is proposed for the Isle of Wight.

It seems that the situation arose originally from a simple drafting error in the legislation—or that is what we are led to believe, but perhaps the Minister will comment on that, too. There is every sign that the Government, in promising a completely fresh start, originally thought that a completely new authority would be set up in advance of any powers being transferred. Clearly, all three authorities on the Isle of Wight originally believed that that would be so and welcomed it.

It is clear that the Association of District Councils and Association of County Councils believe that a new authority should be in place before any transfer of powers and are sorry that that will not apply in the Isle of Wight. The question for the Minister, therefore, is: are we setting a precedent today that will be followed on another occasion, or will the law in effect be changed to ensure that the precedent does not apply in future?

Despite what I have said about that difficulty, I believe that the order should be passed because my criterion for whether reorganisation should take place is somewhat different from the five criteria given by the hon. Member for Newcastle upon Tyne, North. My criterion is simple: is there a clear majority in favour of the reorganisation proposed among the people of the area concerned? On the Isle of Wight, it seems that there is such a majority, so I welcome the order and hope that the House will approve it today.

7.25 pm

Mr. Harry Barnes (Derbyshire, North-East): I am quite neutral about the wording of the order. I have never visited the Isle of Wight, so I have little knowledge of it. If MORI polls and polls conducted by local government commissioners show strong support for a unitary authority

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in the area, I shall support the order. The problem is the implications of the order and the procedure being followed to introduce it.

The Boundary Commission for England is reviewing local government in England. Counties are at different stages of their analysis, but we should be conducting an overall investigation of local government boundaries and functions, after which we should discuss primary legislation to enact those proposals, rather than debating an order that might be used as a precedent for other areas.

Unitary authorities have served local government well in some areas, especially where there has been strong local support for them, but I see no grounds for saying that they should be the general pattern or that they should be established by order. I am conscious of your ruling, Madam Deputy Speaker, that this debate is not on the local government review. Therefore, my concerns about Derbyshire may not be held to be entirely relevant, but, because of my concern about Derbyshire and similar areas, I am concerned about the procedure that we are pursuing tonight and the implications of it.

I do not necessarily agree with everything that my hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson) said; he was more sympathetic to the establishment of unitary authorities, albeit within a regional structure, than I am. Some functions of county areas may have to be rationalised, and in some areas unitary authorities should be established. In the county of Derbyshire, there seems a reasonable case for Derby itself being a unitary authority. A MORI poll conducted there showed that it was the one part of the county that was in favour of that arrangement. However, the people in the rest of the county strongly favour the status quo and see no need for any adjustment to the basic boundaries between the district and county authorities. That view needs to be taken into account.

If the argument in favour of this proposal rests on the views of the people of the Isle of Wight, what happens elsewhere in the country and the attitude taken by the House should also be dependent on the views of people in a particular area.

Although the arguments might be strong in favour of the order, I am fearful of the procedures that we use to introduce it and of its implications, whether or not there is cherry picking and whether or not this is only the first stage of the new structure for local government. It is on those grounds that, unless I can be convinced otherwise, I am disposed to seek to divide the House.

7.30 pm

Mr. Dennis Skinner (Bolsover): I was not able to be here earlier for the very good reason that I have been engaged in trying to help save Tower colliery, the last pit in south Wales. I hope that the Minister will understand. I shall probably still be here making telephone calls to that end, after all other hon. Members have gone. As my hon. Friend the Member for Derbyshire, North-East (Mr. Barnes) knows, I had intended to be here, but there have been some new developments with a view to another mass meeting of NUM members at the colliery in the morning.

I have taken a keen interest in the local government review, and not only in the present one of which the Isle of Wight order is the first segment. It has disturbed me from the very beginning that, unlike the Local Government Act 1972, when issues and areas were debated as the Bill, as it was, passed through its parliamentary stages, this order is probably only one of many which are to come in the next few months or the next year.

Many of us are worried about the system that is being used to introduce the order. It is pretty clear what the Government are up to, whether one describes it as Machiavellian or in some other way. In 1972, we were able to debate the proposals in principle. Now—to use a phrase used by my hon. Friend the Member for Derbyshire, North-East—we have cherry picking, whereby the Government and their Back Benchers can say that what is proposed does not matter much to them so they will proceed.

According to what I have read, most of the people of the Isle of Wight are happy with the new proposal, which may or may not be true. However, a constituency can be happy about something but the national scene may be quite different. What disturbs me is the fact that, if we allow the order to go through on the nod, we leave it open for the Minister to be able to say in future that hon. Members were not against the issue in principle because we allowed the Isle of Wight order to go through without a Division.

That causes a problem for people such as me and my hon. Friend the Member for Derbyshire, North-East because our county is in line for the same treatment. We also worry about Cleveland because, presumably, the Cleveland order could be next. The Government and others might say to Cleveland that, as the Isle of Wight order went through on 18 April with hardly any opposition, every Member of Parliament accepted the system in principle. I am against the system that is being used because I can see what might happen.

Some of the counties and areas that have traditionally been hostile to the Tory Government for many years—for example, Cleveland, Durham and Derbyshire—may well be regarded as prizes to be dealt with in similar orders. The Government will say that they are using the same procedure that they used for the Isle of Wight order and the subsequent orders will be passed while most of us in Derbyshire believe in retaining the status quo. It may not be satisfactory for people in the Isle of Wight, but that is the conclusion of the majority of people in our part of the world. I think that the same is true of many other areas, too.

Some of us are astonished by the amount of money—probably £1 billion in the whole of England and Wales, including the Isle of Wight—being spent on the reorganisation of local government. Many of us believe that if such a large amount of taxpayers' money is available, it should be used to build houses and improve amenities in our towns and cities.

The Isle of Wight is minuscule in relation to the country as a whole, although I accept that it is important to the hon. Member for Isle of Wight (Mr. Field) and the people who live there. However, it could be symbolic because the Isle of Wight order might set a precedent. I should therefore like the Minister to tell us whether he regards this order as a precedent for others. Will all the rest be dealt with en bloc? He shakes his head, so we know what the answer will be.

I predict a scenario in which the future of a few authorities such as Cleveland, Derbyshire and Durham could be subject to the vote of Tory Members of Parliament and perhaps others who will vote for similar orders, even in counties where we know that Tories are up

in arms against the proposal. I was in Somerset a couple of months ago to address about 500 people, almost all of whom were opposed to it. There was tremendous opposition from all parties.

I can envisage a situation in which several orders are introduced, but Tory Members of Parliament will say that they have had enough and are going to pack it up. The Government then have a reshuffle and the Secretary of State for the Environment is moved on, and the same happens to the Minister for Local Government and Planning. If they are moved to other Departments, what they have said will not longer matter. The Minister smiles, but that is what happens and that is what is likely to happen. The net result is that the Government will say that they have a new brush and wish to make a clean sweep. It would mean that what we fought for in Derbyshire and some of the traditional Labour territories could be changed at a stroke.

Although we are not allowed to talk specifically about Derbyshire, the Government are insisting on continual revisions. I do not know whether this happened on the Isle of Wight, but the local government commissioners are repeatedly sent back until they get the results that the Government want. The Government are shifting the goal posts whenever the people of Derbyshire speak. The Minister has already said that he is not prepared to propose all the changes en bloc so that some Tory Members could vote with us against massive changes in some parts of Britain. The Government's agenda is clear: the Isle of Wight tonight, the rest later.

I do not know my party's position in this instance, but, as we are all concerned about the massive amount of taxpayers' money to be spent on this wholly unnecessary reorganisation, we have no alternative but to oppose the order on principle because it will be the start of many more orders. I do not want the Government to be able to say that nobody voted against the first. Once we have accepted in principle the idea of orders late at night, we shall not have a case to answer.

Mr. Barry Field: I am not sure whether the hon. Member for Bolsover (Mr. Skinner) has done me a great favour in describing me as "minuscule". I do not think that I have ever before been thus described, but I take it as an honour to be described by the hon. Gentleman, who is a great parliamentarian. I shall try to clarify the precise position. The hon. Gentleman says that he will vote against the principle, but not against the order as it affects the Isle of Wight. Do I have him right?

Mr. Skinner: No. I am saying that the local government reorganisation in 1972 was brought before the House in the form of a Bill. We had Second Reading and Committee debates. Many hon. Members, on both sides of the House, who had grievances were able to play one off against the other, and the result was that certain changes were made. On this occasion, the Government have operated differently, knowing that they are dealing with massive changes which will alienate many Tories in certain parts of Britain—although not, perhaps in the Isle of Wight. As a result, the Government are introducing the changes order by order. I have a feeling that the hidden agenda is for the order to go through—no one will get too excited about that—and then to start on the traditional Labour areas.

I am not privy to what people on the Isle of Wight have said. From what I have read, I assume that most people are satisfied with the new arrangements. However, if I accepted the order, in future, when fighting for some of the other areas nearer and dearer to my heart, I could be accused at Question Time and on other occasions. Ministers might say, "You did not fight it on principle, Skinner. You let it go through." On those grounds, I believe that we have no alternative. The Minister has made it clear that he will introduce orders in a cherry-picking fashion.

7.39 pm

Mr. Curry: It is not my job to speak for the business managers. I am sure that if the Opposition made an approach about the manner in which the orders could be taken, the business managers would be more than receptive. However, the fact remains that the Commission makes recommendations in a certain sequence and we have to lay them in front of the House. I should have thought that those who have talked about gerrymandering or about the democratic system would have believed that on the whole, giving the House the opportunity to vote on the organising proposals as they arrive would be the best guarantee of democracy. As I said, I am not one of the business managers. If the Opposition have a better idea, I have no doubt that we shall listen to it.

What lies behind the argument is that the process is what has been described as cherry-picking. I make it clear that we are proceeding with the reorganisation. There is no thought in my mind that there would come a point at which we would say, "That is it, chaps. It is all getting too difficult." It is, of course, true that the parties are divided. Conservatives are divided against Conservatives, Labour is divided against Labour and Liberal Democrat is divided against Liberal Democrat. Provided that the debate is about the correct, sensible and most responsible form of local government, it is a good debate and there is no reason why it should not take place. We do not want it to become a debate on the basis of mistaken information or of misleading propaganda, or for it to become a Hobbesian battle for survival when people forget that the issue is delivering services. I have no problem with there being argument, however inconvenient that is, because we all share the inconvenience.

Mr. Barnes: But it will not be a full-fledged debate in the House. There will be statutory instruments—bits and pieces—and a bit of a debate. There are only a handful of us here tonight. If we had a Bill similar to the Bill that brought about the changes in 1974, we would have massive discussions, a proper Committee stage, serious consideration and the possibility of amendment. Instead, we have a statutory instrument—a matter of "take it or leave it". Unfortunately, some of us will have to leave it.

Mr. Curry: I am delighted to know that the Labour party has been so profoundly content with the procedures adopted for the reorganisation of local government in Wales and in Scotland. As the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) said, there has been a Bill for each of those reorganisations. The decision in England was to set up an independent commission. The commission is independent because, as the hon. Gentleman knows, I consult him about appointments to maintain the

[Mr. Curry]

balance in the commission; that is thought to be the best way forward. In any case, that is now water under the bridge.

The hon. Member for Newcastle upon Tyne, North asked me about five conditions; I shall respond as precisely as possible. As I told him, we are not in the business of cherry-picking. We intend to pursue a universal review. He also talked about gerrymandering. As he knows, the commission has to make recommendations and then has to confirm or change its recommendations. The recommendations come to the Government who have to judge them in the light of criteria that are set out clearly in statute. We then have to invite the House of Commons to act on the recommendations.

Leaving aside the commission's consultations, I point out that we consult very widely. I have had as many delegations of Opposition Members come to talk to me about proposals as I have had from other interested parties. We are not in the business of trying to rig the change. That would be foolhardy and extremely difficult to pull off. I must make it clear that that is not part of the game.

Mr. Anthony Steen (South Hams): I apologise to my hon. Friend and to the House for not having listened to the whole debate. Do I understand it that once the commission has made its recommendations for my county of Devon and the west country, the Government will then decide whether they will go along with them? When the proposal comes to the Floor of the House, what will happen on each order that affects Devon? Will there be a debate such as this one for Devon and will there be a Division, or will a statutory instrument be discussed in Committee, in which case there will be no opportunity for a real debate?

Mr. Curry: I do not claim to have any particular expertise in procedure, so if I am wrong, I shall correct my remarks. My understanding is that each order will come to the Floor of the House for debate and that each order will have a separate vote attached to it so that hon. Members on both sides will have an opportunity to express themselves on each proposal.

In general terms—I use the words "in general terms" because we consult people about what they want—we intend that shadow elections will take place a year before the new council comes into operation. The people who have been elected to the shadow council, which prepares for the new council, will be the people who assume the full responsibility. In other words, our expectation is that people will usually vote for a new council to reorganise and then to implement the new proposals.

Mr. Henderson: I am sorry that I was not able to catch the Minister's attention a second before he moved on to shadow authorities. Cherry-picking is the issue which concerns many hon. Members. Can the Minister suggest to the House a commitment that would be binding on the Government which would give hon. Members confidence that the Government were not going to change direction somewhere along the line? Can the Minister raise confidence by saying that when orders come before the House in future, he will say what the Government want to happen with the complete review? Can he give an assurance that there will not be back-tracking at some point down the line? Can he give a minimum assurance that he would demit his office if there were any abandonment of the review?

Mr. Curry: The only assurance that I can give is that it is not the Government's intention to abandon the review. Frankly, if we had intended to bail out of the review, the time to do so would have been about a year ago; it would not be now. The review is on course, the commission is on schedule and the timetable is being adhered to. Of course, the fact that a number of councils have chosen to go to judicial review has meant that the short-term timetable has had to be amended. However, what matters ultimately is our intention that in May 1997, the last of the new authorities will assume their full responsibilities. We are still on target to reach that date.

As the hon. Member for Newcastle upon Tyne, North will appreciate, I cannot speculate about what may happen in future reviews, because the commission still has the competence. It is not for me to speculate on what the commission may produce. As we do the reviews, I am perfectly willing, if any general threads or patterns emerge, to discuss what we might be learning. That is as much as it would be right for me to do constitutionally.

The hon. Member for Newcastle upon Tyne, North made a point about one third being elected at a time. I cannot give the hon. Gentleman the answer he seeks because under legislation, it is and will be up to councils to tell the Government the basis on which they wish to organise their elections. I would have to have very strong reasons to say no to a proposal.

Currently, it is up to a council that elects by an all-out system, to come and ask whether it can move to a system of election by thirds. Of course, councils must start with the big bang, as it were, because there is no other way in which to start the process. However, if councils then prefer to have elections by thirds, they have the ability to ask for that and I cannot think of reasons for which we would wish to deny that request. That is all that I can do under the legislation.

I note the point that the hon. Member for Newcastle upon Tyne, North makes about the staff commission and its recommendations. We are about to consult widely on them. My hon. Friend the Member for Isle of Wight (Mr. Field) mentioned those points and I noted them carefully. The staff arrangements made under the order will have to be the subject of legislation.

My hon. Friend asked me about a commitment that I gave to him and I am happy to repeat it. I told him that the Isle of Wight unitary council was technically the continuation of the county council. Therefore, it will follow that electoral cycle. The next set of elections will be in 1998 to allow the new councillors a reasonable period of office. After the transitional arrangements, the unitary authorities will return to the county council electoral cycle. However, once a structural review of shire England has been completed, and we have a clear view of the future structure of local government, we intend to review local authority electoral cycles and to consider whether and how the provisions of the Local Government Act 1972 may be amended. The possibility of considering the whole question of electoral cycles may be the point which my hon. Friend wishes to discuss.

Our review will also cover the need to align unitary authorities and parish elections in the way that is recommended for the island by the commission. We accept

that recommendation and agree that it would be expensive and wasteful to have parish elections in different years on the island. I think that that meets entirely my hon. Friend's point. I have covered the point about staffing. That will be an area on which, in future reviews when we have gained some experience, we shall be able to have a slightly fuller discussion. On the question of the extension of the coast, my hon. Friend will be aware of the especial constitutional position. I am perfectly willing to write to him in detail on the constitutional points which may be helpful as they are not germane to today's argument.

Points were made by two hon. Members who represent Derbyshire constituencies. The hon. Member for Bolsover (Mr. Skinner) asked whether, if we let the order go without opposing it, it would be taken as a precedent and people would say that he did not oppose the principle. I would argue the other way. If the hon. Gentleman votes against a measure such as this order, which, it is commonly understood, has a broad measure of support and is broadly supported on the island, surely he would be establishing precisely the opposite principle that, come what may, he would vote against the orders. His Front-Bench spokesmen are in favour of the local government review, but the hon. Gentleman said that he thought that the whole thing was a waste.

The fact remains that there is a broad consensus in the House that we should test the efficiency of local government against the possibility of the new structure being more efficient. There is no magical or secret blueprint. We do not have our mind set on the outcome. Being the first order, it is widely supported and it gets us a run on the board, if I may use a metaphor which is popular in certain areas of my party. I think that it will be widely welcomed on the Isle of Wight. I pay tribute to my hon. Friend's activities and commend it to the House.

Question put:—

The House divided: Ayes 144, Noes 10.

Division No. 212] **[7.52**

AYES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Bates, Michael
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Booth, Hartley
Bottomley, Rt Hon Virginia
Bowis, John
Brandreth, Gyles
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Carttiss, Michael
Chapman, Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Congdon, David
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Day, Stephen
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forth, Eric
Foster, Don *(Bath)*
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Gill, Christopher
Gillan, Cheryl
Gorman, Mrs Teresa
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hannam, Sir John
Heald, Oliver
Hendry, Charles
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunter, Andrew
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Legg, Barry
Lennox-Boyd, Mark
Lidington, David
Lightbown, David
MacKay, Andrew
McLoughlin, Patrick
Malone, Gerald
Mans, Keith
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Monro, Sir Hector
Moss, Malcolm
Nelson, Anthony
Nicholls, Patrick
Oppenheim, Phillip
Page, Richard
Paice, James
Pickles, Eric
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rathbone, Tim
Rendel, David
Richards, Rod
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Shaw, David *(Dover)*
Skeet, Sir Trevor
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Sproat, Iain
Steen, Anthony
Stephen, Michael
Stern, Michael
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Vaughan, Sir Gerard
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Wood, Timothy

Tellers for the Ayes:
Mr. Timothy Kirkhope and
Mr. Derek Conway.

NOES

Bayley, Hugh
Campbell-Savours, D. N.
Cook, Frank *(Stockton N)*
Dafis, Cynog
Gordon, Mildred
Lewis, Terry
Madden, Max
Mahon, Alice
Spearing, Nigel
Wise, Audrey

Tellers for the Noes:
Mr. Dennis Skinner and
Mr. Harry Barnes.

Question accordingly agreed to.

Resolved,

That the draft Isle of Wight (Structural Change) Order 1994, which was laid before this House on 22nd March, be approved.

Somalia

Motion made, and Question proposed, That this House do now adjourn.—[Mr. Robert G. Hughes.]

8.3 pm

Mr. Tony Worthington (Clydebank and Milngavie): Before the House adjourns, I should like it to give some consideration to the subject of Somalia. On a day on which the world's attention is once again on Bosnia, it is impossible to give Somalia the attention that I should like it to receive.

I propose to talk about recent visits made by the hon. Member for Somerton and Frome (Mr. Robinson) and myself to Somaliland. I express my appreciation to the Foreign and Commonwealth Office and the Overseas Development Administration for the support that they gave both before and afterwards. The circumstances were really quite difficult at times. I want also to express my appreciation to Action Aid, which sponsored the visit to Somaliland and whose work we should have liked to see more of but could not. All the signs are that its work is successful. It includes extremely valuable work both in water and in veterinary projects. I was pleased when the ODA recently increased its contribution to Action Aid for that work.

Mr. Mark Robinson (Somerton and Frome): I echo the hon. Gentleman's thanks to the Foreign and Commonwealth Office and to Action Aid for everything that they did for us during a difficult time.

Mr. Worthington: I shall talk about Somaliland to some extent, but I shall also broaden my remarks to encompass the whole subject of Somalia. There is no doubt that Somaliland is more stable than many parts of Somalia. Despite the experiences that the hon. Member for Somerton and Frome and I had, there is no doubt that there are some encouraging activities taking place in Somaliland. I draw attention to two in particular. One was a conference at Boroya, which lasted for five months. The clan elders—the traditional leaders of the area—came together and hammered out a constitution and a plan of campaign for the territory. The second encouraging event was one at which the hon. Gentleman and I were present: I refer to the giving up by the people of Somaliland of their heavy weaponry. We went to the national stadium to see the handing-over of the heavy weapons by the fourth brigade of Hargeisa. Things are being accomplished by the people of Somalia without the help of the United Nations. Activities are being undertaken in the cause of peace and development by the people themselves, and that must be encouraged.

I gather that this debate can continue until 10.30 pm —it is certainly not my intention to speak for two and half hours, and I see the Minister wince at the idea. We want to know from the Government just what they regard as British responsibility. What do they consider to be the British link? When we ask questions of the Government about areas of concern in Africa, they understandably express nervousness and say that they do not want to be deeply involved in every trouble spot. I can understand that approach, but that does not mean that I support it. When I table questions about Rwanda or Burundi, for example, Ministers say that the Government are not taking a lead in those countries. Those are not parts of Africa with which we have been traditionally associated; I can understand the expectation that in those countries the Belgians should take a lead.

The concomitant of that, however, is that in those parts of Africa where we have traditionally been involved, we should be giving a lead. There is no doubt that in Somaliland, the former area of British Somalia, we are the donor country, the northern country, the developed country, the country that is seen as having unparalleled knowledge and experience of and a shared history with Somalia. I should like to know whether the Government accept that link. Do they see some special duty falling on Britain to give a lead in Europe and in the United Nations in respect of Somalia and other countries? Obviously Sudan and perhaps, Sierra Leone, come to mind. Those countries were part of the empire and their peoples expect us to be involved.

I raise that point because, in the economic sphere, it is accepted that Britain has a special interest. It is accepted that, in a discussion with those at the World bank or the International Monetary Fund of the affairs of African countries with which we have been associated, it is expected that the British director of the bank will speak first; he will have a particular interest and locus in that area. If we were talking about francophone Africa, the French director would speak.

Does the Minister believe that there is a special responsibility or special relationship—if I dare use that expression—between this country and some parts of Africa? What is our role? It is wishy-washy simply to say that the international community has a role. The international community does not exist in an enveloping way; it exists to be driven by some parts of that community. The international community is only as strong as the nations within it.

With regard to parts of our colonial inheritance, I should like to think that we accept at least a moral responsibility. I am not talking about money. I am not saying that huge amounts of extra money should go to the area—although the Minister will be aware that the Opposition believe that our aid budget is shamefully low. We are talking about commitment and political leadership.

Such leadership is desperately required. If one visits Somalia or Somaliland, it is clear that the United Nations is floundering. We visited Hargeisa, which is the chief town of Somaliland. At the United Nations Operation in Somalia office in Hargeisa, we were deeply dispirited by the coherence of the UN effort. When we asked the UN representatives—the UNOSOM task force—what they were doing, they said, "We are here to support." It is very difficult to support without resources. It is difficult to have credibility in relation to support if one has nothing to give. The people in the Hargeisa office of UNOSOM say that they are there to support. They say that they send messages to Mogadishu, the capital of Somalia, but that they disappear into a black hole and no response is received. It is very difficult to see how stability can continue if the world community does not provide real support and resources for Somaliland. There is an utter lack of purpose there. The staff have no idea what they are supposed to be doing.

These matters are heavily bound up with a thorny and difficult issue: three years ago, the people of Somaliland declared themselves to be the independent republic of Somaliland, but no one has recognised Somaliland. That is easy to understand: it seems to be an article of faith of the

Organisation of African Unity and the Arab League, for their own reasons, not to recognise the break-up of other states because they fear a domino effect in their countries. Because no one has recognised Somaliland, we are paralysed in terms of how to react to it.

We experienced the same paralysis in relation to Somalia in the first place. Hon. Members may recall the questions asked about the situation in Somalia in 1991 and 1992. We were told—and we knew—that there could be no reaction to Somalia because there was no Government there. The UN, the European Union and the other international bodies can operate only when there is a sovereign Government in that country. Paradoxically, when there is nothing but chaos and when there is the most need, the international community can do nothing because its charters prevent a response. We were in that mess in 1992 with regard to Somalia as a whole and we are in that mess now with regard to Somaliland, because no one recognises Somaliland.

There is a form of Government and order there to which we are unable to respond. We can send humanitarian aid into the country or region or whatever one wants to call it. We can set up water and veterinary projects. But when it comes to meeting the country's major infrastructural requirements to prop it up and stop it retreating into disorder, we are unable to respond.

Last autumn, a UN official in Somaliland—Mr. McAteer, who has since understandably disappeared from the scene—said that it was time to dismantle the nonsense of Somaliland. He was obviously chased out of Somaliland by the people of the area. I am not arguing for the recognition of Somaliland. Far too many Europeans have been telling Africans what their borders should be. That is not for us to do. But if a bit of a country is behaving in the right way, is having peace conferences and is disarming itself, it is important to pile in behind that bit of a country and assist it. One should not become paralysed in that situation, but that is the current position in Somaliland. The paralysis of Mogadishu has become rigor mortis by the time it reaches Hargeisa; nothing happens there.

I believe that the budget must be devolved from Mogadishu to Hargeisa so that the people on the spot can work with the authority in Hargeisa. That could lead to many kinds of development. During our truncated visit to the country, before we spent time on a Somali hill side, we saw a port where animals had to be taken out on the small dhows that were moored in the bay. At some stage in the past, the piers, jetties and lifting gear had been destroyed or had fallen into decay.

That port does not require an Overseas Development Administration project. It needs serious money to help the people of Somaliland to re-establish their traditional trade in livestock to the Yemen or to Saudi Arabia. At the moment, we are paralysed. What is the Government's response to UNOSOM's paralysis in that regard?

For the benefit of those who are not fully aware of the situation, let me explain that UNOSOM has overwhelmingly been a military operation. In 1993, about $615 million was spent on UNOSOM. Some 85 per cent. of that was military spending. None of it was spent in Somaliland: there are no troops there because there has never been a need for troops there.

The UN must also begin to call its separate organisations to account. Those organisations sometimes work well, but sometimes they fail to deliver. We cannot just let them go their own way. In Djibouti we went to see the person who ran the United Nations High Commissioner for Refugees operation for Somalia and Somaliland. As it happened, the person in Djibouti showed us the programme of what was occurring. A lot was occurring and much of it seemed to be worth while. However, what was striking was that the people virtually said openly that we must understand that they do not get tangled up with UNOSOM in any way at all. They preserve their freedom and they guard and defend their turf.

At least they were doing something. What was the World Health Organisation doing in Somaliland? All we got was the information that it was delivering some drugs. Since I came back, I have asked the Foreign Office some parliamentary questions. Apparently, the World Health Organisation in Somaliland has developed, with non-governmental organisations, a detailed plan for the problems of Somaliland. It would be more convincing if the NGOs in Somaliland knew that that is what WHO said. When we met representatives of the NGOs, I thought that they would say that they had been working with WHO. However, they said that the trouble with WHO is that it is elsewhere. The WHO is spending its time in Kenya; Kenya is a more comfortable place than Somaliland.

What was the Food and Agricultural Organisation doing there? I do not know what it was doing, but we must get some sort of accountability. Perhaps the Minister can tell us how he, as a representative of the Government, keeps tabs on what is happening in areas where relief operations are supposed to be taking place.

I cannot convey strongly enough the extent of the deprivation in places such as Somalia and Somaliland. We are talking about countries without the fundamental apparatus of a state; we are talking about countries without income, revenue, a taxation system and a civil service; and we are talking about countries that have no power system, no communications system and no reliable water supplies.

There is also a total lack of education and health systems; at present, there is a great threat of cholera throughout Somalia. The response must come from the NGOs. A generation of Somalis have not been educated. That can be rectified only if the international community responds in a more sensible way. The Government must tell the House why Britain is not the key player in that response. Who else will provide the motivation in terms of Somalia if it is not Britain? Who is more qualified? I hope that the Minister will address that issue.

As I said, we are talking not about recognition but about support. It is a question of encouraging those who are doing the right thing. If one does not do that, there are two potential sets of beneficiaries. The first comprises the gunmen—we ran into five of them—who will take over again. Another thing that is happening in Somalia at present is the first substantial stirring of fundamentalism. If this country does not like fundamentalism, it must prove that it is a trustworthy supporter of those who are trying to work well in countries such as Somalia. That deals with Somaliland.

I shall now spend a little time talking about Somalia as a whole and the situation that we found there. I have extremely mixed feelings about what is happening in Somalia. Undoubtedly, there is the threat of a real problem arising there. I suspect that most people in the United Kingdom think that the troops have withdrawn because CNN said that the Americans are out. Of course, CNN showed the landing of a vast number of American troops in December 1992. The Americans became very chastened

[Mr. Worthington]

by their experience. One needs knowledge, appreciation and subtlety in dealing with a country such as Somalia. The troops have not withdrawn; there are 20,000 troops from 25 countries still in Somalia. What are they doing there? I am not quarrelling with the fact that they are there. But if United Nations troops are there, there should be clarity about their purpose.

Some 25 nations are represented in Somalia in the 20,000 strong task force. The task force is dominated by western troops—the Americans and others have by and large withdrawn. There are 12,000 troops from Pakistan, India and Bangladesh. If I simply mention those three countries together, it is a little tricky to imagine great harmony of command and unity of purpose. Another 22 nations are part of the task force.

Today, we have been wincing about the forces in Bosnia and the difficulties that arise when those over whom one is trying to keep peace start turning on one. What are the troops doing? What is their mandate? Some of them are said to have done extremely good work—I have heard praise for the Botswana troops in Somalia, for example. I suspect that some countries will say that it is a good training exercise; some will say that it is a good place to get hard currency; and some will say that it is a good place to get their troops paid for.

If the clans start to turn on the troops, what is their mandate? Are they able to shoot if there is no way out? I suspect that the troops will spend a great deal of their time in compounds. They will be there in a peacekeeping role, but they will not be out on the streets because the streets are fairly dangerous.

Mr. Peter Hain (Neath): And Rwanda.

Mr. Worthington: My hon. Friend mentions Rwanda. In Rwanda, there were 2,500 UNIMIR troops. When things started to turn nasty, they had to be withdrawn. At this stage, we should be thinking about the role of the troops.

What we need now, above all, is to be clear about the purpose of the United Nations operation. Part of it may be military, but of a lot of it is not; it is about getting good political leadership in Somalia. The catastrophe of the Somalia operation had the most profound consequences for the Americans. The Somalia exercise heavily conditioned the American response to Bosnia and the response of America and other countries to the situation in Sudan, Liberia and so on.

We need to start thinking about the troops and what they are doing. We need to ensure that they are getting good political leadership because there seems to be a vacuum. For some time, the leadership of UNOSOM was identified with Admiral Jonathan Howe of the United States navy, but he has gone now. Who has replaced him? Who is looking after Somalia now?

There are some encouraging signs. I know that Oxfam would want me to praise the Hirab peace initiatives which have brought about agreement between the Abgal clan and the Haba Gadir clan in the southern part of Somalia, and to praise the work being done by the Iman of the Hirab.

Those are the good things that are going on, but there are other, very worrying, things. Aid agencies talk about how difficult and unpredictable the streets of Mogadishu are now, and the International Committee of the Red Cross —of all organisations—has moved its expatriates out of Somalia. The World Food Programme had to shut down the expatriate component of its offices within Kismayu because they were being attacked by Somali fighters.

It is not uncommon to be kidnapped now in Somalia —if I dare to mention it. In the first few months of the year, there were six kidnapping incidents. Aid agencies are seriously considering their positions because a worrying situation still exists there. Even where good things are occurring—for instance, a week or so back there was said to have been an agreement between the Aidid faction and the Ali Mahdi factions in Nairobi to bring about peace in Somalia—they do not seem to be followed through. There seems to have been cynicism about that agreement, and it was thought that it followed a UN threat to stop paying the Somali delegates' expenses in Nairobi. The UN said it would not keep paying them to stay in Nairobi hotels unless they came to an agreement.

As far as I know, a meeting that was supposed to have occurred last Friday in Mogadishu to take through the peace agreement between the Ali Mahdi supporters and the Aidid supporters has not occurred. I am told that fighting occurred when the Aidid forces seized control of the town of Merca, south of Mogadishu. It is a volatile situation. There are reports of inter-clan fighting and the technicals are said to be back on the streets of Mogadishu. A political initiative is needed to take things further and to work with the people of the area in a much more subtle way than has occurred so far.

On paper, the UN Security Council resolution that we are now working to seems to be better than the previous one in terms of working in local centres of strength. However, it is one thing to say such things and quite another to deliver. I should like to see the UN report on the 5 June incident published. That incident began the escalation of the trouble and led to the hunting down of Aidid. Apparently, there is a 260-page report which is highly critical of the UN operation and which has not yet surfaced.

We must look at the human rights abuses that have been occurring in Somalia—both by the Somalis and by UN operators. I applaud the Canadian Government, who have been prosecuting UN peacekeepers who went too far and tortured or abused people in their care. Progress in Somalia is possible only if the UN peacekeepers have credibility. It was disastrous when Admiral Howe decided that he was against Aidid, because that in itself led to the deaths of hundreds of Somalis and there are now difficulties in overcoming that particular bitterness.

In conclusion, we have a great opportunity tonight to hear until 10.30 pm the policy of the Government on Somalia. It will not take until 10.30 pm, but it will give us an opportunity to explore the Government's thinking on the issues and to discover its commitment to further humanitarian aid. However, I do not think that fundamentally the issue is one of humanitarian aid; the debate is about political initiative. On my first visit to Somalia, I was disturbed by the Foreign Office's lack of knowledge about what was happening in the Mogadishu area. Diplomats were not paying visits to Mogadishu. The responsibility for Somalia still lies with the Nairobi high commission. I think that more visits are now paid and there are better contacts. However, it is inadequate that one diplomat in Nairobi has his Kenyan responsibility and also has an oversight for south Sudan and Somalia. That is an under-representation of Britain.

I am grateful to the Minister for listening, and I hope that I have given him some areas on which he can respond.

8.35 pm

Mr. Alun Michael (Cardiff, South and Penarth): On behalf of the all-party group on Somalia, and also the Somali community in Britain, may I express our thanks to my hon. Friend the Member for Clydebank (Mr. Worthington) and the hon. Member for Somerton and Frome (Mr. Robinson) for the interest that they have taken in the situation in Somaliland, and in Somalia.

News of their kidnapping and swift release led for the first time to coverage on television and radio about the difference between what was happening in the south of the former Somalia and what was happening in the north. I am sure that it was not a plot on their behalf to be captured and released so quickly, but it is true that the situation in the north was virtually invisible for a period. The period of danger which my hon. Friend and the hon. Gentleman faced had a beneficial side-effect of, for the first time, concentrating the attention of the British and world press on the different situation in different parts of the country.

For the sake of shorthand, I intend to use the name "Somaliland" for the area that covers the former British Somaliland—the Republic of Somaliland—and "Somalia" for the former area of Italian influence. It is difficult to be precise in the circumstances, but I think that that is the easiest shorthand to use.

I intend to refer primarily to Somaliland, because that is where most of our Somali constituents around Britain come from. We have had an historic responsibility in that area, albeit one which was broken by the time it united with the south.

My hon. Friend was correct to talk of the initiative that has been shown by the people of Somaliland in trying to address their problems. The way in which they have sought to pull themselves up out of a situation of complete despair is remarkable. There have been extended discussions over months, rather than days and weeks, and without hotels, cash or help.

Efforts have been made by the Somalis towards disarmament initiatives, and the mayor of Hargeisa has attempted to establish a police force. There have been attempts to rebuild the infrastructure and to retrain, and these things constitute a modern human miracle—especially when the situation is compared with the south.

I pay tribute to Save the Children—and to other organisations such as Oxfam, to which my hon. Friend referred—which have been involved in the aid effort and the attempt to support the north. I should also like to refer to the positive response that we always received from the Under-Secretary and, on a personal basis, from the Minister. Baroness Chalker has travelled and seen the situation at first hand.

One of the examples of the sort of help that is being given, and which arose from a suggestion made on a cross-party basis from the all-party group was the sending of a chief superintendent from the Metropolitan police to assist with the attempt to reconstruct the police force.

That initiative was positive, not only in the advice that he gave and the information that he brought back, but in the fact that it was seen as a symbol of Britain's interest in the problem which they were trying to tackle. The Foreign Office, however, needs to go further and shrug off its fear of becoming involved in Somaliland. It must accept that the people of that area, and the Somali community in this country, look for more from Britain.

President Egal recently referred to the difficulties of surviving as an Administration. He said:

> "We haven't got the resources and the international community is . . . turning its back on us. Our great danger is if we cannot promise, nor deliver on our promises to these people. That's our greatest danger."

The Administration—let us not call them a Government if that offends—who are running Somaliland cannot deliver, police or pursue the reconstruction, because it is difficult for any organisation that is not a Government to do so. The present system is in danger of breaking down and returning to the previous disaster.

I endorse the comment made by my hon. Friend, that the issue is not recognition of the state but recognition of the Administration and its efforts, which require support. At some point, the international community must recognise either an independent state in Somaliland or a reconstructed state in the Somalia area. I support my hon. Friend's view that the matter must be decided by the Somalis. The problem is that the international community provides neither a framework in which they can take that decision nor a mechanism by which the people of the north can choose to become independent, and nobody in the south has formed an Administration with whom agreement can be reached.

I recognise the difficulty for the British Government and the international community, but hope that the Minister will assure us that Britain will press the international community to decide how the Administration in the north can, at some point, achieve independence or recognition, and ensure that it is not left in limbo for a long time.

We have seen two cases in which a Government have disappeared—first, in former Yugoslavia; secondly, in Somalia. Those parts of the country that try to exercise responsibility are left in a catch-22 situation, because they cannot win recognition until they have taken steps that require the help of the international community, which comes only after recognition. I realise that that vicious circle is not of the Minister's making, but I hope that he agrees that the problem must be dealt with, as it is not of the making of the Somali people, either.

Martyn Lewis, the BBC broadcaster, recently commented about the need for good as well as bad news to be portrayed on television. When I first heard his remarks, I thought that they were a recipe for unfounded optimism, but he has taken a personal interest in Somaliland and expressed concern that the good news about achievements in the area has not found its way on to our television screens.

Last week, the School of Oriental and African Studies in London organised a seminar on media reporting in the Horn of Africa. I commend the college for an excellent seminar that led to some good debate. A point made strongly was the prevalence of the "lighthouse" approach to reporting: a light flashes on to one area, part of the world or topic for a moment, and then flashes off.

I commented in a contribution that all of us in politics —I suspect that the Minister will agree that not only the Opposition have this experience—live in an atmosphere where the light flashes on and off just as rapidly in domestic politics. When it comes to Somalia, the problem

[Mr. Alun Michael]

is that images showing disaster in Mogadishu flash on to our screens every now and then, while images showing positive events in the north are extremely rare.

We have seen a sad piece of history. The people of the former British protectorate entered a quick marriage with the people of the former Italian protectorate. For a short period at an early stage, President Egal was Prime Minister in that united country. Over the years, however, the terrible human rights violations that occurred under Siad Barre, and then the civil war, have led Somalis in this country to find it difficult to contemplate the idea of returning to a single Somalia. They also find it extremely worrying that the coverage of debate is between the two factions in the south, while the north is totally ignored.

The lighthouse may flash back on to Somaliland in the immediate future. Is the Minister aware of something of which I learned just before coming into the Chamber—the declaration of a water crisis in Somaliland, made by the presidency in a press release only yesterday? The recent problems of water shortage are now becoming acute and, coupled with the neglect of the past 10 years of civil war, which have rendered engines at most boreholes inoperative due to disrepair and, in some cases, destruction, they are now bringing the country close to another crisis.

If the Minister is aware of that, will he explain the position? If not, will he undertake to look into that news? It is argued that there is an urgent need to deal with the cost of the rehabilitation of boreholes for an initial period of 20 days, in the hope that the long rains will satisfy water demand in the longer term.

The other day, I jumped from my seat when I saw a television programme, which I hope the Minister saw, by an independent news agency, Front Line News, presented by George Alagiah on BBC television. For the first time, the whole country was depicted, and we saw the dotted line showing the difference between the north and south in the figure seven. I am glad to see that the Minister has a map that reflects that distinction in greater detail than the BBC normally does, and that he comes to this debate well prepared and well informed.

It was almost a physical shock to see that portrayed, yet request after request from the all-party group and others has gone unheard. We have pleaded for the reality of the situation to be recognised. It is depressing that it was not a mainstream BBC programme, but produced by an independent contributor. I suspect that, had it been a hard news night with major news in Bosnia or the United Kingdom, that programme would not have seen the light of day. However, let us be thankful for small mercies, and grateful for the fact that it was shown. One of the producers of the programme, Anna-Wynn Roberts, summarised the situation of the inhabitants of Somaliland thus:

> "They feel very let down by Britain in terms of aid, and as President Egal told us, they are receiving no aid from other countries due to a tendency to defer to the old colonial power. However, many do have rather good memories of Britain's colonial rule and speak of Britain with great fondness."

I know that Ministers are sympathetic, and that some effort has been made to send aid, but we need to go beyond that —to help with infrastructure and to support the Administration, so as to make what has been a minor miracle into the major miracle of a country re-establishing itself with a positive Government.

Only a few months ago, there was an exhibition in this House in which the images captured by the camera of Hamish Wilson showed the efforts being made in training and education. They showed images of Somaliland at peace, as well as the liberation of Hargeisa and the destruction that the war has caused. I hope that those images and the images shown on television recently will elicit a greater response from the Government.

I have already said that other countries look to Britain to take a lead—that at least is the expectation expressed to me by the United States Under-Secretary of State. He told me that the Americans look to Britain, because of its historic interest, to take a lead in Somaliland.

The Somalis in this country feel that they have contributed by serving in the Army and the Navy ever since the turn of the century. The Somali community in Cardiff, which I know well, has been there for 80 or 90 years, and the Somalis believe that their service in wars up to and including the Falklands and the Gulf should be recognised by Britain. We should put pressure on the international community to recognise what has been achieved in Somaliland.

Like my hon. Friend, one of the members of the Anglo-Somali Society has reported back on the difficulties caused by UNOSOM and other UN organisations being late with police pay. I am sure that the Minister recognises that, in the volatile north, that can cause problems. I know that the British Government have had to pressurise other Governments to come up with the share of finance for mine clearance that they have promised to pay.

Demobilisation and resettlement must be effected quickly if the fears expressed by President Egal are not to be borne out in practice. Moreover, the reconstruction of roads, which would help the economy to take off, would be a great help.

Mr. Worthington: By allowing me to intervene, my hon. Friend gives me a chance to add something that I missed earlier. I want to pay tribute to the group of Zimbabweans who are undertaking the extremely difficult task of safeguarding the weaponry that has been given up, and of planning the rehabilitation of the militia. It might appear an extremely simple task voluntarily to disarm former soldiers, but we cannot even cope with that, so I hope that the Minister will agree to press for more funds for the Zimbabwean team.

Mr. Michael: I am glad to endorse my hon. Friend's comments. He covered so many issues that it is not surprising if he left out one. I hope that the Minister will respond positively.

I want to underline one or two pleas before I close. It must be frustrating for the hon. Member for Somerton and Frome not to be able to speak in the debate because of the burdens of office. Were he able to speak, I am sure that he would do so eloquently; in any case, his attendance is silently eloquent of his interest.

The Republic of Somaliland requests a recognition by Britain that resolutions do not guarantee the delivery of financial assistance. I am sure that the Minister can easily endorse that. Not only Somaliland but many Somalis here would appreciate it if the British Government, either via the British high commissioner in Nairobi or via New York, would play a more distinct role in directing in the work of UNOSOM and the United Nations Development Programme, in the interests of Somaliland. There is a lack

of information from UNOSOM about the expenditure that will be available for Somaliland, as distinct from the south or from Somalia in general.

President Egal received a letter stating:

"UNOSOM has not got budgetary resources for demobilisation activities, but a proposal is currently being considered by the General Assembly."

The letter was dated 23 February, and it goes right to the heart of the request by my hon. Friend the Member for Clydebank and Milngavie that the demobilisation efforts should be underwritten and urgently endorsed before things start to break up again. The danger is that such efforts may teeter unless they are provided with immediate help.

I have referred to resources for police salaries. Until recently, funds from UNOSOM were not known to be available beyond April; were they to be cut off, there would untold consequences. I hope that the Minister can tell us about that. If he cannot, I hope that the British Government will strongly take up the issue with the United Nations and UNOSOM.

Does the Minister agree with my hon. Friend's eloquent point that there is a need to work to promote stability and rehabilitation within existing civic structures? Will he press for the United Nations to end the skewing of funds towards the south, and to build on the foundations established in the north—foundations of hope that may prove a model for other parts of Somalia and of the Horn of Africa?

In the longer term, it is important that there be an expression of the wishes of the people of Somaliland for their own future. The referendum has been wisely delayed for the moment; if one is undertaken, it is important that the UN and the international community be able to recognise it as a valid statement of the views of the people of Somaliland. Our problem hitherto has been that parliamentary organisations cannot help, because there is no parliament there.

Will the Minister try to ensure that Britain and the international community give the Republic of Somaliland some light at the end of the tunnel and a way to establish the view of its people, so that they can resolve the situation in which they find themselves? I agree with my hon. Friend the Member for Clydebank and Milngavie that that should not be an issue now, but I hope that it can be resolved at some time in the future.

Will the Government seek to be a broker with regional and European countries to make progress towards some agreement? Will they, alone or with other countries, seek to build on the work of the NGOs, and accept the view that we have been pressing for some time, that we must build on the administration and the police and proceed with disarmament, demobilisation and the encouragement of economic development? That should be done in advance of any recognition of a Government or a resolution of the issue of the birth of a new state.

I hope that the Minister will be able to respond positively to some of those points. I again pay tribute to my hon. Friend the Member for Clydebank and Milngavie for his initiative in initiating the debate.

8.59 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mark Lennox-Boyd): I welcome this opportunity to respond to the comments on Somalia by the hon. Member for Clydebank and Milngavie (Mr. Worthington). I congratulate him on making himself a considerable expert on the subject and I also congratulate the hon. Member for Cardiff, South and Penarth (Mr. Michael), who has been an established expert on the subject for some years.

I am glad to see that the people of Somalia have two Opposition spokesmen. They certainly have one spokesman on the Government side in my hon. Friend the Member for Somerton and Frome (Mr. Robinson). There is much expertise in the House on this subject.

Before I respond to the debate, may I say that I know that the hon. Member for Cardiff, South and Penarth and the Opposition Front-Bench spokesman on overseas development, the hon. Member for Monklands, West (Mr. Clarke) and all other hon. Members were relieved to know that the hon. Member for Clydebank and Milngavie and my hon. Friend the Member for Somerton and Frome got safely back to Britain. It was a worrying moment for all of us and I thought keenly about the hon. Gentleman and my hon. Friend at that time. I am pleased that the experience in no way seems to have dampened the enthusiasm of the hon. Member for Clydebank and Milngavie for Somalia or his determination to continue to work to assist its people, particularly those in the north-west of the country which has so exercised the hon. Gentleman and his hon. Friend the Member for Cardiff, South and Penarth and others.

Hon. Members are right to draw the House's attention to the needs of Somalis as they strive to rebuild their country, a process which I hope to show in my brief speech the Government are assisting in no small measure.

Over recent months, the United Nations intervention in Somalia has been the subject of much criticism which we have heard repeated in the debate. I heartily agree that there are certainly lessons to be learned from the UN's experience in Somalia as a whole and not only in the north-western part. However, even the most vociferous critics have to accept that the involvement has meant that hundreds of thousands of lives have been saved and significant humanitarian and political progress has been made. Those are important achievements for which the United Nations can rightly take considerable credit. However, I accept the strictures on other activities that have been voiced in the debate.

Following the decision of the US and a number of other troop contributors to withdraw by the end of March, a new Security Council resolution, adopted on 4 February, gave a reduced UN force of up to 22,000 troops a mandate to protect ports and airports, keep open supply routes for humanitarian aid, take forward reorganisation of the police and judiciary and assist with the repatriation of refugees and the supply of emergency relief. That is the current role of UNOSOM.

The resolution also made it clear that although the international community remains ready to assist the people of Somalia to rebuild their country, the onus for that lies firmly in the hands of the Somalis, as has been acknowledged in the debate. It will be for them to show that they are ready to work together and for them to provide a safe and secure environment in which reconciliation and redevelopment can take place.

It is surely right that the solution to the problems of Somalia should be agreed and implemented by the Somali people themselves. The Government will continue to work closely with our partners in the United Nations and with those in the field in support of that approach. I hope to say more about that shortly.

[Mr. Mark Lennox-Boyd]

The United Nations has brokered many meetings between the warring factions. An agreement reached in Addis Ababa early last year came to nothing. A further political conference in Addis Ababa in December also failed to reach agreement, and the year ended on a decidedly gloomy note.

However, last month's Nairobi agreement has bought a small degree of hope. An agreement was also struck on Lower Juba, the centre of the famine in 1992, and the scene of much of the recent inter-clan fighting.

We have now seen clear indications that there is a will among the Somali leaders to reach a political settlement. It is important that the follow-up meeting in Mogadishu on 25 April should prove to be a further step towards the formation of a national Government in Somalia.

The international community, through the United Nations, the Organisation of African Unity and the Horn of Africa Standing Committee, has worked tirelessly, often behind the scenes, to try to help the Somali people along the path to political reconciliation. Support for those efforts is the way ahead. Ultimately, only the people of Somalia themselves can bring about the peace and stability that they seek.

I refer to a specific point made by the hon. Member for Clydebank and Milngavie, and agree that the United Nations Development Programme's office of procurement services—the Zimbabwean team working with the Egal Administration—has done an extremely good job. We expect soon specific proposals for assistance with demobilisation and reintegration of the militia. We are certainly ready to help and we will urge the United Nations and other donors to do the same.

The security situation remains a major area of concern. Developments in both the political and humanitarian fields will be at risk unless security on the ground can be improved. We have been particularly worried about the security of British non-governmental organisation staff in Somalia, and officials in London and in the field continue to work closely with NGOs in Britain on that issue. British and Irish NGOs have been active throughout the crisis, working in a difficult and dangerous environment to bring help to thousands of Somalis. The hon. Members for Clydebank and Milngavie and for Cardiff, South and Penarth and the House will join me in paying tribute to the commitment and bravery of both their expatriate and Somali staff.

Somalia is not at all an easy place in which to work. As the hon. Member for Clydebank and Milngavie observed, banditry and armed gangs are prevalent. Local authorities have to take a leading part in working with the international community to establish a secure environment. Only then will it be possible to move ahead with much-needed reconstruction and rehabilitation.

In those circumstances, all agencies face difficulty in operating, and it is true that the work of UN agencies has been variable. Some have made a valuable contribution, but we have been frustrated by the performance of others. The United Kingdom has continually urged UNOSOM and UN agencies to improve their performance and to put greater emphasis on the wider relief effort outside the capital, including the north-west.

We understand that it is the UN's intention to establish a mine clearance training establishment in Mogadishu for Somalis throughout the country and that it hopes to increase local involvement in mine clearing. Fourteen mine-clearing initiatives are under way.

Mr. Worthington: Mine clearance was under way in the north, but, now that it has been centralised in Mogadishu, it has stopped in the north. I confidently predict that there will be no mine clearance in the north this year.

Mr. Lennox-Boyd: I am grateful to the hon. Gentleman for making that point, which emphasises his earlier observation. We urgently and consistently press international donors and agencies to recognise the needs of the north-west that the hon. Gentleman described.

Mr. Michael: My hon. Friend is absolutely right. A meeting in the House that we organised jointly with the Anglo-Somali Society was attended by someone who had been directly involved with mine-clearance operations in the north. He made the point that moving the operation to the south had stopped progress in the north, which is precisely where progress was being made. That characterises so much of the United Nations approach.

Mr. Lennox-Boyd: I am grateful to the hon. Gentleman for adding grist to his hon. Friend's mill.

I shall say a few words about the British Government's recognition of the need to help the people of Somalia as they strive to return their country to normality. I shall speak of Somalia in general and then come to the areas of the north-west.

In the absence of a national government, we have no mission in Somalia. However, Foreign and Commonwealth Office officials in London maintain regular contacts with a broad spectrum of visiting and expatriate Somalis. We also keep in regular touch with the United Nations and other international bodies involved in the Somali problem. Staff from our missions in Nairobi and Addis Ababa continue to pay regular visits to Somalia. Our high commission in Nairobi covers central and south Somalia, while the embassy in Addis Ababa is responsible for the north-west. That arrangement takes account of the access routes to Hargeisa and Mogadishu, and is in line with the arrangements of NGOs and agencies. In addition, an NGO liaison officer has been appointed for the north-west to develop new programmes with international and local NGOs in health and education.

The hon. Member for Clydebank and Milngavie expressed particular concern, as did the hon. Member for Cardiff, South and Penarth, about the plight of Somalis in the north-west, on which I have already commented. We understand and share his concerns that the interests of that region sometimes get forgotten, and must not be so. Perhaps it would be appropriate at this point to restate the Government's position on the self-proclaimed secession of north-west Somalia. We believe that the future of Somalia must be decided by its people as a whole. The north-west should play its full part in the emerging constitutional dimension.

We hope that the Administration will participate fully in the forthcoming Mogadishu meeting. That is surely the way forward. We recognise the progress that has been made by the Egal Administration, and have made it clear that we are willing to join the rebuilding process. Since May 1991, we have provided almost £5 million of emergency assistance to the north-west. As hon. Members

know, my right hon. and noble Friend the Minister for Overseas Development visited north-west Somalia last summer in connection with her aid responsibilities. British aid is funding NGOs and UN relief agencies, not only in Hargeisa but throughout the region.

With UNICEF, our assistance is helping to re-establish water supplies in the Toghdeer region. We have supported Action Aid's programme in Sanaag since 1992, which is helping to establish water supplies and livestock services crucial to the local economy. The hon. Gentleman has, of course, judged the value of Action Aid's work at first hand and will be pleased to know that, since his eventful visit, we have agreed to continue funding throughout the whole of 1994.

We are also supporting Save the Children with local health authorities to establish health services throughout the region. We have provided funds for an important mine-clearance operation, as I have mentioned, on which hon. Members have commented. That has successfully cleared mines from strategic locations in and around Hargeisa, although I appreciate what the hon. Gentleman has said. In short, our assistance has made, and will continue to make, a vital contribution in north-west Somalia.

The hon. Member for Cardiff, South and Penarth referred to police assistance. In conjunction with UNOSOM and the local authorities, we are helping with the development of a police force in the region. Two missions have been sent. They have been somewhat hampered by some problems and unrealistic expectations among the Somalis, and progress has been slower than we had hoped. Nevertheless, a small team of officers will go to north-west Somalia shortly to work on training. We are also ready to help with equipment and building repairs.

I will say a few words about the declaration of a water crisis. We are very concerned about water problems and reports of cholera outbreaks and we certainly stand ready to assist in that area.

Our working relations with the north-west are not in any way dependent on recognition of the referendum on independence or any recognition of that kind. Irrespective of that, as I have said, we have consistently urged all the international donors to pay much more attention to the north-western area, and we will continue to do so. We need UNOSOM to play a much more strategic and co-ordinating role in that region: I quite agree with that view. We shall also press the point in the Somali aid co-ordinating body meeting which is now taking place in Nairobi. One of the issues that we intend to raise there is the need for a devolved budget.

Somalia is at a crossroads. The last three years have left the country's infrastructure in ruins, and its people with no institutions of government. The international community is prepared to assist the Somalis in rebuilding their country. To enable that to happen, the Somalis must show that they are prepared to work together to provide a secure environment and a measure of stability. Her Majesty's Government will do all that they can to encourage and support progress towards that end.

Let me end with a quote from a speech made by my right hon. and noble Friend the Minister for Overseas Development in a debate on Somalia that took place in this House some two years ago, in the early days of United Nations humanitarian intervention. She said:

> "We hope that Somali leaders themselves will also have learnt from recent events that the international community can provide the assistance which is so desperately needed only if they also commit themselves to a policy of peaceful resolution of their disputes."—[*Official Report*, 12 March 1992; Vol. 205, c. 1090.]

That message is still valid in the context of the present day. I am sure that all hon. Members, including the hon. Members for Clydebank and Milngavie and for Cardiff, South and Penarth, will wish to join me in urging the Somali people to seize this opportunity to return peace and stability to their country.

I have been able to comment briefly on only some of the important points raised by both hon. Members, and I apologise if I have not covered all the points that they wished me to cover. My right hon. and noble Friend the Minister for Overseas Development will be reading the report of tonight's debate, and the hon. Member for Clydebank and Milngavie will be visiting her in due course. I know that she will be able specifically to answer his detailed comments during that visit. I will invite her —and I know that she will respond—to write to the hon. Member for Cardiff, South and Penarth, and to comment on his remarks more fully than I have been able to tonight.

Question put and agreed to.

Adjourned accordingly at seventeen minutes past Nine o'clock.

House of Commons

Tuesday 19 April 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

EMPLOYMENT

National Vocational Qualifications

1. **Mr. Ainger:** To ask the Secretary of State for Employment what oversight his Department has of the validation policies of organisations that examine and award national vocational qualifications.

The Parliamentary Under-Secretary of State for Employment (Miss Ann Widdecombe): The Department sets a framework for the National Council of Vocational Qualifications, which in turn oversees quality assurance arrangements for national vocational qualifications. I shall write to the hon. Member with fuller details of our procedures than can be given in a parliamentary reply.

Mr. Ainger: The Minister will be aware that a number of large companies, including Ford Motor Co. Ltd. in the UK, have expressed their concern about a fall in standards —in their opinion—of training and vocational qualifications. She will also be aware that the National Council of Vocational Qualifications is currently conducting an investigation into the fraudulent award of national vocational qualifications and general national vocational qualifications. Bearing in mind those serious matters, will the Minister conduct an independent inquiry into those issues, especially into the bonuses paid to colleges and training agencies on a pass basis rather than a quality of training basis?

Miss Widdecombe: The hon. Gentleman raises a serious matter. Procedures are already in place that require our training and enterprise councils to set in being audit trails which should track and monitor carefully the quality of training that is provided. The hon. Gentleman slightly understates—indeed, he considerably understates—the amount of confidence that employers show in NVQs. Of all employers, 44 per cent. are already users and 96 per cent. say that they are either experiencing benefits or expect to experience benefits as a result of NVQs. I share the hon. Gentleman's wish to get NVQs right, but I believe that we have made great strides towards that goal and I should not like an odd case to detract from that.

Mr. Rowe: Does my hon. Friend accept that there is widespread interest in the whole system of NVQs across the world in countries such as Malaysia, Singapore and many others? Those countries feel great anxiety that if they go down the same road as Britain, which they are sorely tempted to do and which would provide a great export opportunity for this country's skills, there should be a guarantee of consistency of standards.

Miss Widdecombe: There is a general shared perception that we should ensure that standards are consistent, nationally recognised, continually updated and widely respected.

Mr. Tony Lloyd: Doe the Minister agree that the whole credibility of NVQs is on the line when, as my hon. Friend the Member for Workington (Mr. Campbell-Savours) has revealed in early-day motions 1016 and 1017, we know that there has been systematic abuse of the system of payment? If the Minister were honest she would admit to the House that I have written asking her to look into the question of fraud in output funding and NVQs, but that she has done nothing. Does she accept that the basis of output funding and the lack of credible audit procedures allow that systematic fraud to take place?

Miss Widdecombe: No, I do not accept that there is systematic or widespread fraud. When allegations of particular frauds are made, they are carefully investigated. I have written to the hon. Member for Workington (Mr. Campbell-Savours), who has raised some serious issues in early-day motions, and I have asked him to supply me with the evidence behind those issues so that they may be properly investigated.

Part-time Workers

2. **Mr. Oppenheim:** To ask the Secretary of State for Employment if he will make a statement on the proportion of workers in part-time employment.

Miss Widdecombe: In December 1993, 28 per cent. of the work force in employment in Great Britain worked part time.

Mr. Oppenheim: Is my hon. Friend aware that in the 1970s the number of part-time workers as a proportion of the overall total increased by 6 per cent. compared with only 5 per cent. in the 1980s? Is she also aware that since 1979 soaring manufacturing productivity has boosted average net weekly take-home pay by no less than £80 a week, compared with stagnant earnings and stagnant productivity between 1974 and 1979? Does that not graphically illustrate that it was the Labour Government who presided over the sweatshop economy and that the only Mickey Mouse jobs were those that they gave to their buddies in local government?

Miss Widdecombe: It amply demonstrates to the House that it is the Conservative party which has presided over a rise in take-home pay for people on average earnings. What is important to those people is what is left in their pockets for them to exercise choice over. The Government have consistently stood by that, while the Labour party, which has called for expenditure on all and made promises on everything, has never delivered when in office.

Ms Eagle: When does the Department intend to respond to the Law Lords' judgment which established that the current discrimination against part-time workers in employment law must be ended? When shall we get legislation to bring the discrimination to an end and put things right?

Miss Widdecombe: Distinctions between part-time and full-time workers and their rights were maintained by Labour Governments, so the Law Lords' ruling applies just as much to what Labour Governments did as to what we do. We shall respond at such time as our deliberations are complete.

Mr. Dunn: Is not part-time work one of the greatest single benefits to those women who wish to combine economic work with family responsibilities?

Miss Widdecombe: It is indeed, and I am rather saddened that the Opposition always try to sell part-time work as some sort of second-rate option. We know from the labour force survey that it is the preferred option of those who work part time. Less than 14 per cent. of those who do so would work full time if they had the opportunity to do so. I should like to hear Opposition Members welcome that.

Mr. McAllion: Is the Minister aware that the proportion of part-time workers is likely to grow if we have any more announcements like the one made this morning by the London International Group about manufacturing job losses in Dundee, London and south Wales, with the switch of production to Malaysia where they will not buy British goods? When will the Government recognise that the deregulated marketplace that they advocate is a one-way street to disinvestment and job losses in this country and to exploitation and slave labour in the third world?

Miss Widdecombe: The one-way street that appears to be operating is the vastly increased inward investment to the United Kingdom as a result of the Government's policies.

Disabled People

3. **Mr. Thurnham:** To ask the Secretary of State for Employment what representations he has received about the employment of people with disabilities.

The Secretary of State for Employment (Mr. David Hunt): Many, especially from my hon. Friend.

Mr. Thurnham: Will my right hon. Friend ensure that the example set by his Department is followed by other Government Departments and by bodies throughout the public sector? Will he put his personal imprint on the code of good practice? Will he appoint an ombudsman to ensure that the civil service code is applied throughout the public sector?

Mr. Hunt: I am grateful to my hon. Friend for his praise for the code, which I warmly and strongly endorse. I share his wish to see the code extended. I should like to see many other bodies, especially public bodies, endorsing the aims of the code and introducing codes of their own. I shall, of course, consider carefully my hon. Friend's other points.

Mr. Wigley: Will the Secretary of State recall that it was 50 years ago when legislation was introduced providing that 3 per cent. of all employees should be disabled people? Is he aware that only 0.7 per cent. of private sector employees are disabled and that the situation is not much better in the public sector, where only 0.8 per cent. of employees are disabled? What will he do to try to overcome this and ensure that disabled people have their fair share of employment within these islands?

Mr. Hunt: First, consideration in Committee of the Civil Rights (Disabled People) Bill, which was promoted by the hon. Member for Kingswood (Mr. Berry), has just been completed and I am considering carefully the issues that were raised at that stage.

Secondly, if we consider the placings made by the specialist advisers of the Employment Service, who put people with disabilities into work, we find that last year the total was over 40,000. I have set the special advisers a target of 55,000 placings for this financial year. I hope that the hon. Member for Caernarfon (Mr. Wigley) will accept that that is a laudable objective and I am confident that it will be met by the Employment Service.

Mr. Prescott: Does the Secretary of State accept that the code, which the House endorses, is creating unemployment at something like four times the average level of unemployment in the country at present? Can he tell us whether Government Departments are observing the code? If they are not observing it, does he not think that he should be setting an example and asking them to observe it?

Mr. Hunt: I wish that the hon. Gentleman would check his facts. He is talking to the Secretary of State of a Government Department which observes and meets the quota requirement.

Mr. Elletson: Is my right hon. Friend aware of the problems faced by epileptics in employment? Will he look into the case of my constituent, Helen Barr, who was recently sacked from her job as a hospital cleaner ostensibly on the ground that she had an epileptic fit even though she declared that she was an epileptic when she took on the job? Does he agree that epilepsy is a disability just like any other, but is widely misunderstood by employers, and that epileptics face widespread discrimination and prejudice?

Mr. Hunt: My hon. Friend has highlighted an important case and an important area. I accept that there is a need to guide employers about some disabilities in particular. My recollection is that the Employment Service produces a guide on epilepsy. If it does not, I will make sure that it does, and I shall send a copy to my hon. Friend.

Part-time Workers

4. **Mrs. Helen Jackson:** To ask the Secretary of State for Employment if he will make a statement on the implications of the recent House of Lords ruling on part-time workers for United Kingdom employment legislation.

Miss Widdecombe: The Government are carefully considering the judgment to ascertain its full implications, and will make an announcement as soon as possible.

Mrs. Jackson: Does the Minister recognise that that is the answer which she gave on 11 March and on 23 March in European Standing Committee B? Is it good enough for the Minister to continue to say that the Government are taking legal advice and that when they have heard it they will make a statement? Is it not time to tell the millions of part-time workers, who want to hear when they are to know

whether they are to have their rights to sickness benefit, holidays and redundancy pay recognised by the Government?

Miss Widdecombe: I am glad that the hon. Lady recognises the consistency of my answers. Let me make it clear to the House. We shall respond and make an announcement when—and only when—all our investigations, all our proper consultation, and all our deliberations are complete. The difference between the Government and Labour Members is that we take these things responsibly while they make cheap political points out of them.

Mr. Nicholls: Will my hon. Friend confirm my impression that if we accept the ruling in all its rigour, the effect would be to reduce employment opportunities for a great number of people who are on the margins of the job market? That will increase unemployment, not decrease it, and is exactly the sort of thing that is on offer to us from Europe if that is how the country votes in the European elections.

Miss Widdecombe: I do not intend to speculate on the effects of the judgment until our deliberations are complete, but it has always been a priority of the Government to limit as far as possible the burdens on business. That is why we have one of the highest levels of employment in Europe, that is why we have falling unemployment, that is why we have good part-time opportunities, that is why we have inward investment, and that is why we are carrying on with the policy.

Ms Short: Will the Minister explain how she can possibly stand there and say that the Government are not obliged to give part-time women workers equal rights with full-time workers when a House of Lords judgment which interprets European law says that the Government are obliged to do so? She is obliged to say that the Government accept the judgment and will implement it; that is the rule of law. In the debate on sex discrimination, two Tory Members said that the finding of the House of Lords should not be obeyed. The thing that the Minister and no one in her party seems to understand—*[Interruption.]* Does the Minister appreciate that women who want part-time work do not want second-rate work? They do not want low pay and lack of access to training; they want holiday entitlements and protection from unfair dismissal. Will the Minister accord to women the right to full-time rights for part-time workers?

Miss Widdecombe: The hon. Lady is under a complete misapprehension. Some 69 per cent. of all those who work already qualify for full protection rights. Of the remainder, only 3 per cent. fail to qualify solely on the grounds of the hours they work.

Employment Service, West Midlands

5. **Dame Jill Knight:** To ask the Secretary of State for Employment how many people in the west midlands have been placed in work by the Employment Service in the past 12 months.

Mr. David Hunt: A total of 143,600.

Dame Jill Knight: May I express to my right hon. Friend my great pleasure at hearing that news? Is it a reasonable supposition that the considerable number of extra jobs coming on stream from Jaguar, Land-Rover, Flight's Travel, Ansell's and others would not have come about had Britain been a signatory to the social chapter?

Mr. Hunt: I agree with my hon. Friend.

At the Social Affairs Council today, my hon. Friend the Minister of State is fighting to ensure that extra burdens are not imposed on business. One of the reasons why there has been a record level of inward investment—my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) rightly paid tribute to the fact that Jaguar has decided site the manufacture of the new E-type in the region, and that Land-Rover and several others have made important announcements—which is so important for jobs is,of course, that my right hon. Friend the Prime Minister refused to sign up to the social protocol.

Mr. Grocott: What conclusion does the Secretary of State draw from the simple statistical truth—which can be confirmed by the experience of anyone who has lived in the west midlands for the past 30 years—that employment prospects, particularly for school leavers, were infinitely better under the Labour Governments of the 1960s and 1970s than they have been under the Tory Governments of the 1980s and 1990s?

Mr. Hunt: I do not accept that. My hon. Friend the Member for Edgbaston highlighted the number of new job opportunities which will arise in the west midlands in the coming year, and it is a fact that unemployment in the west midlands has fallen by just under 30,000 in the past 12 months. Although I gave the figure 143,600 in answer to my hon. Friend the Member for Edgbaston, we are setting a target of 148,000 for the Employment Service to place in work during the next 12 months in the west midlands and I am confident that it will meet and beat that target.

Mr. Anthony Coombs: Will my right hon. Friend confirm that one quarter of Japanese investment in this country goes to the west midlands? Is he also aware that the most recent west midlands business survey, by the university of Wolverhampton, showed that industrial confidence in the west midlands was at its best level ever? That is one reason why unemployment in my constituency has dropped by 10 per cent. in the past year alone. Does my right hon. Friend also agree that such a surge in confidence would be endangered by precisely the kind of social engineering on industry in which the Labour party seems to specialise?

Mr. Hunt: My hon. Friend is right, and there are interesting statistics in that area. Some 70 Japanese companies have sought to base themselves in the west midlands region. That is a fine tribute to the work force in the west midlands. Those companies see this country as a centre of free enterprise, free trade and free markets. That is why we shall continue to win a record level of inward investment, which currently exceeds the levels of inward investment into all the other countries of the European Union put together.

Mr. Alex Carlile: Does the Secretary of State agree that the level of male unemployment in the west midlands remains alarmingly high? Is he conscious that industry there is being affected by the dumping of very cheap goods —for example, garden tools from the far east—which in the past have been made successfully in, and sold from, the west midlands?

Mr. Hunt: When one analyses present trends, one sees that although unemployment is unacceptably high in the west midlands and I constantly refer to that fact, it is on a firm downward trend throughout the country and in the west midlands. The downward trend in the country is now between 15,000 and 20,000, notwithstanding occasional monthly rises. I believe that that trend will continue, and that problems of the kind that the hon. and learned Gentleman mentioned will be more than outweighed by the constant flow of additional inward investment which will provide increasing job opportunities.

Seamen

6. **Mr. Loyden:** To ask the Secretary of State for Employment what were the numbers of British seamen in employment in each year since 1978.

Mr. David Hunt: The statistics show that in 1993 there were 31,000 employees in the sea transport industry in the United Kingdom compared with 77,000 in 1978.

With permission, Madam Speaker, I will publish in the *Official Report* the figures for the intervening period.

Mr. Loyden: I am not surprised that the Secretary of State has failed to give the current figures for employment of seamen. Is it not a disgrace that a nation which built its wealth on maritime trade is sitting back and allowing its merchant fleet constantly to diminish and that our shipyards are empty? Is it not an absolute disgrace that the Government are standing aside and doing nothing about those two job-creating industries? Is it not about time the House started paying back its merchant seamen and shipbuilders by providing the sort of jobs that could be created on Merseyside, Tyneside, Clydeside and the rest?

Mr. Hunt: First, I am giving in answer to the hon. Gentleman's question the only figures that I can give and the only figures that are available to me. Secondly, I am not, and neither are my Government, standing aside—*[Interruption.]* My party or my Government—neither I nor my party nor the Government in which I am proud to serve as a member are standing aside. Today, my officials are meeting, the merchant navy training board to finalise the proposal for a prototype of the new modern apprenticeships and the frameworks to be introduced in the shipping industry later this year. I believe that the new modern apprenticeship scheme will give a real opportunity to the shipping industry, which I hope that it will accept.

Mr. Jacques Arnold: Is it not the case that the British Merchant Navy still wins on grounds of quality, if no longer on grounds of quantity, and is that not due to the high standards of training that we give to our young people for a career at sea—not least at the Denton sea school in my constituency?

Mr. Hunt: My hon. Friend highlights the importance of training, to which I have just referred in stressing the importance of the new modern apprenticeship scheme for the shipping industry. I remind him and my right hon. and hon. Friends that the successful completion of the GATT Uruguay round and the consequent increase in world trade is very good news for the United Kingdom. It will be particularly good news for the shipping industry.

Mr. Bennett: What good is the apprenticeship scheme if people who are already qualified cannot get jobs? What help can the Secretary of State offer to one of my constituents who has just been made redundant from a cross-channel ferry so that people from Poland can be employed in his place?

Mr. Hunt: The importance of the new modern apprenticeship scheme is that it will give school leavers aged 16 and 17 next year the opportunity to increase their skills to national vocational qualification level 3, which is equivalent to A-level, and to focus those skills on the shipping industry.

As for the hon. Gentleman's constituent, training for work offers the opportunity to improve and increase training related to qualifications and outputs. If the hon. Gentleman will give me details of the particular constituency case to which he referred, I shall of course follow it up.

Following is the information: Employees in the Sea Transport Industry (Standard Industrial Classification 7400): United Kingdom—1978, 77,000; 1979, 74,000; 1980, 70,000; 1981, 66,000; 1982, 58,000; 1983, 48,000; 1984, 40,000; 1985, 37,000; 1986, 34,000; 1987, 34,000; 1988, 35,000; 1989, 35,000; 1990, 33,000; 1991, 32,000; 1992, 30,000; 1993, 31,000. Information relates to June of each year and is not seasonally adjusted.

Part-time Workers

7. **Mr. Heald:** To ask the Secretary of State for Employment what estimates his Department has made of the proportion of those working part time who want to work full time.

Miss Widdecombe: The labour force survey estimates for autumn 1993 show that under 14 per cent. of those working part time did so because they could not find a full-time job.

Mr. Heald: Does my hon. Friend agree that while few part-timers want to work full time, a substantial number of full-timers—about a third—would like to work part time? Does she agree that labour market flexibility is the key not only to lower unemployment but to increased competitiveness and meeting the wishes of working people?

Miss Widdecombe: I endorse what my hon. Friend said about the great opportunities offered by part-time work. The fact that more part-time opportunities are on offer for those who choose and prefer them, enabling more women to combine economic work with family responsibilities if they want to, can only be welcomed.

Mr. Frank Field: Does the Minister accept that the national insurance system discriminates against employers who wish to create full-time jobs? Is she aware of the hardship that that causes to many families and the effect on public finances? As the economy slowly recovers, jobs are being taken by people who are not registered as unemployed and there is no saving in dole queue money. The wages paid to those employees are so low that they do not pay much tax. If the Government cannot wipe out discrimination for the right reasons, will they do so for other reasons? There are good, sound economic reasons for putting the public finances into equilibrium again.

Miss Widdecombe: The best way to encourage employers to employ part-time or full-time workers—as best suits their business needs and the wishes of their

employees—is to reduce burdens on business. That has been, and will continue to be, the thrust of the Government's employment policy.

Mr. Dickens: Is not it a fact that many people very much value the opportunity to work part time, whether in catering, nursing homes, rest homes, education, school dinners or whatever? Is not it also serious when a judgment forces on the House of Commons and the establishment restrictions and obligations on employers? Nothing will undermine people's right to work part time more than restrictions placed on employers.

Miss Widdecombe: The answer to the first part of my hon. Friend's question is yes. It is right that people have those choices, which provide tremendous opportunities. The answer to the second part of his question, as I have said several times today, is that we are considering most carefully the implications of the Lords judgment and how to implement it. The burdens on business will obviously be one of our considerations.

Mrs. Clwyd: What about people who cannot work full time or part time because the Government deny them that opportunity? Has not the Government's pit closure programme dumped thousands of former miners on the economic scrap heap, like the miners at Tower colliery, who this afternoon were forced to accept closure because yesterday the wages of every miner at the pit were cut? British Coal and the Secretary of State have lied through their teeth.

Madam Speaker: Order. That statement is unacceptable in this House. I ask the hon. Lady to rephrase it.

Mrs. Clwyd: I will withdraw that statement. The Secretary of State and British Coal have told blatant untruths.

Madam Speaker: Order. The English language is very rich. I am sure that the hon. Lady can do even better and I ask her to try.

Mrs. Clwyd: British Coal and the Secretary of State have been peddling untruths.

Employment Service, South-East

9. **Mr. Booth:** To ask the Secretary of State for Employment how many people in the south-eastern region have been placed into work by the Employment Service in the past 12 months.

Miss Widdecombe: A total of 406,900 seasonally adjusted placings to February 1994, which is an increase of 47,900 over the previous year.

Mr. Booth: Will my hon. Friend welcome the fact that in the south-east, which includes Finchley, there has been a reduction in unemployment of 5 per cent. in the past year, born of the sensible policies of the Conservative party? Does not that contrast with the parts of the world where the most significant employment is that of the dead-beat policies that are still peddled by the Labour party?

Miss Widdecombe: Yes, indeed. The increased number of placings, the falling unemployment and the increased number of members of the civilian work force in employment, add up to a huge endorsement of our policies. The only thing to be regretted is that whenever there is a good news such as that which my hon. Friend has just brought to the attention of the House, the Opposition simply sit there looking as glum as owls.

Mr. Gapes: Is the Minister aware that in the past year throughout the south-east of the country and in London thousands of people have lost their jobs and many people are suffering from mortgage pressure, from loss of earnings and from pressure on their lives as a result of the unemployment created by the Government?

Miss Widdecombe: Why does not the hon. Gentleman welcome the fall in unemployment? Why does not he welcome the fall in interest rates, which reduces that mortgage pressure? Why does not he welcome the increase in numbers in employment? Why is he so concerned to peddle misery and unhappiness to his constituents? *[Interruption.]*

Madam Speaker: Order. There was so much noise going on in the House that I did not hear what the hon. Member for Cynon Valley (Mrs. Clwyd) said. *[Interruption.]* Order. If there was less noise, I would have done so. I believe that she used a phrase which last week was unacceptable to me. If that is the case, it is still unacceptable to me now, and I ask the hon. Lady, before we proceed any further, to withdraw it. *[Interruption.]* Order. I will deal with this matter. I understand that the hon. Lady used—

Several hon. Members: On a point of order, Madam Speaker.

Madam Speaker: There is no point of order. I am on my feet. Am I to understand that the hon. Lady used the phrase, "peddling untruths"?

Mrs. Clwyd: Yes.

Madam Speaker: In that case, it was unacceptable to me last week and— *[Interruption.]* Order. It was rephrased last week. *[Interruption.]* Order. I am asking the hon. Lady to rephrase the comment she made. It is as simple as that.

Mrs. Clwyd: I understand that last week the Prime Minister—I was not in my place at the time—actually used the phrase, "peddled an untruth", and I understand that the Prime Minister was not asked to withdraw that particular phrase.

Madam Speaker: The Prime Minister rephrased that. *[Interruption.]* Order. He rephrased it and I am asking the hon. Lady to do precisely the same.

Mrs. Clwyd: I repeat, British Coal and the Secretary of State misled the House.

Madam Speaker: In that case I accept what the hon. Lady said, and we can now proceed.

Youth Unemployment, East Midlands

10. **Mr. Barnes:** To ask the Secretary of State for Employment what is the current level of youth unemployment in the east midlands; and what it was in April 1979.

Miss Widdecombe: Among 18 to 24-year-olds, 51,271 in January 1994 and 58,627 in October 1983, which is the earliest date for which comparable information is available.

Mr. Barnes: The labour force survey shows that nearly 20 per cent. of 16 to 24-year-olds are unemployed, and that is on the Government's fiddled figures. That figure is far greater than for any other age group, and twice as high as for some age groups. What is to be done about the scandal of youth unemployment? Our futures depend on employment. Why cannot we have high-quality education, proper training and investment for jobs instead of low-level training schemes?

Miss Widdecombe: As the hon. Gentleman is so concerned about youth unemployment, a concern that is shared, perhaps he would like to welcome the following: that we have lower than the average EC youth unemployment; that only 138 young people in England have now been waiting for the delivery of the guarantee for more than eight weeks; that in his constituency the figure has fallen from 42 young people to one young person; and the increased training and vocational opportunities.

Mrs. Angela Knight: Is my hon. Friend aware that youth unemployment has been falling fast throughout Derbyshire, including north-east Derbyshire, and is down by 21 per cent. in Erewash compared with last year? Does my hon. Friend agree that it is businesses that create jobs and increasing business confidence and healthy order books in companies throughout the east midlands are already translating into better prospects for people out of work and for school leavers this summer?

Miss Widdecombe: I agree with my hon. Friend. If business confidence is the key, no one need look to the Opposition to generate it.

Mr. Janner: Does the Minister accept that there is a greater sense of relative deprivation between the poor and the well-off in the east midlands and elsewhere which, to quote from a Home Office document, has produced a class of person for whom

"a real job or the prospect of a real job has been absent in all the crucial years"

of their lives, or does she disagree with the view of that leaked Home Office document?

Miss Widdecombe: It is hard to match falling unemployment with the absence of job prospects. The hon. and learned Gentleman is out of date and his points are extremely selective. His mission in life appears to be to depress rather than cheer the most vulnerable.

Mr. Jenkin: Will my hon. Friend take note that, in a effort to reduce youth unemployment in France, the French Government are dismantling minimum wage legislation in order to create extra jobs?

Miss Widdecombe: If minimum wage legislation were ever to be introduced in Britain we would probably lose up to 2 million jobs. That is the Opposition's policy.

Job Divestment

11. **Mr. Flynn:** To ask the Secretary of State for Employment what assessment he has made of the outward divestment of jobs from the United Kingdom to (a) other countries in the European Union and (b) the rest of the world.

Mr. David Hunt: I agree with that part of paragraph 78 of the Employment Select Committee's report published on 10 February which refers to the hon. Gentleman's question.

Mr. Flynn: Does not the Minister feel like someone trying to fill up a bath without noticing that the plug has been pulled out? Again and again, he counts the jobs that are coming into the country, but never does he count the jobs that are being siphoned out. How will he prevent British Telecom and British Gas from scouring the sweatshops of the far east trying to peddle our British jobs to those firms that pay the worst wages in the world? I am not a Prime Minister, so I cannot accuse the Minister of peddling untruths, but is he peddling British jobs abroad?

Mr. Hunt: The hon. Gentleman obviously has not read the Select Committee report. If he had, he would see that I have already directly answered the point that he has just made. I shall continue to praise the efforts of the United Kingdom's work force in the past 15 years in bringing to this country nearly 4,000 inward investment projects involving half a million jobs. That is a record of which we have every right to be proud.

Mr. Duncan Smith: Will my right hon. Friend join me in regretting today's announcement by London International of the plant closure in my constituency and urge the company to think again? If its decision remains unchanged, will my right hon. Friend make every effort and take every measure to ensure that all those who are unfortunate enough to lose their jobs as a result will be found new jobs?

Mr. Hunt: I will of course talk to the local training and enterprise council and Employment Service branch to make sure that everything possible is done in the direction to which my hon. Friend referred.

Health and Safety

12. **Mr. Barron:** To ask the Secretary of State for Employment what discussions he has had with the Health and Safety Executive regarding its prosecution policy in cases of death at work; and if he will make a statement.

Mr. David Hunt: My Department is in regular contact with the Health and Safety Executive and I fully endorse its approach to enforcement.

Mr. Barron: Does the Minister accept that the publication "The Perfect Crime" by the West Midlands Health and Safety Advice Centre clearly shows the absence of active policing of death at work and of prosecution of bad employers who cause death at work? Given the Law Commission's statement last week that it is considering a change in the law on prosecuting bad employers who cause death at work, will the Government stop the cuts in the Health and Safety Executive and prosecute more bad employers, who kill more people than are killed on Britain's roads?

Mr. Hunt: I have every confidence in the Health and Safety Executive's prosecution policy. Before entering the Chamber, I checked on the matter and understand that in the past 18 months, the executive has referred 17 possible cases of manslaughter to the Crown Prosecution Service.

We should be proud that the rate of fatal and non-fatal accidents in this country is falling, and that we have one of the best health and safety records in the world.

PRIME MINISTER

Engagements

Q1. **Mr. Garnier:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 April.

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Garnier: During his many meetings with business leaders, has my right hon. Friend ever been asked by even one of them to introduce a minimum statutory wage?

The Prime Minister: No, in my many meetings I have not yet been asked to introduce a statutory minimum wage, but a number of employers have expressed concern at the prospect. They believe that it would cost jobs and harm competitiveness, and I agree.

Mr. John Smith: Given the threat of fatal catastrophe that now hangs over Gorazde and the undoubted confusion that sadly attends the efforts of the international community in Bosnia, I suggest to the right hon. Gentleman that a clear statement of future policy objectives is urgently needed. I propose that they should include a redoubling of efforts to secure a ceasefire at Gorazde; the reaffirmation by this and other countries of their political, military and humanitarian commitment to the area; and a clear decision by the international community to make safe areas safe, in the knowledge that the United Nations will require to be given sufficient resources to perform that task, but also in the knowledge that those safe areas may offer the only haven to the victims of a brutal civil war.

The Prime Minister: I have a lot of sympathy with much of what the right hon. and learned Gentleman said. There is no doubt that our objectives in Bosnia have not changed. Last week's setback in Gorazde—as my right hon. and learned Friend the Secretary of State for Defence made clear to the House yesterday, it was a setback for the United Nations—does not alter the fact that we wish to secure a complete ceasefire in Bosnia. It should not be forgotten by the House or others that we have established a ceasefire between the Croat and Bosnian forces in central Bosnia as well as in Sarajevo. However, as latest events have tragically shown, the negotiators have not yet been able to extend that ceasefire elsewhere in Bosnia. At the moment, we are considering both here in the United Kingdom and with our partners precisely what needs to be done next. There will of course be meetings among NATO allies tomorrow.

Mr. John Smith: May I press the right hon. Gentleman on the question of safe areas? Will he undertake to discuss this fully with our partners? The United Nations, having resolved to create safe areas as havens for the victims of war, should resolve to make them possible by committing itself to that purpose and by using the necessary means to achieve it—Britain's contribution included, of course.

The Prime Minister: As the right hon. and learned Gentleman knows, we are concerned, and have been for a long time, to secure, as far as it is practicable for us to do so, the safety of people in areas of Bosnia, in Gorazde or elsewhere. Before we make any blanket assurance, we have to consider whether the practical will, not just in the United Kingdom but in other countries as well, exists to release the resources to enable us to do that. We have to be careful before we make any practical assurances.

Clearly, the objectives that the right hon. and learned Gentleman sets out are objectives that any sensible person would want realised; but we have to consider what in practice can be done and whether the resources to deliver the objectives set out are likely to be available.

Mr. Tracey: Will my right hon. Friend join me in condemning the unacceptably high levels of local council debt, particularly among councils controlled by the Opposition parties? I refer to Liverpool and Manchester and to councils in London such as Islington, whose debt amounts to £5,500 per adult in the council's area. That adds unacceptably to the council tax. What will the Government do about it?

The Prime Minister: My hon. Friend turns to a point that will be much in evidence during the local authority debates and during the whole local election campaign over the next few weeks. Irrespective of the equitable method of funding local authorities, there is no doubt about which local authorities, under what political control, run up substantial debts: we know that those that are in debt are Labour local authorities. We also know that those that do not adequately collect rents are Labour local authorities. I believe that many people will see the connection between the first and the second.

Sir David Steel: Returning to the question of future policy for Bosnia, may I ask the Prime Minister to take this opportunity to make it clear that sanctions against Serbia will not be lifted and will not be open to negotiation until there is a full and secure peace settlement in Bosnia?

The Prime Minister: We have no proposals to change the present sanctions regime, which has been in hand for some time. We have consistently said that the sanctions are in place to try to encourage people to act moderately and reasonably in the future. I have no present proposals to change them.

Sir Ivan Lawrence: Has my right hon. Friend seen that the reported crime rate for over half the police areas in England and Wales is falling? Is not that evidence that the Government's law and order policy is working? And is not the fact that the courts have been imposing longer sentences evidence that, by taking the worst offenders out of circulation, the Home Secretary was right to say that prison works?

The Prime Minister: My hon. and learned Friend is right. There is no doubt about the immense public concern about crime and no doubt about the desire of all parties, in the House and elsewhere, that it should decrease. It has been most encouraging recently to note that, in a number of areas, innovative policing ideas—Bumblebee in the Metropolitan area, but operations in other areas, too—seem to have had a material effect on the crime statistics.

The most encouraging aspect of the statistics released today is the fact that the drop in crime on a quarterly basis

appears to be accelerating. These are just one year's figures, and we must view them with a degree of caution, but the trend is certainly more attractive than any for some years.

Q2. **Mr. Turner:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Turner: In the excitement of last week's Question Time, the Prime Minister completely failed to answer my question. May I therefore ask it again? In the aftermath of his defeat in the local and European elections, will he continue to limp along with his battle-weary Government, or will he take the honourable path and resign?

The Prime Minister: I look forward to answering the hon. Gentleman's questions for a long time to come.

Mr. Cormack: Is my right hon. Friend aware that in the past few days, some 12 foreign correspondents have had their accreditation withdrawn by President Milosevic, including Sky Television's chief correspondent, Mr. van Lynden? Is not that further evidence of the evil nature of the Serbian dictatorship and does not it show that it would be a very good thing if my right hon. Friend could meet Presidents Clinton, Mitterrand and Yeltsin at the earliest opportunity?

The Prime Minister: I know of the expulsions that concern my hon. Friend and I deplore that restriction of press freedom. We have made the Belgrade authorities aware of our views. As for the second part of my hon. Friend's question, I see no likelihood of an early meeting; but I assure him that we are in very close touch with each of the Governments and Heads of Government whom he mentioned.

Q3. **Mr. Olner:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Olner: Why has not the Prime Minister properly consulted and listened to organisations such as the Royal British Legion and other veteran associations when preparing the events in commemoration of D-day?

The Prime Minister: I think that the hon. Gentleman is mistaken. There has been a great deal of consultation and discussion; indeed, my right hon. Friend the Secretary of State for National Heritage met members of the Normandy Veterans Association and the Royal British Legion this morning, and—as the hon. Gentleman may or may not know—Field Marshal Lord Bramall is part of the committee discussing and organising events for D-day.

Mr. Evennett: Will my right hon. Friend confirm that the national health service will continue to be available to all, irrespective of age or ability to pay? Will he condemn Opposition Members who are scaremongering, and worrying elderly people in particular? Is not the national health service for everyone in the country who needs health care?

The Prime Minister: My hon. Friend is entirely correct, and many millions of patients who are treated each day can attest to that. It is undoubtedly the policy that the national health service should in no way discriminate on grounds of age in allocating treatment. It is up to the clinicians concerned, in consultation with colleagues, to decide on the appropriate course of treatment for any patient, whatever that patient's age; but any patient, whatever his or her age, is entitled to the treatment that he or she needs under the national health service.

Q4. **Mr. John Evans:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Evans: Will the Prime Minister join me in deploring the decision of SmithKline Beecham—which made a profit of £1.22 billion last year—to close a factory that has stood in St. Helens for more than 100 years, sack 500 workers and transfer their employment to a non-union, low-pay firm in Devon? Does the right hon. Gentleman agree with me, and with the people of St Helens, that this is the unacceptable face of multinational capitalism?

The Prime Minister: I must tell the hon. Gentleman that I have no detailed knowledge of what has happened with SmithKline Beecham, and I am disinclined to comment on any case of which I have no such knowledge.

Mr. Day: Does my right hon. Friend agree that the greatest threat to the things that we hold dear in this country—such as social services and the national health service—comes from the growth of highly competitive economies in the Pacific basin? Do not our party and my right hon. Friend's approach to Europe provide the only way of dealing with that competition, both for this country and for Europe in general?

The Prime Minister: I agree with my hon. Friend. We are now operating in an increasingly competitive world. Nowadays, many parts of the world that were once readily prepared to accept British exports are manufacturing the same goods and competing with us in world markets. Unless we become as competitive as possible and keep that competitiveness, we shall lose jobs, income and influence, both economic and political.

Q5. **Mr. Barry Jones:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 April.

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Barry Jones: Will the Prime Minister give stronger backing to Britain's manufacturing industries? Will he, for example, give help to the British steel industry in the European Union, where the German, Italian and Spanish Governments are cheating? Does he agree that Britain's steel communities have made their sacrifice in the form of tens of thousands of redundancies and many plant closures and that now is the time for the right hon. Gentleman's Government to back British steel?

The Prime Minister: Let me say to the hon. Gentleman that we have raised a number of cases of suspected illegal subsidies with the Commission—the most recent being that of the bankrupt German company, Saarstahl. The Minister for Industry will raise that case again on Friday in the Industry Council in Luxembourg.

On the more general point raised by the hon. Gentleman, we will continue to press for the fulfilment of

existing commitments from the Commission and from member states to end all illegal subsidies in the steel industry. As the hon. Gentleman will know, the Commission has a formal obligation to enforce the treaty of Paris and it has undertaken to pursue actively the monitoring commitments of a number of European Community countries.

Mr. Hayes: Will my right hon. Friend congratulate SmithKline Beecham on investing £200 million in Harlow, which is good news for this country and which will be the largest project, after the channel tunnel, in Britain?

The Prime Minister: I see rather earlier than I expected the wisdom of not responding to the question from the hon. Member for St. Helens, North (Mr. Evans) without having the details of the case in front of me. In view of what has been said by both hon. Gentlemen, I will certainly examine the matter.

BILL PRESENTED

WATER CHARGES (AMENDMENT)

Mr. Paul Tyler, supported by Mr. Alan Beith, Mr. Matthew Taylor, Mr. Nick Harvey, Mr. Don Foster and Mr. Simon Hughes, presented a Bill to amend the Water Act 1989 to prohibit the use by water undertakers of rateable values as a basis for charging from 31st March 1995; to provide for charging by water undertakers in accordance with council tax bands; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 6 May, and to be printed. [Bill 94.]

Public Conveniences

3.31 pm

Mr. Jon Owen Jones (Cardiff, Central): I beg to move,

That leave be given to bring in a Bill to remove any discrimination on grounds of gender in the provision of public conveniences and to place a statutory duty on local authorities to provide a minimum level of public conveniences; and for connected purposes.

In the Bill I propose to make it a duty of local authorities to provide public conveniences at certain minimum levels. To those who would argue that these matters should be left to the discretion of individual councils, I say that the recent record of local authorities suggests that the priority that they give to this public service is very low indeed. Public conveniences have been, and are being, closed right across the country. Due to financial constraints, local authorities are cutting back drastically on this non-statutory service.

The Public Health Act 1936 states that councils "may" provide facilities for the use of the public. There is no legal duty to provide any toilets at all. At the present rate of closure, some authorities are getting near to that nil figure. Indeed, the BBC1 programme "Here and Now", which will be shown tomorrow, carried out a survey which shows that, among the 180 councils which replied to the programme's survey, 771 conveniences have been closed in the last decade.

The number of local authorities which now charge for this important public service has risen sharply. Ten years ago only 12 charged and now 57 do—a 400 per cent. increase. The survey also reveals that, in the councils canvassed, there are still more than 1,000 more sites for men than for women. Worst hit are the towns in the north-west. Manchester closed 79 toilets in the last decade, leaving just 20—which means that it has closed three-quarters of its public toilets. Sheffield has cut the number of toilets by half, causing hardship and discomfort for up to 50,000 people in the city who suffer from incontinence.

I too recently surveyed local council provision. Among the 162 local authorities taking part in my survey, I found that provision varied enormously from a low of one facility per 6,427 men and 11,248 women to a high of one facility per 35 men and 86 women. The Bill proposes a minimum provision of one facility per 550 women and one facility per 1,100 men, with a unisex facility for the disabled per 10,000 of the population. It would also require a minimum provision of nappy-changing facilities which could be used by men and women.

People need public conveniences at "on street" sites. In general, a low fluid intake can increase the likelihood of kidney and bladder infections. Conversely, a high fluid intake helps prevent cystitis, renal tract infections, kidney stones and constipation. These are common disorders of the elderly and, clearly, there is a health argument for the better provision of toilets. Women in particular have an increased need for toilet facilities, especially when they are menstruating or pregnant.

Only last month, the Government facilitated National Continence Week to highlight the problem of incontinence which affects 3 million people. The British Foundation of Health Continence Care has estimated that 14 per cent. of women and 7 per cent. of men are affected. Many of these people can become housebound because of the absence or closure of public toilets. It is clear that women's needs are greater than men's and yet my survey showed that

provision is greater for men than for women. Research carried out in the United States shows that women take twice as long to urinate as men. The Bill would make provision for women at twice the level of that for men.

Groups such as the Continence Foundation and All Mod Cons examined the issue of numbers, especially when the All Mod Cons' co-ordinator worked with the British Standards Institution. They produced the figures that I have included in the Bill.

The first public toilet for women was built in London in the 1880s. It was recognised that an increasing number of women were going to work and so needed facilities near their place of work. On a public site, the toilets in Leicester square which were built in 1900 offered 27 urinals and 13 cubicles for men, with three urinettes and seven cubicles for women. The reason given for the imbalance in the provision was that women did not go out as much as men, and the belief was aired at the time that women would be too embarrassed to use a public toilet in any case. We have come a long way from the days of such ridiculous sensibilities and attitudes to women and our natural bodily functions, but it was evident to me when I surveyed local council provision that men had a better overall level of toilets and that the situation was getting worse rather than better.

The Women's Design Service researched what women objected to in current WC provision. First, they objected to the queues which were the result of the lack of facilities. Secondly, they were concerned about access, with particular reference to turnstiles. Turnstiles present particular problems at stations when people are carrying heavy luggage, but they are also a problem for the disabled or for people with pushchairs or young children—usually, of course, women rather than men. They are also dangerous, impede emergency exits and are sometimes prohibitive to entry. They are currently outlawed from council facilities under the turnstiles legislation of 1968, although I notice that Westminster has one or two. The Bill would outlaw turnstiles from all toilets provided for the public.

This is the Year of the Family, and anyone who has children will be aware of the difficulties in finding facilities for children and will know that one cannot hang around when one's children want to go to the toilet. I found that 52 of the authorities that took part in my survey—more than a third of them—had no nappy-changing facilities whatever. My Bill would require a unisex facility for every 10,000 head of population.

I am a relatively recent father, with a three-year-old son and an eight-month-old son. As a Member of Parliament I do not often find myself out alone with them, but it has happened occasionally. When they want to go to the toilet, they really want to go, and I know how difficult it is to find somewhere to take them.

Under the Public Health Act 1936 councils are allowed to charge for cubicles but not for urinals. Clearly that is an anachronism today, and the law is sexist. My Bill would revoke that provision.

The slogan "back to basics" has been derided in some quarters, but surely here we have a basic public service developed by Victorian civic leaders, yet all too often now ignored. I hope that my Bill will be supported on both sides of the House, and given Government support.

Question put and agreed to.

Bill ordered to be brought in by Mr. Jon Owen Jones, Mr. Nicholas Winterton, Mrs. Ann Winterton, Mr. Harry Greenway, Mr. Peter Viggers, Mr. Ian McCartney, Ms Jean Corston, Ms Mildred Gordon, Mr. Andrew Smith, Ms Marjorie Mowlam, Mr. Simon Hughes and Ms Liz Lynne.

Public Conveniences

Mr. Jon Owen Jones accordingly presented a Bill to remove any discrimination on grounds of gender in the provision of public conveniences and to place a statutory duty on local authorities to provide a minimum level of public conveniences; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 6 May, and to be printed. [Bill 93.]

Finance Bill (Allocation of Time)

Motion made, and Question put forthwith, pursuant to Standing Order No. 80 (Business Committee),

That the Report [13th April] from the Business Committee be now considered.—*[Mr. Patnick.]*

Question agreed to.

Resolved, That this House doth agree with the Committee in its resolution.

Following is the Report of the Business Committee:

That—

(1) the order in which proceedings on consideration shall be taken shall be new Clauses standing in the name of Mr. Chancellor of the Exchequer, new Schedules so standing, other new Clauses, other new Schedules, and Amendments to Clause No. 1, Schedule No. 1, Clauses Nos. 2 to 5, Schedule No. 2, Clause No. 6, Schedule No. 3, Clauses Nos. 7 to 9, Schedule No. 4, Clauses Nos. 10 to 14, Schedule No. 5, Clauses Nos. 15 to 40, Schedule No. 6, Clauses Nos. 41 to 64, Schedule No. 7, Clauses Nos. 65 to 77, Schedule No. 8, Clauses Nos. 78 to 81, Schedule No. 9, Clauses Nos. 82 and 83, Schedule No. 10, Clauses Nos. 84 to 91, Schedule No. 11, Clauses Nos. 92 to 102, Schedule No. 12, Clauses Nos. 103 to 112, Schedule No. 13, Clauses Nos. 113 to 135, Schedule No. 14, Clause No. 136, Schedule No. 15, Clauses Nos. 137 to 144, Schedule No. 16, Clauses Nos. 145 to 167, Schedule No. 17, Clauses Nos. 168 to 194, Schedule No. 18, Clauses Nos. 195 to 216, Schedule No. 19, Clauses Nos. 217 to 226, Schedule No. 20, Clauses Nos. 227 to 229, Schedule No. 21, Clauses Nos. 230 to 234, Schedule No. 22, Clauses Nos. 235 to 250, Schedule No. 23, Clause No. 251, Schedule No. 24, Clauses Nos. 252 to 254, Clause No. 256, Clause No. 255 and Schedule No. 25;

(2) The allotted days which under the Order [1st February] are given to the proceedings on consideration and third reading shall be allotted in the manner shown in the Table set out below and, subject to the provisions of that Order, each part of the proceedings shall, if not previously brought to a conclusion, be brought to a conclusion at the time specified in the third colum of that Table.

Table

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	*New Clauses standing in the name of Mr. Chancellor of the Exchequer and new Schedules so standing.*	*6 p.m.*
	Other new Clauses and other new Schedules.	*11 p.m.*
Second day	*Remaining proceedings on consideration.*	*7 p.m.*
	Third reading	*10 p.m.*

Orders of the Day

Finance Bill

[1st Allotted Day]

Not amended (in the Committee) and as amended (in the Standing Committee), considered.

New Clause 8

Employees working for persons other than their employers, etc.

'.—(1) After section 203B of the Taxes Act 1988 (which is inserted by section 125 above) there shall be inserted—

"PAYE: employee of non-UK employer.

203BB.—(1) This subsection applies where—

(a) an employee during any period works for a person ("the relevant person") who is not his employer;

(b) any payment of, or on account of, assessable income of the employee in respect of work done in that period is made by a person who is the employer or an intermediary of the employer;

(c) PAYE regulations do not apply to the person making the payment or, if he makes the payment as an intermediary of the employer, the employer; and

(d) income tax is not deducted or accounted for in accordance with the regulations by the person making the payment or, if he makes the payment as an intermediary of the employer, the employer.

(2) Where subsection (1) above applies, the relevant person shall be treated, for the purposes of PAYE regulations, as making a payment of the assessable income of the employee of an amount equal to the amount determined in accordance with subsection (3) below.

(3) The amount referred to is—

(a) if the amount of the payment actually made is an amount to which the recipient is entitled after deduction of any income tax, the aggregate of the amount of that payment and the amount of any income tax due; and

(b) in any other case, the amount of the payment actually made.

(4) In this section and sections 203BC and 203BD "work", in relation to an employee, means the performance of any duties of the office or employment of the employee and any reference to his working shall be construed accordingly.

(5) Subsections (3) and (4) of section 203B apply for the purposes of this section as they apply for the purposes of that section.

"PAYE: employee non-resident, etc.

203BC.—(1) This section applies in relation to an employee in a year of assessment only if—

(a) he is not resident or, if resident, not ordinarily resident in the United Kingdom; and

(b) he works or will work in the United Kingdom and also works or is likely to work outside the United Kingdom.

(2) Where in relation to any year of assessment it appears to an officer of the Board that—

(a) some of the income of an employee to whom this section applies is assessable to income tax under Case II of Schedule E, but

(b) an as yet unascertainable proportion of the income may prove not to be assessable,

the officer may, on an application made by the appropriate person, give a direction for determining a proportion of any payment made in that year of, or on account of, income of the employee which shall be treated for the purposes of PAYE regulations as a payment of assessable income of the employee.

(3) In this section "the appropriate person" means—

(a) the person designated by the employer for the purposes of this section; or

(b) if no person is so designated, the employer.

(4) An application for a direction under subsection (2) above shall provide such information as is available and is relevant to the giving of the direction.

(5) A direction under subsection (2) above—

(a) shall specify the employee to whom and the year of assessment to which it relates;

(b) shall be given by notice to the appropriate person; and

(c) may be withdrawn by notice to the appropriate person from a date specified in the notice.

(6) The date so specified may not be earlier than thirty days from the date on which the notice of the withdrawal is given.

(7) Where—

(a) a direction under subsection (2) above has effect in relation to an employee to whom this section applies, and

(b) a payment of, or on account of, the income of the employee is made in the year of assessment to which the direction relates,

the proportion of the payment determined in accordance with the direction shall be treated for the purposes of PAYE regulations as a payment of assessable income of the employee.

(8) Where in any year of assessment—

(a) no direction under subsection (2) above has effect in relation to an employee to whom this section applies, and

(b) any payment is made of, or on account of, the income of the employee,

the entire payment shall be treated for the purposes of PAYE regulations as a payment of assessable income of the employee.

(9) Subsections (7) and (8) above are without prejudice to—

(a) any assessment in respect of the income of the employee in question; and

(b) any right to repayment of income tax overpaid and any obligation to pay income tax underpaid.

"PAYE: mobile UK workforce.

203BD.—(1) This subsection applies where it appears to the Board that—

(a) a person ("the relevant person") has entered into or is likely to enter into an agreement that employees of another person ("the contractor") shall in any period work for, but not as employees of, the relevant person;

(b) payments of, or on account of, assessable income of the employees in respect of work done in that period are likely to be made by or on behalf of the contractor; and

(c) PAYE regulations would apply on the making of such payments but it is likely that income tax will not be deducted or accounted for in accordance with the regulations.

(2) Where subsection (1) above applies, the Board may give a direction that, if—

(a) any employees of the contractor work in any period for, but not as employees of, the relevant person, and

(b) any payment is made by the relevant person in respect of work done by the employees in that period,

income tax shall be deducted in accordance with the provisions of this section by the relevant person on making that payment.

(3) A direction under subsection (2) above—

(a) shall specify the relevant person and the contractor to whom it relates;

(b) shall be given by notice to the relevant person; and

(c) may at any time be withdrawn by notice to the relevant person.

(4) The Board shall take such steps as are reasonably practicable to ensure that the contractor is supplied with a copy of any notice given under subsection (3) above which relates to him.

(5) Where—

(a) a direction under subsection (2) above has effect, and

(b) any employees of the contractor specified in the direction work for, but not as employees of, the relevant person so specified,

income tax shall, subject to and in accordance with PAYE regulations, be deducted by the relevant person on making any payment in respect of that work as if so much of the payment as is attributable to work done by each employee were a payment of assessable income of that employee.".'

—[Mr. Dorrell.]

Brought up, and read the First time.

3.42 pm

The Financial Secretary to the Treasury (Mr. Stephen Dorrell): I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss also the following: Government new clause 9—*PAYE regulations: past cases.*

Government amendments Nos. 3 to 12.

Mr. Dorrell: The clause creates no new liabilities to tax. It contains provisions that will remove doubts that had arisen about the Inland Revenue's ability to collect tax under PAYE in certain circumstances.

The objective of new clause 9 is to put beyond any doubt the legal basis of the operation of PAYE in those circumstances in past years, following a recent court decision in the House of Lords.

New clause 8 has three objectives. First, it has been suggested that employers do not need to operate PAYE on the emoluments of employees or directors who come to work in the United Kingdom from overseas, if the exact proportion of their salaries and other payments that will be taxable is uncertain at the moment at which they are paid. The argument is that, when a payment of salary is made, the taxable proportion of it cannot always be ascertained precisely until later, usually after the end of the tax year, when the overall proportion of overseas and United Kingdom duties can be determined. It has been suggested that in such circumstances PAYE should not be operated on any part of the employee's salary, but that tax should be collected direct from the employee after the end of the tax year.

Clearly that would have unacceptable cash flow consequences for the Exchequer, possibly running into hundreds of millions of pounds, as well as a potential long-term loss of tax where the individual concerned has returned to his home abroad.

Mr. Geoffrey Hoon (Ashfield): Will the Financial Secretary be explaining to the House the precise circumstances which have caused the new clause to be necessary? Will he be giving an explanation of the implication of the House of Lords decision so that we may all understand why the Government must bring forward the new clause at this stage?

Mr. Dorrell: As I told the House, the House of Lords, in the case of the Commissioners of Inland Revenue v. Herd, ruled that there was doubt about the right of the Inland Revenue to collect tax under PAYE where the proportion of an individual's remuneration taxable under United Kingdom law and the proportion taxable under foreign law was uncertain at the moment at which the payment was made. That state of affairs removed the power of the Inland Revenue to collect tax under PAYE. The House will recognise that that is not a sensible basis on which to proceed, and the purpose of new clause 8 is to remedy that situation and to put the law, in the classic phrase, back in the position in which it was always thought to have been.

The effect of new clause 8 is therefore to provide in the new section 203BC of the Income and Corporation Taxes

[Mr. Dorrell]

Act 1988 that PAYE may continue to be applied in future to the emoluments of employees and directors who are either not resident or not ordinarily resident in the UK. New clause 8 also provides two further provisions: the new sections 203BB and 203BD, which replace an anti-avoidance provision currently provided in secondary legislation and which applies where an employee or a director is paid by someone other than the person for whom he or she works on a day-to-day basis. In such circumstances, the current PAYE regulations require the person for whom the employee works, rather than the person who pays them, to account for tax under PAYE.

The validity of the current regulation has never been formally challenged, but when the operation of PAYE on the emoluments of employees and others coming from overseas to work in the UK was being considered, and in the light of the recent court case to which I referred, we thought that it would be sensible to put beyond doubt the power of the Revenue to collect PAYE in the respect of those individuals. That is the effect of the new sections 203BB and BD provided in the rest of new clause 8.

New clause 9, as I have already said, confirmed the past year's validity of the regulation and the new sections which replace that regulation and ensure that the tax that has been collected through PAYE for years past was legitimately collected.

Mr. Nicholas Brown (Newcastle upon Tyne, East): The Government clearly have a duty to protect the interests of the Inland Revenue and, for our part, Labour Members do not quarrel with that. As I understand the position as the Financial Secretary has stated it to the House, although the new clauses may seem complex, their purpose is to state the law as it was always understood to be.

It is not unusual in Finance Bills for Labour Members, even on Report, to make either a pre-emptive strike on future decisions of the courts or to clarify for the courts the Government's original intention in legislating. I understand that the threat of loss of revenue could be quite substantial, so I am sure that the Government are right to act in that way.

As the Financial Secretary has explained to the House, the principal concern seems to be with those who are either foreign nationals or who receive some substantial proportion of their total earnings from sources abroad. Therefore, there is some doubt as to the employers' liability to deduct PAYE from their earnings in Britain. It is certainly my view that there should be no such doubt and that the Government are proceeding in the right way.

However, I wish to raise a separate concern with the Financial Secretary that has been put to me and some of my hon. and right hon. Friends by the National Farmers Union of Scotland. It is worried that the enactment that we are considering will affect its responsibility to administer payments and remunerations to gang labour employed on estates in Scotland. My understanding of the situation—frankly, I am not a specialist in the area—is that, at the moment, the gang master is responsible for the deduction of tax and national insurance, not the farmer. The NFU's fear is that responsibility is being transferred to it. It does not necessarily follow from the Financial Secretary's explanation that that is the position. I hope that he will be able to tell the House what the position is as it pertains to gangs working on agricultural projects, especially as the law applies in Scotland.

Mr. James Paice (Cambridgeshire, South-East): As the hon. Member for Newcastle upon Tyne, East (Mr. Brown) has said, this is not a matter for Scotland alone. The role of gang masters in agriculture, and especially in large-scale horticulture, is well known, particularly in the area of the fens in East Anglia up into Lincolnshire. In my constituency, and that of my hon. Friend the Member for Cambridgeshire, North-East (Mr. Moss), many growers use gang masters as a means of harvesting and packaging their crops. Only three years ago there was a voluntary agreement between the Inland Revenue and the industry to try to overcome the problems that are caused by a few gang masters who have not been presenting the necessary payments to the Revenue.

The great majority of gang masters are respectable individuals who run their businesses in all the ways in which we would wish them to do so. In so doing they fulfil their obligations. A few of them have been failing to do that and the voluntary agreement was targeted at them.

It was with considerable concern that growers in my constituency, and the NFU, found the new clause on the amendment paper. They saw it as a sledgehammer to crack a nut—in other words, a large piece of extra legislation to deal with a small problem. No one is pretending that there is not a problem in a few instances, but I am concerned that the Inland Revenue should not now seek to make all farmers and growers who use gang masters responsible for the tax and insurance liabilities of the people who happen to work on their premises, carrying out work related to their businesses.

It must be emphasised that farmers and growers do not employ the people who are brought to their premises by gang masters. They are not in charge of their day-to-day immediate work. They have no control over their terms and conditions. Such matters are decided by the gang master, who enters into a contract with the farmer to have a particular job of work carried out on the farm or the holding.

My hon. Friend the Financial Secretary said that the clause does not contain any new powers. He implied that the provision would not be used extremely rigorously. I note that "may" is used in terms of the proposed powers. I should like my hon. Friend's assurance that the Revenue will not turn to every farmer and grower who uses gang masters and tell them that they must be responsible for all the PAYE paperwork for every person who works on their land.

We are not talking about two or three people. In my constituency, there are growers who, through gang masters, may have several hundred people working on their land at any one time. To make the individual farmer or grower responsible would be a mammoth imposition, especially at this time of year, which is the beginning of the growing and harvesting season. To introduce such a burden now on farmers and growers would be something that they could well do without, particularly when they are facing immense competition from Spain in respect of several horticultural crops.

I urge my hon. Friend the Financial Secretary to assure me and those of my hon. Friends who have considerable constituency interests in this context that he will not allow the Inland Revenue to use the powers in the clause to bear

upon the great majority of gang masters who carry out their obligations as we would wish. I trust that the farmers and growers who use gang masters will continue as they have in the past, with a voluntary arrangement whereby the gang master fulfils his obligations and provides the necessary returns to the Revenue.

Mr. A. J. Beith (Berwick-upon-Tweed): There is concern about the part of the new clause to which reference has been made. I have received representations from the National Farmers Union, as has my hon. Friend the Member for North Cornwall (Mr. Tyler) and my hon. and learned Friend the Member for Fife, North-East (Mr. Campbell). In practical terms, a farmer or grower would be put in a difficult position because not only might a large number of people be brought on to his farm by a gang master during a season when there are crops to be gathered, but they may be there for only one or two days in the week and then they will be on someone else's premises. The farmer or grower may start the week with 30 people working on his farm; after a couple of days, only half of them are still there and half have gone somewhere else. A few more people are brought in again when there is a bit more work to be finished.

The flexibility of the gang system is the reason why farmers use it. It enables them to get the job done without carrying on their permanent staff a number of employees for which it would be impossible for the farm income to provide. Farmers simply cannot operate in that way. Given the competitive environment to which the hon. Member for Cambridgeshire, South-East (Mr. Paice) referred with produce from other countries, growers must find whatever ways they can to harvest their crops efficiently.

If farmers and growers are faced with having to make pay-as-you-earn returns for all sorts of individuals who are on their farms for only two or three days in the entire year and who are not under their direction or control, whom they do not know, whose home address they do not know and whose previous employment record they do not know, it is an incredible burden to put on them.

The Government are supposed to be engaged in deregulation and reducing the burdens on small business. The burden which the provision will present to small business is considerable. At present, it is not clear—it may become clearer later—how many farmers and growers will face this daunting problem; it will depend on how many occasions the Revenue decides to make a direction that a particular grower or farmer must fill in a return. It is not clear whether it is intended to be a general practice or whether it is a power that will be brought into play in exceptional circumstances when it is perceived that a particular gang master has not been doing his PAYE returns properly and not accounting for the people whom he is employing. There is a world of difference between those two. At present, farmers and growers simply do not know whether they will be landed with the power or whether it will be an exceptional and rarely used power. I hope that it is the latter, and that the Minister can give us that assurance.

The gang system is open to abuse not only with regard to taxation but in other ways as well; it can work to the detriment of those who are employed in it. However, it is a necessary part of the way in which harvesting takes place. Every attempt is being made by all those concerned to find a way of resolving the specific tax difficulty satisfactorily.

It has come as a great shock to those concerned that the Government have tabled on Report a new clause on a complex matter while discussions were supposed to be still taking place. So far as I am aware, the provisions in the new clause have not been the subject of consultation with those to whom the Government were talking. I do not see the point of that. The Government rightly engage in discussions with all the organisations. But suddenly, like a rabbit out of a hat, they produce the new clause, and slap it on the amendment paper, and take it at a stage when it cannot be the subject of any further discussion or amendment later. That simply does not make sense. If the Government were that determined to press ahead, why did they not table the new clause in Committee? At least we could have had some reflection on the matter and perhaps come back on Report with any necessary modification.

It seems that the Government are failing the precepts that they set themselves for the consideration of such tax measures. They are at risk of imposing a serious burden on a great number of small businesses in a sector of agriculture which is not doing well financially and where incomes have fallen seriously recently. I ask the Minister to rethink what the Government are doing with the new provision. They have even included it in a new clause which contains so many other provisions that are necessary —or which the Minister said were necessary. That makes it difficult to vote against the provision because in doing so we will be voting against other anti-avoidance provisions which are probably generally felt to be desirable.

The Minister has put the farming industry in a most unfair position by asking it to accept the change without proper consultation and with all the detrimental effects that it will have on farmers and growers, who have enough problems without having to account for the PAYE returns of people who may be on their farms for only a couple of days or one week of the year.

Mr. John Home Robertson (East Lothian): I am grateful to my hon. Friend the Member for Newcastle upon Tyne, East (Mr. Brown) for raising the concerns expressed by the National Farmers Union of Scotland on this issue. I stress that I hold absolutely no brief for the gang masters of this world. I am concerned about the obvious abuses which existed in the agriculture industry in the past, and which may well still exist, where casual employees are ruthlessly exploited by gang masters. However, the fruit and vegetable growing industry in the east of Scotland is important, and the only way in which it can function is by taking advantage of casual labour. If the Government are having difficulty collecting PAYE and national insurance contributions from that sector of the economy, they should address themselves to those who are directly responsible for employing the work force. They should not be trying to get other businesses to do that work for them.

I understand that there is an agricultural compliance unit at the Inland Revenue which is actively seeking information about the way in which gangs operate. I would strongly support any efforts by the Treasury and the Inland Revenue to regulate that rather marginal sector of the rural economy because there is a need for proper protection for people who work in that sector. Seriously, it would not make sense to require individual farmers to become personally liable for paying the national insurance contributions and PAYE in respect of people whom they were not directly employing. It would set a silly precedent and I hope that that is not what the Minister intends to do.

4 pm

Mr. Dorrell: I can certainly give the House an assurance that it is not our intention to create in the new clause an obligation which does not already exist within the piece of secondary legislation to which I referred in my opening remarks. I remind the House that I said that the purpose of new sections 203BB and 203BD—we are now talking about 203BD—is to replace the provisions in the secondary legislation. The legitimacy of that legislation is at least questioned by the House of Lords ruling in the Herd case.

The purpose of the clauses is to replace an existing piece of secondary legislation. I can certainly assure the House that the fact that the powers are now being put into primary legislation has no bearing at all on the assurances which have always been given, or those which are currently in force, by the Inland Revenue about how the powers which hitherto have been provided for by secondary legislation would be used.

I must tell the hon. Member for East Lothian (Mr. Home Robertson) that it is not part of our purpose to provide as a normal state of affairs that a farmer should be required to provide for PAYE for labour employed by a gang master. It is clearly true that the primary responsibility for applying PAYE to members of a gang rests on the gang master, not on the farmer who employs the gang. That is a form of anti-avoidance provision which is already in the secondary legislation and the checks for the farmer are, I suggest to the House, improved by writing it into primary legislation in a number of respects.

First, I draw the attention of the House to subsection (1)(c) of section 203BD which makes it clear that the power can be used only where

"it is likely that income tax will not be deducted or accounted for in accordance with the regulations."

Therefore, the board of the Inland Revenue must first satisfy itself that there is a serious risk of avoidance activity or of a lack of enforcement activity in the circumstances.

There are two new safeguards which are not provided in the current secondary legislation. First, the person who is using the workers' services—the farmer—will be required to deduct tax only from payments which he actually makes to the employer of the workers. Secondly, new legislation requires the board of the Inland Revenue to issue a written direction so that the parties involved are clear about their responsibilities.

I hope that the House will accept that this is a clarification of an existing piece of secondary legislation which is under threat as a result of the Herd case. We have taken the opportunity to write in additional safeguards, and it is an important piece of anti-avoidance legislation.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 9

PAYE REGULATIONS: PAST CASES

'.—(1) Regulation 4 of the 1993 Regulations (intermediate employers) is hereby revoked; but in relation to any time before its revocation it shall be deemed to have been validly made.

(2) Regulation 3 of the 1973 Regulations (intermediate employers) shall, in relation to any time before its revocation, be deemed to have been validly made.

(3) Where, at any time before the passing of this Act—

(a) a payment has been made of, or on account of, any income of an employee not resident or, if resident, not ordinarily resident in the United Kingdom,

(b) at the time when the payment was made it appeared that some of the income would be assessable to income tax under Case II of Schedule E, but that some of the income might prove not to be assessable to income tax under that Schedule, and

(c) the payment or any proportion of it was treated for the purposes of the 1993 Regulations or the 1973 Regulations as a payment to which the regulations applied,

then the treatment of that payment or that proportion of the payment as being a payment to which the regulations applied shall be deemed to have been lawful.

(4) In this section—

(a) "employee" means a person holding an office or employment under or with any other person;

(b) "the 1993 Regulations" means the Income Tax (Employments) Regulations 1993; and

(c) "the 1973 Regulations" means the Income Tax (Employments) Regulations 1973.'.—*[Mr. Dorrell.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 12

ASSIGNED MATTERS: MINOR CORRECTIONS

'.—(1) The provisions mentioned in subsection (2) below (which enable revenue traders and taxable persons to be required to keep records) shall be amended in accordance with subsections (3) and (4) below (which correct minor errors in those provisions so far as they relate to the admissibility in evidence of the recorded information).

(2) The provisions are—

(a) in the Customs and Excise Management Act 1979, section 118A; and

(b) in Schedule 7 to the Value Added Tax Act 1983, paragraph 7.

(3) In subsection (6) and sub-paragraph (5) of those provisions—

(a) in paragraph (c) for the words "sections 13 and 14 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968" there shall be substituted "sections 5 and 6 of the Civil Evidence (Scotland) Act 1988"; and

(b) in paragraph (d), for the words "except in accordance with the said sections 13 and 14" to the end there shall be substituted "except in accordance with Schedule 3 to the Prisoners and Criminal Proceedings (Scotland) Act 1993".

(4) Subsection (7) and sub-paragraph (6) of those provisions shall be omitted.'.—*[Sir John Cope.]*

Brought up, and read the First time.

The Paymaster General (Sir John Cope): I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss Government amendments Nos. 31 to 35.

Sir John Cope: The new clause and the amendments refer to extremely technical provisions about the admissibility of documents, and particularly copies of documents, as evidence in civil or criminal proceedings arising under the various taxes administered by the Customs and Excise. The new clause and amendments correct errors not only in the Bill as originally drafted but in the law as it stood. They are extremely minor errors. They arise from changes in Scottish law on the admissibility of evidence. They do not change the substantive law, but they make clear what documents are admissible as evidence.

Mr. Andrew Smith (Oxford, East): As the right hon. Gentleman said, the new clause and amendments appear to be minor changes. However, it would be helpful to the

House if he could explain what difference it would have made if he had not tabled the amendments. Where exactly have the errors occurred, in respect of both the Bill and the position of the law as it currently stands? Does he anticipate that any claims against the Exchequer will arise out of the errors in the previous law?

Sir John [illegible]: No, we do not expect any claims to arise from the errors. I am not aware of any cases which have occurred or are pending at this moment as a result of the confusion that might have arisen from the items being in the law. The Civil Evidence (Scotland) Act 1988 allowed computer evidence to be treated like evidence in other business documents in civil proceedings. The Bill as it is currently drafted, and the Acts which are referred to in the new clause and amendments, referred to the old civil provisions of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968, which was originally about civil proceedings but applied later to criminal proceedings. Those proceedings were deleted from statute law some time ago. They are still referred to in bits of the customs law.

Clearly, if a court was asked to refer back to obsolete provisions which have been deleted from the law, it would create a difficulty in judging whether the documents should be admissible. Therefore, it is wise to do as we suggest in the new clause and amendments to bring the law into line by inserting the consequential amendments that should have been made perhaps a year or two ago and by bringing the Bill up to date.

The matter turned up only because of the need to make sure that the drafting of the Bill was correct. That brought to light the difference between Scottish law and English law initially in respect of the insurance premium tax that we are introducing. The amendments correct that difference as well as the earlier legislation to which I referred.

Mr. Andrew Smith I thank the right hon. Gentleman for his explanation. It is good to know that someone is keeping a careful check on the details of these matters. One dreads to think how much other obsolete legislation there might be lurking in the nooks and crannies of the statutes. I welcome the right hon. Gentleman's explanation and I cannot see any reason to oppose the new clause.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Mr. Dorrell: I beg to move amendment No. 45, a new schedule—*Indexation losses: transitional relief—*

'*Introductory*

1. This Schedule applies in relation to chargeable gains and allowable losses accruing to—

(a) an individual, or

(b) the trustees of a settlement made before 30th November 1993;

(referred to in this Schedule as "the taxpayer").

2.—(1) This paragraph applies for the purposes of this Schedule, and the determinations required by this paragraph to be made shall be made without regard to paragraphs 4 to 7 below.

(2) If an allowable loss accrues on a disposal made on or after 30th November 1993 and, under the old indexation rules, a greater allowable loss would have accrued, there is an indexation loss in respect of the disposal equal to the amount by which the allowable loss which would have accrued under the old indexation rules exceeds the allowable loss accruing on the disposal.

(3) If a disposal made on or after 30th November 1993 is one on which neither a gain nor a loss accrues and, under the old indexation rules, an allowable loss would have accrued, there is an indexation loss in respect of the disposal equal to the amount of the allowable loss that would have accrued under the old indexation rules.

(4) If the total amount of chargeable gains accruing to the taxpayer in any year of assessment for which this Schedule has effect exceeds the allowable losses accruing in that year, there is a relevant gain for that year equal to the amount of the excess.

3.—(1) The cases in which the appropriation of an asset by the taxpayer is treated under section 161(1) of the 1992 Act (appropriations to and from stock) as a disposal of the asset include cases in which, if he had sold the asset for its market value, an allowable loss would have accrued to him under the old indexation rules.

(2) Where, but for an election under subsection (3) of section 161 of the 1992 Act—

(a) an asset appropriated by the taxpayer would have been treated as disposed of as mentioned in subsection (1) of that section, and

(b) paragraph 2(2) or (3) above would have applied on the disposal,

paragraphs 1 and 2 above and 6 and 7 below shall apply, as if the asset had been so treated, to determine for the purposes of subsection (3) of that section any increase to be made in the amount of any allowable loss; and the appropriation of the asset is referred to below as a "relevant appropriation".

(3) Sections 574 to 576 of the Taxes Act (relief for individual on disposal of shares in qualifying trading company) shall apply if an individual who has subscribed for shares as mentioned in section 574(1) disposes of them in circumstances where paragraph 2(3) above applies as they apply in other cases.

(4) Where a person makes a claim for relief under subsection (1) of section 574 in the case of a disposal in respect of which there is an indexation loss (referred to below as a "section 574 disposal")—

(a) paragraphs 6 and 7 below shall apply to determine any increase to be made, for the purposes of that subsection, in the amount of the allowable loss, and

(b) paragraphs 4 and 5 below shall apply to so much only of the indexation loss as is not relieved under that section.

(5) References in this paragraph and paragraphs 6 and 7 below to an increase in any loss include, in circumstances where paragraph 2(3) above applies, a reference to the creation of the loss.

Capital gains tax

4.—(1) Where in the case of any taxpayer—

(a) there is a relevant gain for the year 1993-94,

(b) the relevant gain exceeds the exempt amount for that year, and

(c) there are indexation losses in respect of any disposals made in that year,

then, for the purposes of the 1992 Act, the amount by which the total amount of chargeable gains accruing to the taxpayer in that year exceeds the allowable losses accruing in the year shall be reduced by the amount mentioned in sub-paragraph (2) below, and shall be so reduced before the deduction of any allowable losses carried forward from any previous year or carried back under section 62 from any subsequent year.

(2) The amount referred to in sub-paragraph (1) above is so much of the total of indexation losses in respect of disposals made in that year as does not exceed—

(a) £10,000, or

(b) the amount by which the relevant gain exceeds the exempt amount for the year,

whichever is the smaller.

5.—(1) Where in the case of any taxpayer—

(a) there is a relevant gain for the year 1994-95,

(b) the relevant gain exceeds the exempt amount for that year, and

(c) there are indexation losses in respect of any disposals made in that year or unused indexation losses for the previous year,

then, for the purposes of the 1992 Act, the amount by which the total amount of chargeable gains accruing to the taxpayer in the year 1994-95 exceeds the allowable losses accruing in that year shall be reduced by the amount mentioned in sub-paragraph (2) below, and shall be so reduced before the deduction of any allowable losses carried forward from any previous year or carried back under section 62 from any subsequent year.

[Mr. Dorrell]

(2) The amount referred to in sub-paragraph (1) above is so much of the total of indexation losses in respect of disposals made in the year 1994-95, plus any unused indexation losses for the previous year, as does not exceed—

(a) £10,000 less the aggregate of—

(i) the amount of any reduction made under paragraph 4(1) above for the previous year, and

(ii) any increase made under paragraph 6(2) below for the previous year, or

(b) the amount by which the relevant gain exceeds the exempt amount for the year 1994-95,

whichever is the smaller.

(3) For the purposes of this paragraph, if the total amount of indexation losses in respect of disposals made by the taxpayer in the year 1993-94 exceeds the aggregate of—

(a) the amount of any reduction made under paragraph 4(1) above for that year, and

(b) any increase made under paragraph 6(2) below for that year,

there are unused indexation losses for that year of an amount equal to the excess.

Income tax

6.—(1) This paragraph applies where, at any time in the period beginning with 30th November 1993 and ending with 5th April 1994, the taxpayer makes any relevant appropriation or any section 574 disposal; and for the purposes of this paragraph there shall be determined—

(a) the amount of any reduction for the year 1993-94 which (disregarding relevant appropriations and section 574 disposals) would be made under paragraph 4(1) above, and

(b) the amounts of any indexation losses in respect of relevant appropriations or section 574 disposals made in that period.

(2) If the aggregate of the amounts referred to in sub-paragraph (1)(a) and (b) above does not exceed £10,000, the amount of any allowable loss referable to such an appropriation or disposal shall be increased by any indexation loss in respect of it.

(3) In any other case, notwithstanding anything in paragraphs 4 and 5 above—

(a) the aggregate of—

(i) the amount of any reduction for the year 1993-94 to be made under paragraph 4(1) above, and

(ii) the amount of any indexation losses in respect of relevant appropriations or section 574 disposals made in the period referred to in sub-paragraph (1) above,

shall be equal to £10,000 and shall be allocated as the taxpayer may determine between that reduction and increases in allowable losses referable to such appropriations or disposals, and

(b) no reduction shall be made under paragraph 5 above or 7 below for the year 1994-95.

7.—(1) This paragraph applies where, at any time in the year 1994-95, the taxpayer makes any relevant appropriation or any section 574 disposal; and for the purposes of this paragraph there shall be determined—

(a) the amount of any reduction for that year which (disregarding relevant appropriations and section 574 disposals) would be made under paragraph 5(1) above, and

(b) the amounts of any indexation losses in respect of relevant appropriations or section 574 disposals made in that year.

(2) If the aggregate of the amounts referred to in sub-paragraph (1)(a) and (b) above does not exceed the limit for 1994-95, that is—

(a) £10,000, less

(b) the aggregate of the amount of any reduction made under paragraph 4(1) above for the year 1993-94 and of any increases made under paragraph 6(2) above for that year,

the amount of any allowable loss referable to such an appropriation or disposal shall be increased by any indexation loss in respect of it.

(3) In any other case, notwithstanding anything in paragraph 5 above, the aggregate of the amount of any reduction for the year 1994-95 to be made under paragraph 5(1) above and of the amount of any indexation losses in respect of relevant appropriations or section 574 disposals made in that year—

(a) shall be equal to the limit for 1994-95, and

(b) shall be allocated as the taxpayer may determine between that reduction and increases in allowable losses referable to such appropriations or disposals.

Supplementary

8.—(1) In this Schedule—

"the 1992 Act" means the Taxation of Chargeable Gains Act 1992, and

"the old indexation rules" means the 1992 Act as it would have effect if—

(a) the amendments made by subsections (1) to (5) of section 93 of this Act, and

(b) the repeal of section 103 (collective investment schemes, etc.) and section 111 (building societies) of the 1992 Act by subsection (7) of section 93 of this Act,

had not come into force.

(2) Other expressions not defined in this Schedule but used both in it and in the 1992 Act have the same meaning as in that Act.

(3) References in this Schedule to the reduction of any amount include its reduction to nil.'.

Madam Speaker: With this it will be convenient to take Government amendment No.44.

Mr. Dorrell: Clause 93 ensures that for disposals on or after Budget day last year the capital gains tax indexation allowance cannot increase or create a capital loss. The clause was debated in depth during the Committee stage. I explained that the restriction of indexation allowances for losses was an important anti-avoidance measure. Significant abuse of indexation allowances for losses had been identified. We estimated that, unless we took action to prevent the abuse, by the end of the decade we could lose roughly £3 billion a year of revenue on capital gains through both capital gains tax and capital transfer tax.

Several representations have been made about the way in which we are tackling this type of tax avoidance. We have heard arguments that legislation dealing with specific types of avoidance based on indexation allowances should have been introduced. We have considered that, but we have concluded that it is not a viable alternative.

Abuse of indexation allowances for losses is so central to the structure of such allowances that any anti-avoidance legislation would have to be very complex and lengthy and would be unlikely to succeed in the long term.

We also received some representations making a different point—that investors have been badly hit by the change. The main concern is for investors making relatively modest, chargeable gains, who were not significantly involved in tax avoidance. The vast majority of investors are generally not affected by the change to indexation on losses, since their gains were kept out of capital gains tax, either by the annual exempt amount or the operation of personal equity plans.

To meet some of the concerns about the impact of the change, we decided to introduce a limited transitional relief for individuals and trusts, which is provided for in the new schedule. Each individual and the trustees of each trust set up before 30 November 1993 will be able to claim indexation on losses realised up to 5 April 1995, but the amount of indexation allowance that can be claimed under the transitional relief is limited to £10,000 and relief may be used only to reduce CGT liabilities in 1993-94 and 1994-95.

The cap of £10,000 on the indexation allowance on losses for the period 30 November 1993 to 5 April 1995

will ensure that the majority of individuals and trusts will be able to claim full indexation allowance on their losses for 1993-94 and 1994-95. That will give individuals and trusts a period to rearrange their portfolios before the full restriction of indexation for losses applies from 6 April 1995. The transitional relief will cost about £45 million, spread over the three years, including 1994-95.

Mr. Nicholas Brown: As I understand it, the Government's estimate of the cost of relief is £10 million for the first year, £25 million for the next and £10 million for the final year, giving the figure that the Finance Secretary gave the House. It is important to explain that fact because at an earlier meeting we were told that the relief would cost £25 million in a full year. Stating the figures for the three-year period shows how that figure was arrived at.

This is a modest, relieving measure given that the debate in Committee turned out to be quite controversial. Many Conservative Members were worried about the Financial Secretary's proposals. Some Conservative Members agreed with the reforms that Lord Lawson made in the mid-1980s and took some persuading that the Government were right to return to those matters, not merely to reform Lord Lawson's arrangements but to change them entirely and withdraw in their entirety the arrangements enabling indexation on capital losses to be carried forward.

The measure is a modest, relieving measure—a widows and orphans relieving measure—and will be worth £4,000 to a top-rate taxpayer in any one year. It is limited not merely to £10,000 but to the two-year period during which the provision can be used and, in as much as the measure applies only to individuals and trusts, it is tightly drawn. Critics of the Government's reforms would describe it as a modest concession.

If the Financial Secretary believes that the changes that he is making are right, why is such a concession necessary? If the position, as he explained it to the Finance Bill Committee, was right in principle, why does he not stand by it? Why is he offering this albeit modest relieving measure? It seems to me, as I am sure that it will seem to others, that the Government have lost confidence in the reform that they put before the Committee and are offering this measure as a sop to the many critics of their proposals, not least those from their own side.

Mr. Beith: The amendment is a fairly limited response to a great of deal of anxiety that was expressed in Committee.

The Government have abandoned the Lawson reforms, in which they used to take a pride and about which they used to say a great deal. They have abandoned them because they believe that a potential tax loss of about £3 billion could result—a figure which was never satisfactorily explained in Committee, but which no Minister could ignore. My submission in Committee was that it should be possible, if that is the scale of the potential loss, to formulate more specific measures to ensure that the Lawson reforms were not abused in such a way.

It therefore appears that Lord Lawson, when he was Chancellor of the Exchequer, set in train a tax change that could have appalling consequences for the Revenue, and that it has taken several years of Conservative government for that awful truth to come home.

Mr. Nicholas Brown: Eight years.

Mr. Beith: The hon. Member for Newcastle upon Tyne, East (Mr. Brown) reminds me that it has taken eight years of Conservative government for that awful truth to come home. Someone in the Treasury suddenly discovered that £3 billion could go down the tubes as a result of that serious miscalculation. The noble Lord made a number of miscalculations, not least about what the combined effect would be of his measures on mortgage interest when associated with the liberalisation of capital and mortgages and the promise of tax cuts, but that is another big Lawson miscalculation.

4.15 pm

I think that in the intervening eight years many people have been persuaded that it was right in principle and logical that there should be indexation relief of that type, and that people who have made losses as a result of the Government's incompetence in allowing too much inflation should not be penalised for the Government's mistakes. That seems to be a reasonable principle, and one which should guide the Government anyway. The Government should not be encouraged in their misdemeanours by the knowledge that if they produce too much inflation they gain through tax measures as a consequence, automatically, without having to come to the House of Commons to raise more tax. The Government remain in the dock for having embarked on the reforms and for abandoning them so totally on the basis of a figure that members of the Committee found slightly hard to believe.

The measures themselves are limited in time scale. The allowance is lost if it is not used in respect of the period until 5 April 1995. It does not solve the problem of retrospection for those excluded from the relief, including companies, and one wonders whether it is right that companies should be exempt from the benefit of the change.

The amount of the relief is also a restriction—£10,000 is a relatively small amount in relation to the losses that can be incurred, for example, in farming. In Committee, I mentioned those people who are trying to set milk quota gains against capital depreciation in land values. Large sums of money are involved which have never been seen by the farmer concerned; they are accounting transactions. On one hand, the farmer has something that he cannot even touch—milk quota—which has a value that he never asked it to have; on the other, his land, which he can see, has greatly depreciated in value as a result of the decrease in land values. We are not speaking about a pile of used notes that the farmer can spend; we are speaking about the effect on his viability, and perhaps on his ability to move from one farm to another, or to retire from farming with any provision for retirement. That viability is affected by the inability to set more than the £10,000 limit against gains.

I have also been told that the schedule is poorly designed and looks as though it was a bit of a rushed job. For example, although individuals and settlements are included, personal representatives are not, with the result that, after a person dies and someone takes on the responsibility of executing the will, they cannot continue to sell the assets of the deceased and set them off with gains against losses. There may prove to be more drawbacks resulting from the way in which the schedule was drawn up.

Obviously, the schedule was drawn up in a bit of a hurry as a result of the amount of criticism that was received in Committee. I am glad that the Government at least made

the attempt, but many people, including many small businesses and farmers, will be dealing in sums greater than those that are covered by the proposals and are likely to suffer substantial losses.

It is hard to "read across the column", if you like, from those problems experienced by people in small business to the possibility of companies creating shell companies and off-the-shelf companies to which they can transfer millions of pounds of losses. It is of the latter material that the fears of the Chief Secretary and the Financial Secretary are made —the possibility of companies inventing other companies to which they can transfer considerable gains and with which they can make financial manoeuvres of that type; that is what the problem is about. But that is not the experience of those who may suffer from the limited nature of what the Government are now offering.

We tabled amendments to eliminate the retrospective elements of the Government's original clause 89, now clause 93, which have not been selected, but it will be apparent from those amendments how strongly we feel about the retrospective aspect of this. I remain less than satisfied with the form of the Government's response to the concern expressed in Committee.

Mr. John Townend (Bridlington): I strongly support the amendment which gives some transitional relief to individual investors and I thank the Government for that concession. However, it does not deal with the important point of principle at issue here. It is very much like an EC derogation for several years in that it dulls the pain in the short term but it hits one in the end.

The proposal eventually to do away with the indexation of losses is wrong in principle and illogical and I question the motives that made the Government introduce it. As I understnad it, it was introduced at the request of the Inland Revenue in order to stop tax avoidance.

When capital gains tax was set at the internationally high level of 40 per cent., it was argued that that was acceptable as the taxpayer would not pay tax on inflation. That was achieved by allowing the taxpayer to index the cost price of the asset. That was symmetric. It did not matter what happened in the future; the cost price of the asset was adjusted to cover for inflation.

The Government are now trying to make that asymmetric in that the cost price will be adjusted only if a profit is made in the future. The cost price will not be adjusted if a loss is made. That means that an individual's portfolio of shares will no longer be protected against the ravages of inflation. We are breeching an important principle there.

As for the reason given by the Inland Revenue—that the amendment will deal with people who are avoiding tax by complicated means—stopping indexation for everything and everybody is taking a sledgehammer to crack a nut.

I strongly support the efforts of the Treasury and the Inland Revenue to stop artificial schemes and avoidance, but, with due respect to my colleagues on the Front Bench, on this occasion the Inland Revenue has been idle. It has been too idle to draft the necessary clauses to deal with avoidance, so everyone will suffer.

I found the estimated cost of the Government not taking such action rather suprising. The total yield of capital gains tax is £1.2 billion a year, yet the Government are talking about a cost of up to £3 billion a year by the year 2000. I understand that that is partly because the capital gains tax figures relate only to individuals, whereas capital gains tax applies also to companies, but I am told that indexation of losses is expected to cost £1 billion with regard to individuals.

If those figures are not grossly exaggerated, it means that the Government consider that, during the next few years, inflation will rise dramatically, otherwise I cannot see how the estimates can be anything like accurate.

We welcome the concession, but will the Government think seriously by the next Budget and try to bring back some equity? For example, I see no reason why they cannot continue the transitional proposals on a long-term basis and for the individual allow indexation of losses of up to £10,000 a year in perpetuity. That would protect the legitimate small investor. The Government should look at the matter again because there is an important matter of principle here.

Mr. Dorrell: Of course the Government concede that the proposal included in my right hon. and learned Friend's Budget departs from the intellectual symmetry of the Lawson reforms of 1985. That is self-evidently true, as I made clear in Committee. We feel that it is right to depart from that intellectual symmetry because, although we can see the intellectual rigour of the approach taken by my noble Friend Lord Lawson, experience has taught us that the loss indexation provisions introduced by the 1985 legislation open substantial opportunities for tax planning and avoidance in a way that undermines the yield of capital gains tax.

Although it is easy to see the attraction of the Lawson approach, we cannot be blind to the fact that, although capital gains tax systems applied by many other OECD countries provide indexation, there is no example anywhere in the OECD of a country that has successfully allowed indexation of losses.

Mr. Nicholas Brown: I am grateful to the Financial Secretary for repeating that important point, which he made in Committee with telling effect. Will he explain why it took the Government eight years to discover it?

Mr. Dorrell: The Government are still attracted to the intellectual rigour of my noble Friend's case. If it had been possible to design rules for operating a symmetrical approach to indexation without undermining the tax yield, we would of course have preferred to go down that road. Experience of the operation of the principle in practice taught us that that is not possible.

Before the hon. Gentleman leaps to his feet and says that the new schedule is another example of the Government acting too little, too late to close a major loophole, I remind the House that the major impact of the indexation provisions on yield is building all the time.

Our projections of the long-term effect on yield extend to the end of this decade not because—to answer my hon. Friend the Member for Bridlington (Mr. Townend)—we expect inflation to recur in the interim, but because the tax planning steps taken by some companies almost immediately, as it appears, after my noble Friend sat down after making his Budget speech in 1985 will have that much longer to mature. It is not the effect of inflation between now and 1998 that is the key, but the cumulative effect of provisions put in place and of tax planners and practitioners climbing the learning curve and exploiting new opportunities for relief. In Committee, I gave a couple of examples of new ideas that are being pursued in both the corporate and—this is important—individual sectors.

My hon. Friend the Member for Bridlington asked why we had not made serious proposals to address abuses directly rather than undermine the principles of the Lawson reforms. As I said, we would have preferred to have made such proposals but concluded that none of the methods that we examined could be made to work. I am encouraged in my view that we have not been idle, to use my hon. Friend's word, because most of the ideas that we considered were put to us by outside bodies wanting to argue the case, and none seemed to us to pass the test of addressing the abuse while not undermining the principle of indexation. It is not just us who have been idle, but the lobbying groups that sought to argue the case to us.

Mr. John Townend: It seems difficult to believe that the avoidance will be so successful, particularly in respect of individuals, that a tax yielding £1.3 billion would, after several years, yield only about £0.3 billion. That stretches the imagination.

Would not most of the avoidance be covered if we exempted private investors? Most artificial tax avoidance schemes are carried out by limited companies.

4.30 pm

Mr. Dorrell: My hon. Friend is right that some of the best developed examples occur in the corporate sector, but I gave the Committee the example of the capital-certain bonds being developed in the City, the purpose of which would be to fall just the wrong side of the qualifying corporate bond rules so that they figured in capital gains tax. Loss indexation would be available to them, but they would in practice be capital-certain. People would therefore have the interest on the bond and the indexation available on the capital value of the bond, which value would be virtually certain.

Of course it is true that we could have changed the detail of the qualifying corporate bond rules in order to catch a particular bond issue being marketed by a particular house; but that illustrates the sort of opportunity that exists to develop a product whose purpose would be to offer the individual investor the twin gain of a current interest return and protection against capital gains elsewhere in his portfolio. The list that I gave the Committee was not intended to be exhaustive—it was merely indicative of the sort of product that we know is being developed in the City to exploit the rules, not in the corporate sector but in the individual retail sector.

My hon. Friend the Member for Bridlington asked me for an assurance that we would continue to think seriously about the future of CGT, and I am happy to give him it. As I told the Committee, the Government are engaged in a full dress review of the flow of funds through the economy and of how the tax system, among other things, impacts on the availability of finance for industry. One does not need to look far into the system to understand that capital gains tax exerts an important influence on the availability of capital to the wealth-creating sector.

As I said in Committee, it is no part of the Government's case that CGT is a part of the tax system that cannot be further improved. I offer my hon. Friend the assurance that we shall continue to think seriously about the future of CGT as part of the tax system. In the meantime, I believe that we have little choice but to introduce the abolition of loss indexation relief, as provided for by clause 93. I am grateful for my hon. Friend's welcome for the transitional provision that we have tabled.

To answer the hon. Member for Newcastle upon Tyne, East, this in no sense undermines our commitment to the abolition of loss indexation relief. There was a certain inconsistency between the hon. Gentleman's argument and the arguments advanced by the right hon. Member for Berwick-upon-Tweed (Mr. Beith)—

Mr. Nicholas Brown: We are members of different parties.

Mr. Dorrell: Indeed, but the hon. Gentleman and the right hon. Gentleman cannot both be right. The one says that we have lost confidence in our proposals; the other says that we are sweeping away the fundamental reforms introduced by Lord Lawson. On this occasion, I side with the right hon. Member for Berwick-upon-Tweed, although not with any enthusiasm because I respect the intellectual symmetry and appeal of Lord Lawson's original propocal. But I have to conclude that we have tried it and it does not work.

Mr. John Townend: Will my hon. Friend deal with my first point? How does he explain that a tax that yields only £1.3 billion from the personal sector—if nothing is done —will decrease by £1 billion in two or three years' time? That suggests that everyone will have a tax avoidance scheme—such projections stretch the imagination.

Mr. Dorrell: The figures on which the £3 billion yield were based anticipated the yield from capital gains tax and from corporation tax on capital gains, by the end of the decade, as being about £4.5 billion. We anticipated that virtually all the tax from the corporate sector would by then be at risk, and roughly half the tax from the individual and trust sector would be at risk, as a result of the sort of tax planning devices that I have described. It was the application of those two principles to the underlying anticipated yield of £4.5 billion that left us with £3 billion missing and £1.5 billion still coming in.

Amendment agreed to.

New clause 1

PREMISES FOR THE PROVISION OF CHILD CARE

"The following section shall be inserted after section 14 of the Capital Allowances Act 1990—

"14A (1) Where a building or structure which is not an industrial building or structure is used by a person carrying on a trade for the provision of care for the children of workers employed in that trade, this Part shall apply to that building or structure as if it were an industrial building or structure.

(2) The writing down allowances within section 3 which are made to a person by reason of subsection (1) above are not to exceed £10 in aggregate for a chargeable period.

(3) In this section-'care' means any form of care or supervised activity whether or not provided on a regular basis, but excluding supervised activity provided primarily for educational purposes; 'children' means person under the age of eighteen.'".—*[Ms Harman.]*

Brought up, and read the First time.

Ms Harriet Harman (Peckham): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): With this, it will be convenient to discuss also the following: New clause 6—*Child care vouchers*—

[Mr. Deputy Speaker Mr. Geoffrey Lofthouse]

'.—(1) Where an employer supplies child care vouchers to an employee in qualifying circumstances and up to the qualifying limit such vouchers shall not be treated as emoluments for the purposes of section 131 of the Taxes Act 1988 or as benefits to which section 154 of the Taxes Act 1988 applies.

(2) For the purposes of subsection (1) above the vouchers are supplied in qualifying circumstances if

(a) the vouchers can be used only in paying for care for a child who falls within subsection (3) below and

(b) the registration requirement is met

(3) A child falls within this subsection if the child

(a) is a child for whom the employee has parental responsibility

(b) is resident with the employee or

(c) is a child or stepchild of the employee and is maintained at the employee's expense

(4) The registration requirement is that

(a) the premises on which the care is provided are registered under section 1 of the Nurseries and Child-Minders Regulation Act 1948 or section 11 of the Children and Young Persons Act (Northern Ireland) 1968 or

(b) a person providing the care is registered under section 71 of the Children Act 1989 with respect to the premises on which it is provided

(5) For the purposes of subsection (1) above the qualifying limit is

(a) in the case of each child who is under the age of six years and is not in full time education, £75 a week

(b) in the case of each other child under the age of 16 years, £30 a week.

(6) In this section, "care" and "parental responsibility" have the same meaning as in section 155A of the Taxes Act 1988.'.

New clause 7—*Child care and the self-employed*—

'.—(1) Notwithstanding section 74 of the Taxes Act 1988, in computing the amount of the profits or gains of an individual to be charged under Case I or Case II of Schedule D a deduction may be made for the cost up to the qualifying limit of care for a child who falls within subsection (2) below if the registration requirement is met

(2) A child falls within this subsection if the child

(a) is a child for whom the individual has parental responsibility

(b) is resident with the individual or

(c) is a child or stepchild of the individual and is maintained at the individual's expense

(3) The registration requirement is that

(a) the premises on which the care is provided are registered under section 1 of the Nurseries and Child-Minders Regulation Act 1948 or section 11 of the Children and Young Persons Act (Northern Ireland) 1968 or

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(4) For the purposes of subsection (1) above the qualifying limit is

(a) in the case of each child who is under the age of six years and is not in full time education, £75 a week

(b) in the case of each other child under the age of 16 years, £30 a week.

(6) In this section, "care" and "parental responsibility" have the same meaning as in section 155A of the Taxes Act 1988.'.

Ms Harman: New clause 1 raises a genuine anomaly in the tax treatment of employers who provide nurseries for their employees. It highlights the difference between the tax treatment of employers in factories and warehouses who provide such nurseries, and that of employers in shops and offices who do the same. It also highlights the difference between employers in shops and offices who provide their employees with sports facilities and those who provide nurseries: the latter do not receive the same tax concessions as the former. The new clause also deals with the important question of child care, giving us an opportunity to examine the current position and to demand action from the Government.

Nothing less than a social and economic revolution has taken place in this country over the past couple of decades. The patterns of both family life and work have changed. A typical employee used to be a man working full time, expecting to work full time from the moment when he left school to the moment when he retired at 65, and assuming that, throughout that time, he would be supported by a non-working wife caring for their children at home.

Now, however, there is no set pattern of family life, and families come in all shapes and sizes. Two specific trends are discernible: more families are headed by lone mothers, and there are fewer extended families. Granny is less likely to be on the scene.

The revolution has extended to the workplace. Women now constitute half the work force. It cannot be said often enough that public policy must catch up with the revolution in the labour market and the world of work, and its effect on the economy. Women's work is essential to the economy, as women now work in all regions of the country and in all industries; however, it is also essential to the family budget. Women are working not just for themselves, but for their families and the economy as a whole.

There has also been a revolution in women's educational qualifications. Women now have educational qualifications equal to those of men when they leave school, college or university—not necessarily in the same subjects, but investment in the education of girls and women now equals investment in that of boys and men.

A new army of women has joined men at work—and most of those women are mothers. The Government, however, have failed even to ask themselves, let alone answer, the question that every working mother must ask herself: who will look after the children? As far as we can see, there is no public policy on child care—no public policy to match the revolution that has taken place at home and at work.

The Government have simply turned a blind eye to the needs of the children of working mothers; parents have been left to fend for themselves, and for most working parents the care of both pre-school and school-age children is a headache.

I make it absolutely clear that, although we are talking tonight about children aged under five years, we are talking also about school-age children. It is not as though, once children start school at the age of five, the problems are solved for working parents. We should think about all those in-service training days when working women are tearing out their hair, and think of the school holidays, and of half term. School is not child care, and it does not solve the problems of working parents.

I hope that, when people worry, as they are right to do, about children being stuck in front of videos, they also ask themselves what the connection is between the debate about children spending too much time watching videos and the debate we are having today about the lack of facilities for school-age and pre-school children.

With women now entering the labour market and making up half the total work force, the result has been a huge increase in the demand for child care. The southern European countries—the Mediterranean countries—by and large still have a well-developed extended family network. Therefore, child care needs can be met to quite a large extent by aunts, great aunts or grandmothers. That is no longer the case in most communities in this country.

The northern European countries meet the demand for child care by providing day nurseries, nursery schools and classes, and through out-of-school provision. Many of those countries also have a more stable extended family network than we have.

In the south of Europe, there are extended families as well as many well-developed child care systems, and in the north there is good child care provision as well as extended families. But what do we have in this country to support the children of working parents when we do not have the extended families or child care?

The demand for child care is increasingly being met, not by an increase in the number of nurseries—which would be the first choice of many parents—but by an increase in the number of child minders. I have obtained some figures through answers to parliamentary questions. Between 1982 and 1992, the number of places in local authority day nurseries fell. What an indictment that is. There has been an unprecedented increase in the number of women going to work, yet there has been a fall of 4,500 in the number of places in local authority day nurseries.

The really big increase in child care provision has been in the number of child minders. More than a quarter of a million children are now cared for by child minders—an increase of more than 150,000 in the last 10 years. The lack of child care provision and the increase in the number of women in the work force have resulted in an increase in demand for child minders which has been met by an increase in the number of child minders.

For many—especially those with very young children—that is the preferred form of child care; but for more it is not. The number of children cared for by child minders has grown by more than 150,000 in the last 10 years. But for most of those parents, child minders are simply the only available option or the cheapest option; they are not necessarily the first choice of the parents or of experts examining the child care situation.

In the past, the child of a working mother was more likely to be cared for in a nursery. During the war, when the men went off to fight and the women worked in industries such as the armaments industry, the response was to ensure that nurseries were available for the children of working mothers. But there has not been a similar response to the current influx of women entering the work force. A network of nurseries has not been established today as was established during the war, when an equal number of women worked.

4.45 pm

As women have entered the work force, child care has been privatised and fragmented, with the need met by private nurseries. There has been an increase in the number of private nurseries, although there are still very few places available in private nurseries. Only 91,000 children have places in private nurseries, compared with the quarter of a million children who are cared for by child minders.

Often, the reason why children are cared for by child minders rather than in a private nursery—the two alternative forms of private child care—is the cost of private nurseries. The Government's own figures show that it can cost up to £150 per week for a private nursery place.

In our view, it is wholly unsatisfactory that a major public policy shift has taken place with no parliamentary debate or public discussion. I should like to hear the Minister's reaction to these issues. Does he think that it is satisfactory that parents have no choice of child care, and that many can only afford a child minder? Does he think that a nursery place should be a viable choice? Does he think that a public policy issue is involved here, or is it simply a matter of parents who work fending for themselves?

I look forward to the Minister's response to these questions. I hope that he will not say that it is a matter for his colleagues in the Department of Health, the Department for Education or the Department of the Environment. I can tell the Minister that each one is saying that it is a matter for the other. As the Minister is in the Chamber, perhaps we can hear from him the Government's response to this important economic issue.

Every Minister I have asked for information about the child care strategy has given a different answer. There have been different answers because there is ambivalence about the issue of what child care provision there should be for the children of working mothers. There is a similar ambivalence about nursery provision.

We have seen the Government going hither and thither in their approach to nursery education. On 14 November, last year *The Sunday Times* said that the Secretary of State for Education was ruling out universal nursery education and dismissing it as too expensive. He said:

"We haven't got any money. We are in a difficult public expenditure round."

Ms Angela Eagle (Wallasey): Would my hon. Friend agree that that kind of argument is very short-sighted, as keeping mothers who wish to work on benefit does not save the taxpayers money? It means that mothers are stuck on benefit and are not making a contribution to the tax revenue, which they would be making if they could afford to work because they had access to affordable child care.

Ms Harman: My hon. Friend is absolutely right, and I hope to return to that issue.

Without a nursery place, many parents—particularly single parents—are dependent upon benefits and cannot go out to work. That is quite apart from the fact that research shows that nursery education benefits children, and therefore should be seen as a long-term investment in children's futures.

Although in November the Secretary of State for Education ruled out nursery education for children as too expensive, and said that it was not possible because the Government had a "difficult public expenditure round", a month later, on 23 December, the Prime Minister changed the tune. He said that it was the Government's intention to move to universal nursery education. He added—we have been making the point for years—that the United Kingdom compares poorly with the rest of Europe in terms of child care, with only half our three to four-year-olds in nursery education, compared with 99 per cent. provision in France and 96 per cent. provision in Belgium.

On the one hand, we can see the ambivalence of different Secretaries of State, Ministers of State and Government Departments about nursery education and women at work, but the Chief Secretary to the Treasury gave the game away when he said that the provision of public services sapped parental responsibility. He was saying that any public provision somehow confiscates the responsibility of parents, but he failed to recognise that, with the help of proper public provision of child care services, many parents who want to go out to work but who

[Ms Harman]

are at the moment stuck on benefit and living on income support could be financially responsible for themselves and their children if child care provision was available.

The Chief Secretary was in effect saying, "They're your children; you had them, so you look after them. They are absolutely nothing to do with us." We believe that, of course, children are primarily the responsibility of their parents—no one would have it any other way—but the community as a whole has an interest in the well-being of our children and their preparation for adult life.

We all have an interest in children growing up to be adults who are, in the Prime Minister's words, "at ease" with themselves and able to take on adult responsibilities. The Government's attitude—"They're your children; they are nothing to do with us, so why are you even asking us about child care?"—is short-sighted.

When the Government have reluctantly taken action on child care, it has always been characterised by two features: it has been short-term—"here today, gone tomorrow" initiatives—and fragmented. We need not pump priming but a long-term strategy. When the Government have been pressed and felt it necessary to issue a press statement on child care, they have set up a pump-priming initiative.

I do not know whether hon. Members remember the under-fives initiative set up in the 1980s, which was to last for two years. What happened to it? In the 1990s, grants via training and enterprise councils seem to be the fashionable way of affording the Government the opportunity to issue a press release, but there is no long-term strategy to deliver a national child care programme. What is lacking is not pump priming but a long-term strategy.

Child care should be regarded as part of the economic infrastructure, as important in getting women to work as the roads and railways on which they travel to work. Like other infrastructure projects, child care needs a long-term, strategic approach. Such an approach would match not only the demands of the economy but those of parents. Although the patterns of women's employment may be fragmented and changing, the needs and demands of their children are not. Their children need continuity and certainty.

If a mother gets a training place for six months, it is not good enough to offer her child care for six months at the local TEC. The child will just be settling in when it will be time for the mother to take him out of the nursery because she is looking for a job. She will have to make temporary arrangements for the child while looking for work and, if she gets a job, she will have to make other arrangements for the child to be cared for while she is at work. If she is on one of the increasing number of short-term contracts, what will happen to her child care when the contract comes to an end?

There is no set pattern for women's employment. The fact that women now form half of the work force does not mean that they are working according to the pattern to which men used to work. A woman might work full-time or part-time; she might be out of the labour market for a while and then retrain and return to part-time work and then to full-time work. The point is that, although a mother's pattern of employment might be changing and fragmented, her child needs continuity and certainty, and child care cannot be fragmented to mirror the fragmentation of the new labour market.

Does the Minister believe that child care is part of the economic infrastructure and not a matter for individual parents, or does he believe that it is a private matter that can be left to parents alone?

Mr. David Willetts (Havant): The hon. Lady says that she does not want a fragmentation of the labour market, with women moving from one job to another leading to their child care also being fragmented. Why, therefore, is she advocating a change that specifically ties tax relief to the place of employment?

Ms Harman: The hon. Gentleman has not read the new clause carefully enough. It would also provide more favourable tax treatment for employers who undertake joint ventures with local authorities. We have greatly welcomed that growing trend, which Labour councils have pioneered.

For example, when giving planning permission for a new Sainsbury store to be built, the council and the company embark on a joint venture to build a nursery there. When that happens, we believe that the employer should get the same tax relief on the nursery buildings that it would have received had they been a warehouse or factory.

We are making two points. First, there is not enough child care. We need more, and we want to encourage it wherever we can. Secondly, we have to ensure that it is of high quality and embodies certainty and continuity.

Does the Minister believe that child care is an economic issue about which his team is concerned, or does he believe that it is solely a private matter that can be left to parents?

Mr. Dorrell: I am happy to respond to the hon. Lady. Of course it is true that child care is an economic issue, and I should like the hon. Lady to expand a little on that point. She said that we need a national child care strategy, and her hon. Friends support that proposition. Is she committing her party to a such a strategy? If so, would she be responsible for it, or would the shadow Department for Education? If she were to be responsible for a national child care strategy, what would be its shape?

Ms Harman: We have made it clear that we believe that working parents with young children should have a choice of child care. We also believe that the Government have a role to play—they must take the lead. I shall deal with the Minister's point a little later.

We certainly do not think that child care provision is entirely a matter for public finance, although it is a crucial aspect of public policy. It is not only the Government who will foot the bill, although they must play their part. The Government must take a lead in galvanising the willingness of parents to chip in and pay some of the cost and to galvanise the willingness of employers to invest.

There is a readiness to act, but the Government must take a lead to ensure that we have a national child care strategy. The Minister should examine what Labour councils have been able to do, and I shall deal in a moment with what the Government are saying about council provision.

Mr. Dorrell: The hon. Lady has conceded that child care provision is not purely a matter of public finance. I therefore do not understand why she is dismissive of

developments in the infrastructure of child care in the private sector, such as private registered day nurseries. Why is she so dismissive if she accepts that child care does not have to be wholly publicly funded?

Ms Harman: I am not dismissive of the increase in child care over the past 10 years, but I am making two points. First, the increase in child care has in no way matched the increase in the number of young children whose mothers are at work, what we call the "child care gap". Secondly, parents do not have a real choice of child care, often having to go for the cheapest option. That is why I believe that there should be a public policy on child care, and a national child care strategy. It is not good enough for the Minister to conclude that there appear to be more child minders, so everything must be fine. "Look," he says, "there appear to be more private day nurseries, so there we are, it is all happening."

The important fact is that we do not have a proper strategy that ensures choice and high-quality affordable child care.

Mr. Dorrell *indicated dissent.*

5 pm

Ms Harman: The Minister appears to think that the Government do have a strategy. He clearly does not understand that, all over the country, working mothers, who are doing a good job, contributing to the economy and to their family budgets, are tearing their hair out because of the lack of child care provision, and because of the expense and the variable quality of the care that is available.

As the Prime Minister hesitatingly acknowledged last December, in other European countries Governments have recognised the importance of child care and nursery provision. But Britain is at the bottom of the European nursery league table. Why should Britain's children be Europe's poor relations? I should like the Minister to respond on that point.

The Minister said that he believed that there was a strategy, and that the Government recognised that child care is part of the economic infrastructure. I am delighted to know that he thinks that there is a strategy. Perhaps he would discuss it with some of his colleagues in other Departments.

I have addressed several parliamentary questions to all the Departments, and when we put all the answers together, it becomes clear that there is no coherent strategy. There is inadequate information about how much money is spent on child care and nurseries, and about the number of places. I asked all Departments to make statements both about child care for their own staff and about the contributions they make to other child care and nursery services.

The Department for Education, which is responsible for nursery education, said nothing about its strategy. The Department of the Environment, which provides resources to local authorities for under-fives provision and out-of-school care, said nothing whatever about child care strategy. The Department of Employment, which provides resources for out-of-school care, could not say anything about a child care strategy, either. The Department of Health, which has overall responsibility for child care, said nothing about the importance of child care for working parents.

Four of the Departments that provide child care for their own staff—the Departments of Health, of the Environment, and of Employment, and the Treasury—said nothing about the strategy behind that provision. Clearly it is tacked on, with no coherence.

There is also a lack of information about what spending there is, and what it contributes to. The Department for Education does not know how much local education authorities spend in total on the under-fives. That is extraordinary. The Department of Health does not know how much local authorities spend on child care for the under-fives. The Department of the Environment knows how much is given to local authorities but not how much is spent, and the Department of Health does not know how much is spent on nursery provision in the national health service.

There is also a lack of information about child care places. The Department of Health could not provide overall figures for child care provision, because the figures for day care and for nursery schools and nursery classes are collected on a different basis. The Department of the Environment did not know how many child care places were provided by local authorities.

The Department for Education provided figures for under-fives in nursery and primary schools, but of course those include the rising-fives, who are already in full-time schooling. The Department does not provide figures for under-fives in nursery schools and classes. The Department of Health does not know how many child care places there are for NHS employees.

Mr. Nigel Spearing (Newham, South): Is my hon. Friend aware that this morning I received a written answer from the Department for Education about the statistics for provision for the under-fives? That answer, which is recorded at column *379* of yesterday's *Hansard*, admits that, on the due date, there could be double counting of children who may attend both playgroups and nursery classes during the same year. So the statistics that the Secretary of State for Education constantly bandies around are open to question.

Ms Harman: Yes, I noted my hon. Friend's question, and the information he received in reply to it makes an important contribution to the debate. It proves that there is no determination to find out what is going on, what is working and what is not working, so as to build on best practice and take things forward. The Government seem to be collecting whatever figures they can to show themselves in the best possible light, without any concern about what is really happening on the ground, and whether that represents a proper national child care strategy.

The situation is a shambles. Working mothers and their children are being let down, and the child care deficit is growing all the time. Since 1984, there has been an increase of more than 600,000 in the number of children under five whose mothers go out to work. Yet during those 10 years, there has been an increase of less than 300,000 in places with nurseries, child minders and playgroups; and, as hon. Members will know, much of the provision counted in with the 300,000 extra places is not provision for working parents.

Playgroups provide an invaluable service, but most people recognise that many cannot be counted as child care for working parents. The same goes for nursery education. Nursery education is vital, and we want all parents who feel that their child can benefit from it to have a chance of a place in a nursery school or nursery class for that child.

[Ms Harman]

However, such places often cannot constitute child care for working parents. The official increase of 300,000 over-estimates the increase in provision for working parents.

Many more mothers, especially lone mothers, would come off benefit and go out to work if child care were available. But the increase in child care nowhere near matches the increase in the number of mothers already going out to work, let alone the number who want to work but are prevented from doing so by the lack of child care.

The Government's own figures show that 90 per cent. of lone parents currently out of work, who are claiming benefit and bringing up their children on income support, want to go out to work, but lack of child care is a major obstacle for them. If we examine the map of participation of lone parents in the work force and the map of child care provision, we see that, in the countries that have developed child care, there is much more participation of lone parents in the work force.

Instead of Ministers moaning about single parents claiming benefits, let them listen to the demands of single parents. Single parents want to go out to work and to be able to provide for themselves and their families, but the lack of a Government national child care strategy prevents them from doing so and keeps them in forced dependency, bringing up their children on the breadline.

It is not only the Labour party and other such organisations that recognise the child care gap, and the importance, both present and future, of child care. Howard Davies, the director general of the Confederation of British Industry, speaking at an employers' conference called Working for Child Care, described the position accurately:

"Clearly, the demand for affordable, good quality childcare is greater today even than it was at the beginning of the 1980s. It is a demand which is not being met by the current supply of child care provision."

Sometimes, the Government say that there has been a great increase in council provision of nursery education, so everything must be fine. However, we should recognise that, in so far as we ever hear Ministers boasting about nursery schools and classes, they are talking about Labour councils, which provide nursery places not because of the Government but in spite of them. The Government continually claim the credit for the child care and nursery provision that exists, but it is Labour councils that should receive that credit. Conservative councils have followed the Government's lead and lagged far behind.

According to Government figures, of the 40 best local education authorities in providing places in nursery schools and classes, 34 are Labour, just two are Conservative, one is Liberal and three have no overall control. The message is absolutely clear: on the ground, local Labour councils are working with employers to provide more nursery places, they are providing more nursery education schools and classes, and they are trying to help. Without the Government taking a lead, it is difficult, and is bound to remain patchy.

Against the background of a growing child care gap, the very least that the Government could do is seriously examine the anomalous treatment of employers who provide workplace nurseries or enter into joint ventures with councils to provide workplace nurseries.

The system works as follows: the Capital Allowances Act 1990 makes a distinction between capital expenditure on plant and equipment and capital expenditure on buildings. All companies are allowed to claim capital allowances on plant and equipment, no matter what sort of employer they are—shop, office, warehouse or factory.

That means, among other things, that any expenditure they incur for fixed equipment associated with nurseries is allowable against tax. On the other hand, expenditure on buildings is covered by a different set of rules. The industrial buildings allowance is restricted, as the name suggests, to factories and warehouses. Other types of premises, principally offices and shops—where women are largely employed—receive no allowance at all against corporation tax.

That distinction also applies to premises built to provide workplace nurseries. Therefore, workplace nurseries attached to industrial buildings qualify for the buildings allowances, but those attached to other types of building do not. Capital expenditure falling under the Capital Allowances Act is deemed to include investment not only in wholly owned ventures but in joint projects. The tax rules that I have described therefore also apply to instances when companies enter into agreements to provide workplace nurseries, either with other companies or with local authorities.

It is clearly anomalous that employers whose businesses are based in offices or shops and who wish to provide workplace nurseries should receive less favourable treatment than industrial employers when providing nurseries for their employees. Obviously, there is a more general argument about the need to discourage excessive office building, but it cannot reasonably be applied to a situation in which either an office building already exists or where the decision to build has already been made and the question is whether a workplace nursery should be included.

The tax rules already provide one exception—for company sports and recreational clubs which qualify for the industrial buildings allowance even when they are attached to an office or a shop, irrespective of the nature of the employer's business. Women who work in offices and shops will think that it is wrong that, if their employer provided them with a workplace nursery, they could not claim tax relief against the buildings, whereas, if they worked in a warehouse or a factory, they could.

Certainly, women who work in offices and shops and who realise that the buildings qualify for tax relief if their employer provides sports facilities, but not if their employers provide nursery facilities, will think that it is wrong. It only leaves us all wondering why sports facilities qualify for tax relief and workplace nurseries do not. I hope that it is not because there is more interest among men in sports and more interest among women in child care.

Our new clause simply extends the industrial buildings allowance to all companies which invest in workplace nurseries, either on their own or jointly with councils. That will provide an incentive to employers to construct their own workplace nurseries, to go in with other companies to provide joint nurseries, or to enter into partnership with local authorities to extend provision for child care.

The new clause has attracted the support of the employers' organisation Employers for Childcare, which has said that the different treatment in tax relief of sports facilities and workplace nurseries and of shops and offices as opposed to industries and factory premises was

"another example of the inconsistency which exists in the field of childcare provision . . . It is a further demonstration of the need

for the Government to undertake a full review of the situation in Britain today. Employers for Childcare believe that this is an essential first step in developing a coherent national strategy to offer accessible, available, affordable, quality childcare services for all."

I should like to hear the Minister tell us how the Government justify those anomalies. How can they allow tax relief for sports clubs, but not for nurseries? How can they justify relief for nurseries attached to factories and warehouses, but not for nurseries attached to offices and shops?

5.15 pm

The new clause is merely a probing clause, but it probes an important point. The Government have a history of tax treatment in child care. For many years, we argued that taxation should not be in the hands of the employee for the employer's contribution to workplace nurseries. When that issue arose in the House of Commons in 1989, the then Chief Secretary to the Treasury, the right hon. Member for Kingston upon Thames (Mr. Lamont), said, putting the straightforward, free-market view:

"if married women want to work and if employers want to employ them, the market will work and employers will pay the necessary wage to encourage married women to return to work." —[*Official Report*, 11 July 1989; Vol. 156, c. 892.]

However, a year or so later, the Prime Minister, who was then Chancellor, slightly changed his mind when he said:

"I have decided to exempt the value of workplace nurseries and playgroups from taxation as a benefit in kind."—[*Official Report*, 20 March 1990; Vol. 169, c. 1023.]

He said that it was a small, but important, supply-side measure.

Although we shall vote on the new clause, unfortunately we do not necessarily expect the Government immediately to see the light, but we are hopeful that as the arguments are put the penny will drop and the Government will recognise it as an important public policy issue.

Women's entry into the labour market and the new family patterns needs to be recognised in public policy. The demands of the economy and of working mothers are the same. We need a national child care strategy that aims to see that parents have a choice of provision—child minders and nurseries for pre-school age children and provision for school-age children.

Not all the investment in child care needs to come from the Government. Employers and parents may play their part, as will local councils. Unless the Government take a lead, it simply will not happen.

Mr. Willetts: The hon. Member for Peckham (Ms Harman) speaks rather more confidently and certainly at greater length on child care than she does on taxation. Her speech concerned a subject with which she appeared to have rather more familiarity than the subjects that she addressed in her performances in Standing Committee.

The principle of greater choice and diversity in child care is one that, of course, we on the Conservative Benches completely support. I should like to draw the attention of the House to some of the practical problems in the approach set out by the hon. Lady.

I thought that the Labour party had some concern about the distribution of income and wealth. One of the great difficulties in trying to provide extra tax relief for working women is that, by and large, it would benefit two-earner couples. We cannot speak with enormous confidence about patterns of income in the country, but one thing of which we may be sure is that, by and large, two-earner couples are not at the lower end of the income scale.

Ms Eagle: Does the hon. Gentleman recognise that new clause 1 deals with capital allowances and that my hon. Friend the Member for Peckham (Ms Harman) was talking about the provision of child care, not tax relief for child care?

Mr. Willetts: The speech of the hon. Member for Peckham covered most aspects of child care. The new clause specifically concerns capital allowances, but the hon. Lady ranged widely in her comments and I do not see why Conservative Members should not range as widely.

Assistance that is focused especially on working women is likely to be of particular benefit to two-earner families, who, generally, are not at the bottom of the income scale. Poverty among families is concentrated in one-earner or zero-earner couples. They are unlikely to be the families that will benefit from the measures that have been set out by the hon. Member for Peckham.

That outcome seems not to interest the Labour party, which is supposed to be especially concerned—we are used to its ritual denunciations—about widening gaps in the income scale. Its lack of interest is rather odd.

The argument of the hon. Member for Peckham seems to rest on the assumption that the only women who have an interest in child care are those who want to go out to work. It is equally important that women who are working but not in paid work—those who are at home with their children in one-earner families—should be entitled to benefit. That argument is even stronger, of course, for zero-earner families. The new clause is remarkably narrowly focused on families that are likely to be at the upper end of the earning scale.

It is strange that a significant measure which was announced by my right hon. and learned Friend the Chancellor of the Exchequer in his Budget statement has not been referred to by the hon. Lady. That, of course, is the extension of family credit to provide a new disregard to help single parents especially, but other low-income working families as well, with their child care costs.

Ms Hilary Armstrong (Durham, North-West): Does the hon. Gentleman acknowledge what was acknowledged eventually in parliamentary responses from Ministers, which is that the poorest people on family credit will not benefit from the Government's proposals? That is because they already receive the full amount of family credit. People will be able to receive the benefit that he is talking about only if they are currently receiving an extremely small amount of family credit and can therefore reach the maximum by claiming the extra benefit. There will be nothing like the quality of benefit that the Chancellor hinted at when he presented his Budget. As the facts have emerged, it is clear that very few people will benefit, and only those who are at the bottom of family credit.

Mr. Willetts: I am surprised by that intervention. There will be a disregard for costs incurred in buying child care.

Mr. Dorrell: My hon. Friend is right to be surprised by the argument advanced by the hon. Member for Durham, North-West (Ms Armstrong) because she is wrong. The fact is that 150,000 families will gain as a result of the

[Mr. Dorrell]

change announced by my right hon. and learned Friend the Chancellor on Budget day. I cannot believe that even the hon. Lady regards that as an insignificant number.

Ms Armstrong: The gain will be fragmented.

Mr. Dorrell: The hon. Lady might describe it as fragmented, but it will be targeted—that is the word that I would use—at those who need assistance.

Mr. Willetts: I am grateful to my hon. Friend for his intervention.

There will be a disregard for the costs of child care, which will help many of the families in receipt of family credit. It is particularly well targeted because it will help low-income working families. One of the ironies of family credit is that the beneficiaries generally fall into two categories, which may be at the opposite ends of the spectrum of family life styles. One of the main groups of beneficiaries is single parents who have low incomes but are in work. They will benefit, as my right hon. and learned Friend the Chancellor made clear in his Budget statement.

The other significant group of recipients of family credit is one-earner working families where the mother is not in work but is likely to be at home looking after the children. They similarly will benefit from the assistance. It seems to be well targeted in terms of income and tolerant of the diversity of families.

Ms Harman: Will the hon. Gentleman recognise that, even if the Government's target is met and about 50,000 women who are now on income support go out to work and claim family credit, there will be many more low-paid women who as a result of the tax changes set out in the past two Budgets will find themselves out of work and on income support? That will happen because tax increases, by virtue of the freezing of personal allowances and the freezing and cutting of other allowances—and especially increased national insurance contributions—make it more expensive for people to go out to work. That will hit low-paid women, many of whom will find that it is no longer worth their while to go out to work. They will find instead that they are better off on benefits. The hon. Gentleman is talking about those women who will go off benefits and enter the labour market, but will he recognise that probably double their number will go out of work because of tax increases and will return to benefits?

Mr. Willetts: The hon. Lady is assuming that many women go out to work only if their income is entirely exempt from taxation and national insurance contributions. Surely that is not a reasonable basis on which to plan any sensible approach to taxation. She is saying that as soon as they find themselves brought within the income tax net they will find that they no longer have an incentive to go to work.

One of the difficulties of financing public expenditure with taxation is that tax increases bring more people into the tax net. I accept that that is a consequence of the measures that were announced in the Budget. The alternative—not taking measures to reduce the public sector borrowing requirement—would have been far worse.

I move on to another approach to the proposals set out in new clause 1 and in the new clauses that have been tabled by Liberal Democrat Members. The hon. Member for Peckham said that a large amount of child care is informal: much of it is provided by relatives and friends. The statistics are dramatic. They show that 65 per cent. of mothers in full-time work use as their main provider of child care the husband, the grandparents or other relations. It seems that 87 per cent. of mothers in part-time work choose above all members of the family to provide child care.

We all know about the painful and difficult negotiations that are involved. We suddenly become remarkably keen on our in-laws. We find ourselves negotiating complicated arrangements to try to get child care help provided. It is not fair to regard it as evidence that everyone would rather have formal, institutionalised child care provided by the employer or in another structured setting, and that we have informal arrangements because of the failure of individuals to obtain the institutional arrangements that they would prefer.

On the contrary, informal arrangements are often the pattern of child care which people prefer and with which they are comfortable. There is some interesting evidence from America. As part of their programme to help single parents, especially, into work, and as a result of the greater diversity of approach that is now permitted by federal legislation on programmes for single parents, some states have set up large funds that are aimed at helping single parents to purchase child care when they return to work. They have found that the funds are not being drawn on to the extent that they expected. That is because, lo and behold, single parents in America prefer to negotiate informal arrangements with their neighbours or with relatives wherever possible rather than rely on institutional provision.

The trouble with the new clauses is that they all favour institutionalised and formal rather than non-institutionalised and informal patterns of child care. I do not believe that that approach matches the preference of most parents in this country.

Ms Eagle: The hon. Gentleman seems to be saying that those who are lower down the income scale prefer their mothers or grandmothers to look after their children in an informal way. Presumably those who are high up the income scale and use a very institutional form of child care that is known as the public school are allowed to get away with that approach. Indeed, it is seen as a good thing. How can the hon. Gentleman account for the difference in his analysis of the social classes?

Mr. Willetts: I do not regard that intervention as a serious contribution to the debate; I hoped for something more serious from the hon. Lady.

I shall turn to another aspect of the debate. The measures proposed by the Opposition parties are entirely concerned with the demand for child care rather than the obstacles to supplying it. They are entirely concerned with trying to lower the cost for employers of providing child care or, in the case of the Liberal Democrats, to assist people to buy child care.

There is another more important aspect—the regulatory burdens under which the providers of child care find themselves. I shall quote from the experience of one lady who was trying to open a new nursery. This is an account of what she had to go through when she was opening the nursery:

"When I was setting up my nursery school it took 6 months for the Social Worker to come and see me. She made it quite clear

that the state should provide. She encouraged the two local play-groups in neighbouring villages to object to planning permission on the grounds that I would take children from them. She said only mothers with cars would be able to come as my village is small and isolated. She insisted that I must have water play and sand inside. I do think they are both important but it is not easy in a house and I have a sand pit outside and I told her that most of my children had . . . plenty of water play with mothers who played with them. She wanted more dressing up clothes and to stipulate what toys I should have."

5.30 pm

Of course, we would love to have ideal child care. We could all sit around in committees—people sat around in committees during preparation of the Children Act 1989 and the regulations that followed—trying to design ideal child care. However, the problem with designing regulations which are intended to set out a picture of the ideal is that it makes it more difficult for new providers to enter the market.

I hope that, as part of the Government's deregulation initiative, the way in which some overprotective local authorities interpret the regulations made under the Children Act, making it more difficult for new entrants to supply child care, will be examined. I also hope that local authorities—often they are left-wing Labour-controlled local authorities—which seem to be averse to granting planning permission to anyone who applies for a change of use to set up a nursery or child-care facility will be more tolerant. Instead of perpetually debating finance arrangements in the form of tax breaks or subsidies, we should also examine the obstacles that have been erected by successive Governments and local authorities which stand in the way of increasing the supply of child care.

Finally, I shall consider a few other aspects of help for child care that are focused particularly on the employer and the workplace. The book written by the hon. Member for Peckham, "20th Century Man: 21st Century woman: How both sexes can bridge the century gap"—

Ms Harman: You are in the 18th century.

Mr. Willetts: I am sorry that the hon. Lady thinks that I am in the 18th century; that is harsh, especially as I was about to say that the book is interesting. I was not proposing to descend to the same level as the hon. Lady.

The hon. Lady's analysis is interesting. She makes some valid points about the changes in the role of the sexes. No man can look at the figures that show that 75 per cent. of all divorces are initiated by women and the figures that show the amount of help that men give around the house without feeling a certain amount of guilt. The hon. Lady's analysis is interesting. In her book, she briefly discusses the question of employer-based and employer-financed child care. It is a carefully even-handed discussion. She describes some of the advantages of such child care. I quote:

"The advantage to the employer is that it creates an incentive for staff to stay. Parents will not want to move their child from the nursery unless absolutely necessary."

Although that is cited as an advantage, it seems to be an argument that cuts both ways. There are many parents who are worried about putting themselves in a position of greater dependence on their employer, as the hon. Lady appeared to recognise in her speech.

The hon. Lady goes on to discuss the disadvantages of such child care. I quote:

"Travelling to and from work in the rush hour with a young child is often difficult particularly in big cities. And children may prefer to be involved in local activities rather than far from home. For the parents, the workplace nursery can seriously impair job mobility; some feel that it is more difficult to concentrate on their jobs knowing that their child is close at hand."

As the hon. Lady has set out those disadvantages so clearly in her book, it is odd that her only practical proposal to encourage child care is one which adds further tax relief to a pattern of child care that already does especially well under the tax system as a result of the concession in the 1990 Budget which ensures that the provision of workplace nurseries is not a benefit in kind for which the employee has any liability to tax. These patterns of provision already do well under the tax system. If workplace nurseries have not sprung up in a large number all around the country, that may tell us something about the preferences and views of parents. However, it should not be taken as evidence that the tax regime needs to be even more favourable.

Some of the rhetoric that we heard earlier about strategies and national programmes for child care did not seem to take as much account as it should have done of how parents lead their lives and their child care preferences for their children.

Mrs. Diana Maddock (Christchurch): Decent child care should be a priority for all of us. It is something that we should be thinking about this year—the Year of the Family.

In this country, we have an extremely poor record with regard to child care, as has already been pointed out in the debate. Indeed, we have one of the worst records in Europe with only Portugal ranking below the United Kingdom in the provision of child care for the crucial pre-school years.

Obviously, the Liberal Democrats would like to see a wide variety of provision for children, especially those under five. We are concerned that the provision of child care must be increased. In response to the hon. Member for Havant (Mr. Willetts), let me say that we are discussing a Finance Bill, not an Education Bill.

Today, I shall talk about the new clauses that we have proposed, which extend the principle embodied in the Government's provisions for workplace nurseries. Our new clauses would widen the provision for employers to help with child care. There are some disadvantages to workplace nurseries. They are not always able to meet the needs of mothers at work, especially if they live a long way from their workplace. Regrettably, only a small fraction of child care is provided by workplace nurseries. Indeed, I regret that many workplace nurseries in London have closed down recently.

Child care vouchers are a method of administering a tax incentive and provide parents with maximum choice and flexibility. I know that during debates on previous Finance Bills there has been much discussion about the costs of the scheme. If our new clauses are passed today, many women will be able to return to work and the tax that they pay will have an effect on the total cost of the scheme. Indeed, increases in tax payments from parents who are able to return to work, together with contributions from employers and reductions associated with home-bound parents, can be shown to cover much of the increased child care costs that we are proposing. I hope that in the Year of the Family the Government will give a more sympathetic response than they have previously done.

In this country, we waste the talents and training of many women because there is no commitment to child care. Child care is one of the biggest problems for women when they wish to return to work after they have had

[Mrs. Diana Maddock]

children. Women have often been trained with public money—one thinks particularly of nurses. Women have knowledge and skills which have been gained in previous jobs over a number of years but which are often lost to offices, schools and businesses because women cannot get the child care that they need in order to return to work.

Money spent on our proposals would reap returns for the public purse through tax, and also for our businesses because they would not lose the skills and knowledge that people have built up. Businesses give many benefits in kind to their employees which are not linked to the quality of work of their employees. Many of them have no general advantage in bringing people back into work. So why are the Government so opposed to an extension of their own scheme?

In addition, our proposals would enable small businesses in particular to keep the skills of employees who wish to return to work after having children. The current statutes discriminate against small offices and workplaces. We need a more flexible response to help with child care. In recent weeks we have heard a lot from the Government about the importance of nursery education, and I welcome the fact that the Government now believe in nursery education. As I said in the House last week, when I was a councillor in Southampton some years ago I was classed as subversive and left-wing because I thought that we ought to have nursery places at work.

Ms Eagle: Does the hon. Lady agree that Conservative concern about child care rarely translates into policy? When the former Prime Minister, now Baroness Thatcher, was at the Department of Education she was on record as saying that she would create what would be effectively a nationwide child care facility and nursery education facility. Yet 15 years of Conservative rule have brought us no nearer that desirable goal.

Mrs. Maddock: I wholeheartedly agree. It is extremely disappointing that we had a woman Prime Minister who we believed was committed to nursery education and yet many years later we are no further forward.

Mr. Simon Burns (Chelmsford): Does the hon. Lady accept that after Baroness Thatcher made that commitment there were five years of a Labour Government, two years of which included the Lib-Lab pact, and nothing seemed to happen then on a national policy?

Mrs. Maddock: Is the hon. Gentleman saying that it is right to have gone on doing the same thing, if that was the case, for so many years?

5.45 pm

We have heard a lot of talk, but not an extra penny has ever been committed to those words. Today, in the Year of the Family, the Government have a chance to put some finance to those words and I hope that they will do so.

Mr. Matthew Carrington (Fulham): I start my few remarks on the subject of child care not by declaring a formal interest, but by declaring a past interest. My wife works and we have a child. Since my wife returned to work, which she did shortly after giving birth, child care has been a continual problem. It is a problem for all families, whatever their level of income, where one or both parents work or where a lone parent works.

Child care is a continual difficulty, but it is not confined to pre-school time. It is a problem which goes on after school starts to a point well beyond that at which the child would no longer consider himself a child because in this day and age, unfortunately, it is not possible to leave even young adults alone for long periods without some degree of supervision and care. That care does not need to be of the professional level which is needed when the child is younger, but it should certainly ensure security, company and protection.

I feel strongly about child care, and all families need it. It is not only a problem for families where both parents work, or where a lone parent works. It is also a problem for those for whom work is not the cause of the need for child care. It is important at various times for children to be looked after by other people—if only for the continuing sanity of the parents. Parents must have what is known in the social services and care in community world as respite care. I suppose that it is not politically correct to say that parents need respite care from their children, but if most parents were honest they would admit that they do—if only to allow them to go out occasionally and to re-establish their relationship with each other.

Child care is very important. I suspect that there is unanimity across the House on that. It is even more important for the country because of the need to enable parents to get back to work and to contribute to the economy. There are obvious benefits in getting parents who are on low incomes off of benefit. It is also important when the parents have had a high level of training and have high skill levels. Those skills need to be used for the benefit of the community and the economy.

The importance of child care is not in dispute in the House. We all accept that we must ensure a diversity of available child care, which will become more important as our society develops. The need for child care is perhaps more important now than it was when I was young some 30 years ago, and it is getting more important as time goes by. If and when my daughter produces her family in the fullness of time, child care may be even more important for her.

Mr. Spearing: The whole House will agree with the hon. Gentleman that there should be diversity in child care, particularly for the under-fives, and last week the Secretary of State for Education agreed with me that there is a complementarity between playgroups and nursery education. In view of that, does the hon. Gentleman deplore—as I do—the fact that the Government have objected even to a debate in Standing Committee on the Nursery Education (Assessment of Need) Bill, which would reinsert elements of the Education Act 1944 taken out by the Government the hon. Gentleman supports?

Mr. Carrington: The hon. Gentleman will excuse me if I do not go into the details of education because, as he may know, I am involved in the Department for Education and I would not wish to prejudice that. There is a clear commitment on the part of the Government towards nursery education and its provision. The Government have always sought ways of delivering that commitment in ways that parents want.

Mr. Willetts: While we are on the subject, is my hon. Friend aware of the following interesting historical fact? It was the great reforming Liberal Government of 1906 who raised the school entry age; children had previously started

school at the age of three, but a Liberal measure raised the age of school entry to five on the argument that schooling for three and four year-olds was of poor quality. Should one therefore welcome the apparent shift in Liberal policy this century?

Mr. Carrington: I should be more than happy to bandy anecdotes with my hon. Friend about the Liberal Government of 1906, who in many ways were the architects of our misfortunes in the 20th century. However, with all respect to my hon. Friend, it seems to me that 1906 is a long time ago.

The debate should concentrate on how child care can best be provided and the best way of encouraging the right form of child care. It is apparent that no form of child care is appropriate in every case. That is something which the House has to consider. Some parents work normal working hours from 9am to 5pm in jobs which are fairly well regulated. They can conform to standard patterns of child care in a nursery which opens at a certain time in the morning and they can collect the child at a specific time in the afternoon.

Unfortunately, more and more patterns of work these days do not conform with the requirements of institutionalised child care. Parents, particularly working mothers, frequently find themselves working in the evenings. Parents who undertake work such as shop work may well find themselves working early in the morning or late in the evening, so one of the characteristics that has to be provided is a high degree of flexibility in the types of child care available to parents to choose from.

The needs of children, particularly young children, vary enormously from one child to another, and they vary much more in pre-school children than in children over the age of five. The emotional development of children below the age of five is much more varied—much more rapid in some children and much slower in others—than the development of children as they become more mature. The needs of older children are much more uniform. Again, that means that parents have to judge what type of care is needed for their child. Some children are happy to be left in institutions while others will need much more love and attention from someone who is less a teacher but more cuddly.

Mr. Burns: Does my hon. Friend agree that there is an important distinction between nursery education and creches or child care? Does he agree that all too often there is a confusion and that "nursery education" is used as an all-embracing term for the provision of child-minding facilities for working mothers when nursery education itself is a different proposition altogether?

Mr. Carrington: It is indeed a different proposition. My hon. Friend is right that education in that sense is by no means appropriate for all children, particularly at a very young age, when they need qualified and progressive emotional development which is not necessarily provided in an institutional education framework. Children frequently need more a framework of guided supervision or perhaps even child minding. There are many types of arrangement within which such care can be provided. I do not propose to describe all the variants, but I will give one example other than institutionalised child care.

Parents often get together as a group and provide someone to look after their children in a group in a way that suits them. Ideally, and in many cases, the person employed in that way is professionally qualified to look after children. That is very much to be encouraged. Child care by people who have nursery nursing qualifications is to be highly recommended and encouraged, and it is frequently provided outside the institutional framework.

What worries me about the new clauses is that a bias is being introduced in the tax system in favour of institutionalised child care—*[Interruption.]* If the hon. Member for Durham, North-West (Ms Armstrong) wishes to intervene, she is welcome to do so. I would rather she did that than that she should shout.

Ms Hilary Armstrong (Durham, North-West): I was suggesting that the hon. Gentleman might think about changing his language. Not all collective care is institutionalised. In the English language the word "institutionalised" has a negative aspect. I assure the hon. Gentleman that much nursery education and nursery provision is far from negatively institutionalised, but is good collective child care and nursery education.

Mr. Carrington: I am sorry that the hon. Lady finds the word "institution" derogatory—

Ms Armstrong: The word "institutionalised".

Mr. Carrington: Or "institutionalised". As a Conservative, I strongly believe in the institutions of Britain and the institutionalisation of elements of this country. It is sad that the hon. Lady feels that the word has negative connotations. I believe that we have many fine institutions, and I suspect that many child care institutions are very fine. I would rather encourage institutions, but if the hon. Lady would prefer me not to use that word, in the interests of harmony across the Chamber I will use another word.

Mr. Irvine Patnick (Sheffield, Hallam): My hon. Friend is too nice to the Opposition.

Mr. Carrington: My hon. Friend is right. I am sometimes too indulgent to the Opposition.

Child care organised by people other than the parents has a place and is appropriate, but I doubt whether it should be encouraged over and above child care organised by parents for the benefit of their children. What worries me about the new clauses is that the taxation system would be structured in such as way as to favour one type of child care over another. That seems inherently undesirable.

My hon. Friend the Member for Havant (Mr. Willetts) read out from the book of the hon. Member for Peckham (Ms Harman) the criticisms of workplace nurseries. Those criticisms are right. Particularly in London, workplace nurseries are often inappropriate, if only because most workers commute some distance to work. Travelling with a small child on the underground or on buses in London in the rush hour is extremely difficult and certainly not to be encouraged. I therefore had reservations when my hon. Friends introduced in the Finance Bill of 1990 provisions on workplace nurseries in preference to support for other types of child care, and I should be reluctant to see that move encouraged still further by new clause 1.

I was intrigued and somewhat attracted, however, by the possibility of vouchers in new clause 6. Vouchers have been rumbling around in political theory for a great many years and have considerable attractions, but they have always been found to be difficult to implement in practice because of the administrative complexity of such a system.

[Mr. Carrington]

My anxiety about new clause 6 is the one which I am afraid also applies to capital allowances for providing nursery care. The measure proposed in new clause 6 is indiscriminate. If we are to support people who cannot otherwise make provision for their children, the money will inevitably come from scarce resources. The money would be better given to people who need it more.

To take my own case as an example, my wife and I both work and we are capable of making financial provision for child care, so it would be wrong for either or both of us to receive vouchers to pay for child care. I suspect, however, that new clause 6 would provide for both parents to receive vouchers. If any money is to come out of the tax system for child care, it should go to those people who cannot afford to provide for child care themselves.

Equally, money for child care should not be concentrated on the employer. That is the problem with new clause 1. If money from the tax system is to be given to anyone to provide child care, it should go to parents who need assistance to get themselves back into work or to provide proper care for their children other than straight child minding, which is frequently of a questionable nature.

Taxation support for child care must be targeted on the people who need it—parents who cannot provide for such care out of their own resources, but who can be encouraged back to work with a little help from the state. That is why the provisions made in the Budget last November were the right way forward, rather than any attempt to extend tax reliefs which, by definition, probably give help to those who need it least. We must get the relief to those people who do not pay tax.

Ms Eagle: The hon. Gentleman makes the same slip as his hon. Friend the Member for Havant (Mr. Willetts). New clause 1 deals with capital reliefs, not income tax reliefs, for the use of workplace nurseries.

6 pm

Mr. Carrington: The hon. Lady is mistaken. I do not make that mistake. Capital reliefs come off the corporation tax paid by companies providing nursery places, so the relief is targeted on the company rather than the employee. But inevitably all employees may benefit: from the managing director, who may be highly paid, down to the less highly paid—they will all be paid, as they are all employees.

Ms Dawn Primarolo (Bristol, South): Can the hon. Gentleman therefore explain why, when employers give their employees health benefits through a private health scheme, it is deductible from corporation tax? The Government have not closed that loophole, but the hon. Gentleman advances the case against child care being treated according to the same principle.

Mr. Carrington: The argument is straightforward: if a company gives private medical insurance to an employee, it is not taxed but the employee is taxed.

Ms Primarolo: That is not true.

Mr. Carrington: I will give way to the hon. Lady again.

Ms Primarolo: I am sorry, but I must correct the hon. Gentleman. Companies which give private health insurance to their employees as a fringe benefit are able to offset the cost against corporation tax. It is true that the employee has a tax liability as a result, but the company benefits. The hon. Gentleman is arguing against that happening with child care.

Mr. Carrington: The hon. Lady is repeating what I told her. Of course the company can offset the cost against corporation tax, but that merely avoids double taxation because the employee pays tax on the benefit—probably at a higher rate than the company would have done. We are talking here about a benefit that would be given to employees without their being taxed on it. Companies would get a deduction, but that is not my objection.

Mr. Dorrell: My hon. Friend might like to know that there is no difference between the treatment, for corporation tax purposes, of expenses currently incurred by a company when providing health benefits to employees and those incurred when providing child care facilities for them. They are precisely analogous cases and are dealt with in the same way under the corporation tax regime.

Ms Primarolo: The Minister should tell his hon. Friend, not me. He is arguing the wrong case.

Mr. Dorrell: I am telling the hon. Lady.

Mr. Carrington: The difference comes down to the treatment of the employee, which is what I was saying. Employees are taxed on premiums paid for private health insurance whereas under new clause 1 they would not be taxed on child care costs. That seems wrong as it would benefit people who do not need that help—the more highly paid rather than those on lower wages.

We need to place the money that we are giving to encourage child care in the hands of those parents who need it, so that they can be encouraged to provide the type of child care from which their children will benefit most, meet their circumstances and needs in terms of the amount and hours required, and encourage people back into the economy. We must not target it on people who would return to work of their own accord because they can afford to do so, but on those who need a little incentive to return to work. That is proper use of the taxation system.

I am always deeply suspicious of grand strategic plans of any sort, so I am not sure whether we should have one for child care. Parents are the best people to decide what care is right for their children. If we are to have distortions within the taxation system, they should best be used to encourage people back to work who would earn very low wages or who are on benefit. We should probably use the benefit system to get those people back to work, as we did in the Budget.

Ms Armstrong: I was interested to hear the contributions from the hon. Members for Havant (Mr. Willetts) and for Fulham (Mr. Carrington) but I was most disappointed with that of the former. We were given to understand that he was the intellectual force behind Conservative policies on the family and children, which shows what a desperate state that policy is in.

Today's debate comes hot on the heels of our debate on family policy last week and it is impossible to separate the two. We are debating child care within the context of the Finance Bill because we are anxious to make the

Government think seriously, at every possible step, about the way in which their policies are undermining our economic future and the future for families.

Because today's debate is on the Finance Bill, it highlights the fact that a child care strategy is central to the economic future of the country. Everyone talks about a more flexible work force—one that is able to respond to the needs of the next century. Opposition Members would say that that is important, but that we will create enormous problems if we develop such a work force at the expense of children.

Children live in a much more dangerous and complex world than the world in which we lived when we were growing up. We were simply not aware of many of the challenges, fears and threats that they have to face. We cannot even imagine the complexities of relationships and negotiations that they will have to steer themselves through. That is why their experience—whatever their family and wherever they are based—is a critical aspect of both social and economic policy.

Whatever the Government may wish, women go out to work. Three years ago many Conservative Members would have told us that that was wrong and that they did not want it to happen.

Mr. Dorrell *indicated dissent.*

Ms Armstrong: The Minister shakes his head but I think that I have sat through every debate on child care since I came to the House in 1987—I accept that that is not a long time—and I could name the Conservative Members who are uncomfortable with, and resisted, women going out to work. They are not all here today, but I suspect that they would still resist it.

Whatever the Government or any hon. Member want, women are working. Many do so because it is an absolute necessity and what their family requires. In my constituency, many work because there is no work for men —no work that they would be accepted for or that they are taking up. Because women are largely responsible for child care, it is critical that we know what we are going to do about it.

Some hon. Members have got themselves into a dreadful mess over the difference between nursery education and child care and all the rest. It is clear. Of course children have individual needs, but all children have intellectual, social and emotional needs that must be met in whatever setting they are—whether they are with a child minder, in a day nursery or in full-time care. I hope that in his reply the Minister will not insult the House with the statistics that are usually peddled from the Conservative Benches about the number of children who receive care. We all know that none of us should take those statistics seriously.

It is true that 90 per cent. of the under-fives may be with a person other than their parent at some stage in the week, but that does not mean that they are in care that lasts for any period. Children who are in a playgroup for one session of an hour are included in the statistics. That is not the child care and nursery education that we are so serious about, and that is not being serious about the needs of those children or the needs of parents.

Many parents want their children to be with child minders when they are very young. The important thing is that those child minders are supported and that they have the opportunity to speak to other child minders. They should have the opportunity, perhaps, to go to a local nursery, where the children can be with other children for an hour or so while the child minders think their way through the ways in which they can improve themselves as child minders and the ways in which they can give a better service. That is happening, but only in small areas of the country. In many rural areas, opportunities for women and for child care are minimal, as the recent report of the Development Commission clearly showed.

When I was working, before the general election, on the shape of a potential child care strategy, I was taken by the number of employers' organisations that were springing up and coming to me saying, "For goodness' sake, let us work in partnership. We want to do things, but our expertise is not child care and we do not want to set up, or become involved with, ventures that will not provide the highest quality care for children. We do not want to get the blame if something goes wrong."

Ms Eagle: Does my hon. Friend agree that, as a result of the recession, often some of the good teams to provide child care that have been set up by companies to help women advance in their structures are cut if the firm gets into financial difficulty, so that the services that those firms provide are unstable and likely to disappear if the firm experiences difficulties?

Ms Armstrong: My hon. Friend tries to take me too far ahead.

Those employers were mainly saying that, rather than setting up their own facilities, they wanted to enter into partnership with the public sector in their locality so that they could offer choice and opportunity to parents. There are some very good schemes of that nature.

I bring to the attention of the Minister again the scheme in north Tyneside, which has been established in full co-operation with local employers and with the Government. The Government have used the north Tyneside scheme for, I think, eight workplace nurseries in their own facilities. That scheme has enabled employers to consider the parents' needs. They have spoken to their employees and found out the different types of child care that they would like.

The north Tyneside scheme has supported the whole range of child care—all-day child care, nursery education, child minders and child minders in the parent's home, who are called nannies in the south of England. It provides, first and foremost, quality care wherever the child is placed and, secondly, the real opportunity of choice. That has not placed additional cost on the public purse because it has linked the public commitment and the public child care strategy for that borough to the needs of employers and their employees in a way that has increased opportunity throughout.

I say to the hon. Member for Havant that, far from simply providing for those women who are in highly placed jobs, the north Tyneside scheme has so improved the opportunities for, and the experience of, child care in the day nursery that now working parents and middle-class parents bring their children to it as well, and that has uplifted the experience of those parents who thought that their children were there only because they qualified because they were deprived. Bringing all of that together with a strategy, knowing what is wanted for the whole borough and offering the opportunity for all parents to be involved in discussing what they wanted and the quality

[Ms Armstrong]

that they expected, has uplifted the experience, not simply of the parents, but of the children and those people who work with them.

6.15 pm

The new clause does not tackle all the child care issues that we want to tackle, but it gives us the opportunity to say to the Government once again that this issue, which is critical for our future, ought not to be bandied about across the Benches. Unless we are prepared to invest in the best quality care for our children, they will not grow up with the confidence and commitment to be the active and participating citizens that we know that they will need to be in the next century. Unless we are prepared to invest in child care partnerships with employers, they will be unable to train and support the type of work force that they need, and that the country needs, to develop and improve. That is an economic issue, but it will also affect the patterns of community and of our society.

I hope that the Government, far from treating that issue as something that they can throw back at us, saying, "This is silly. If you do not like the exact nature of the clause, suggest something else", will recognise that unless we develop a child care strategy that centres on the economy, the future will be bleak for us all.

Ms Jean Corston (Bristol, East): The debate is timely because it is reported that, by the end of 1994, women will outnumber men in the labour market. That especially challenges women with young children.

In the mid-1980s, 24 per cent. of women with children aged under five were working. By 1991, that figure was 45 per cent. As my hon. Friends have said, those mothers work through necessity as well as choice, because the Government's policy of low wages and deregulation means that women need to work to pay the mortgage, to support the family and to provide extras that they consider important for their children. That explosion in women's employment, especially when the children are under the age of five, has led to a child care gap that, in the past 10 years, has grown to number about 400,000 children.

The Pre-School Playgroups Association set up a telephone help line in October 1993, which was soon inundated with telephone calls from parents, especially lone parents, who were desperate to find child care.

Mr. Nigel Forman (Carshalton and Wallington): I am listening to what the hon. Lady says. Does she know what proportion of the 45 per cent. of women with children aged under five to whom she referred who are in work are in very much part-time work rather than full-time work, according to the conventional definition? Obviously, if they were in part-time work, as I suspect that many of them are, that is more compatible with children going to pre-school playgroups and so on.

Ms Corston: Whether they are in full-time or part-time work is irrelevant if there are 400,000 children with unmet need. I shall talk about the various kinds of child care, but that is what I am concerned about, as all hon. Members should be. We all agree that women should be allowed to go out to work for whatever reason.

In February 1994, the Government published their first report to the United Nations committee on the rights of the child. It is revealing as much for what it does not say as for what it does say. The Government claimed that the number of day nurseries and child minders had increased "quite significantly".

In 1992, England had 91,600 places in day nurseries, 108,000 registered child minders with more than 252,000 places and 409,000 playgroup places for three and four-year-olds. There are nearly 2 million children aged two to four and the growth in the number of working mothers with children of that age has outstripped the growth in places, as I have said.

There were 24,000 children in local authority day nurseries and 330,000 places in local authority schools and classes, but they have been unable to expand to fill the gap because of the Government's squeeze on local authority resources. Yet the Government, in their report to the United Nations, had the cheek to say that they

"would like to see a widening of nursery and other pre-school education as resources become available."

They went on to say:

"The longer-term ambition is universal availability for those who want it."

That is a welcome commitment by the Government to universality, but I hope that the same commitment can be made today, because it demands a rational plan and a timetable.

Article 18 of the United Nations convention on the rights of the child specifies the objective:

"States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible."

As my hon. Friend the Member for Peckham (Ms Harman) has pointed out in her recent book, the United Kingdom brings up the rear of the member states of the European Union. It shares with Portugal the lowest provision for the under-fives. In France, Italy, Belgium and Denmark between 85 and 100 per cent. of three and four-year-olds are in publicly funded nursery schools and classes. What is at stake is investment in children.

Families with children have suffered a great deal from the Government's policies of cuts in public expenditure, deregulation, privatisation and failure to promote employment. Let me spell out a small part of that sorry story. On 28 February 1994, in response to a parliamentary question, I was told that the percentage of households with less than half the average national household income was 10 per cent. in 1979 but as high as 27 per cent. in 1990-91. That deterioration is unparalleled in the rest of Europe. If the richest and poorest are compared, the scale of the growing divide in the 1980s in the United Kingdom is without precedent in the history of the collection of statistics.

Figures from the "Social Trends" survey show that since 1979 the disposable incomes of the poorest 10th have decreased by 3 per cent. while those of the richest 10th have increased by 155 per cent. Families with children are particularly at risk. On 22 February the Prime Minister told me that the incomes of people

"at all ranges of income has increased".—[*Official Report*, 22 February 1994; Vol. 238, c. 146.]

According to Government statistics, that is untrue for the poorest 10th, whether their incomes are measured before or after housing costs, and that also applies to some of the next poorest 10th of the population.

In answer to parliamentary questions tabled by me in 1993 I was given figures showing that there were altogether 5.7 million people in families with children who had a smaller disposable income in 1990-91 than similar

families in 1979. That information was confirmed to me as recently as 13 April 1994. After undertaking various forms of standardisation, the Treasury produced figures which, after taking account of inflation, show that for families with children, the poorest 10th and the next poorest 10th had a lower real disposable income than such families had in 1979. The poorest 10th had lost £438 per household per year, a 10 per cent. cut, compared with 1979. The next poorest 10th had lost £281, a 5 per cent. cut. Those two sets of families include more than 3 million children. How can those parents provide decent child care in what we are told is a child care market?

A huge number of reports by organisations in Britain and overseas help to explain those statistical results. They include reports from UNICEF, the Child Poverty Action Group, Barnardo's, the National Children's Home, the Rowntree Trust and the Family Policies Study Centre. For example, a 1993 report by UNICEF entitled "Child Neglect in Rich Nations" describes why some of the wealthiest nations on earth "have short-changed children." The United Kingdom and the United States were found to have the highest child poverty rates among eight industrialised countries including Germany, France, Australia, Canada, the Netherlands and Sweden.

There were such wide differences that a European model of child welfare was contrasted with what UNICEF described as a "neglect-filled" Anglo-American model. Thus France was quoted as having

"The most comprehensive child-care system in Western Europe"

and

"recent governments have all recognised that proper pre-school care and education are an investment in the nation's future citizens."

That statement from UNICEF is one with which all hon. Members should agree and to which any Government should commit themselves.

UNICEF went on to point out that in the United Kingdom the Children Act 1989 set high standards, but said:

"and yet at present the Government seems unwilling to provide the resources necessary to meet those standards."

According to the same report, the

"swelling tide of child neglect has potentially disastrous consequences."

It said that there were problems of raising a generation of uneducated and unskilled adults and went on to say:

"Unless countries such as the US and the UK invest in their children on a new and a massive scale, a burgeoning human capital deficit will trigger an economic tailspin".

Women are criticised by the Government for being on income support and some of us suspect that the number of women on income support has been more of a trigger to the creation of the Child Support Agency than the so-called responsibility of fathers. Despite that, the Government have made no effort to will the means to enable women to go to work by providing affordable child care.

In the debate on sex discrimination initiated by the Opposition in the House last month, the hon. Member for Sutton and Cheam (Lady Olga Maitland) gave us the benefit of her wisdom and told us that she had managed to go to work because she had had a nanny. I remember an article in *The Guardian* some years ago which reproduced an interview with the then Mrs. Margaret Thatcher, a newly elected Member of Parliament, now Baroness Thatcher, who said that she had managed to keep working after she had had her twins because she had had her nanny.

That is very nice for them, but in my constituency on Friday I made two visits. The first was to a playgroup in Brislington which has a huge waiting list and where a dedicated group of parents and playgroup leaders provide a wonderful service for children. They are doing their best to keep the charges to parents as low as possible because they realise that most parents cannot afford to pay the real economic cost and they are reduced to fund-raising in their spare time to keep the playgroup going, recognising how important it is to raise money in order to provide proper equipment for the children. They do not think that providing for messy play indoors, which some Conservative Members seem to think is a waste of time, is anything other than a good thing for children.

I then went to a nursery school in the St Phillip's area of my constituency where I met parents who were concerned that the wonderful services provided by Avon county council through the high scope nursery education system are under threat because, once again, the Government have targeted Avon county council and even bigger cuts in the local authority's budget have to be considered. That means that many parents whose children were receiving full-time nursery education are having to contemplate part-time education. That is against the background of the Conservative leader of Avon county council speaking about the possibility of closing the St. Phillip Marsh nursery school. She was astonished by the hostility that engendered among parents, and it was interesting how quickly she backed off.

People in my constituency and throughout the country depend on such services day after day. They have a right to expect decent child care. Responsible parents want to ensure that their children have play and care facilities that stimulate them. I have seen that with my own baby grandson—my daughter-in-law has been seeking child care for him. There must be a strategy. Conservative Members know that and we know that, so when will the Government know?

6.30 pm

Mrs. Anne Campbell (Cambridge): I congratulate my hon. Friends on the Front Bench on initiating this debate, which concerns probably the single most important issue for mothers of young children in my constituency.

I have received interesting correspondence about the lack of suitable child care facilities and of accessibility to them. One woman has written to me a number of times. Her latest letter is long, but I want to read it because it illustrates many of the problems confronting single parents in particular, who find life extremely difficult—not least under a Conservative Government.

My constituent wrote:

"I thought I'd write you the next chapter in 'The life of a single parent longing to return to work'.

I've been offered a job! The perfect job for a parent—16 hours a week, when it suits me, some at home, some in the office, some out and about. Only problem is, I lose more benefit than I gain in wages, especially after paying for child care. I rang the free social security telephone line and spoke to a very helpful gentleman, whose advice was not to work any longer than two hours a week (the time it would take to earn the £15 I'm allowed to earn before benefit reduction).

This situation made me mad enough, but today I have received notice of income tax payable for the coming year—£490 down compared with last year, so I'll pay another £10 tax, plus VAT on fuel, which will cost me £10 a month also.

[Mrs. Anne Campbell]

Existing on income support is getting harder and harder—both my daughters need new clothes (my eldest goes to school wearing trousers that stop nearly 3 inches above her shoes) but I have difficulty even buying secondhand for them.

And now, going back to work seems even harder too. So today I made a resolution to find a job overseas. Somewhere"—

this sentence is significant—

"where my honours degree in molecular biology is valued, and where child care is considered a social necessity and not a private luxury.

My father, an ex-staunch Tory, has been telling me since I graduated to go abroad but I resisted through fear of the unknown, and the belief that a British education would be the right thing for my children.

The latter is now highly questionable, and my fear of the unknown has diminished in respect of my disgust of the known —this government does not value its educated citizens nor provide for its future—its children. Very soon, education will have returned to Victorian days—only for the rich.

Anyway, that is it. I can't afford to take the job that was offered, I can't afford a full-time job that pays enough, and I can't manage on the pittance that the government says is my right. I don't want to be rich, I just want to buy my children clothes, shoes, chocolate biscuits. For myself, I'd like to be able to buy my own copy of New Scientist each week, instead of walking to the library! Stupid, little things."

That letter says a great deal about the lives of the many women in this country who find it extremely difficult to survive on income support, and who find life even harder when they try to get jobs.

We heard a disgraceful attack on single parents last year, particularly in the build-up to the Tory party conference. We should support single parents by providing subsidised child care and doing what we can to increase its accessibility.

When the Secretary of State for Wales visited St. Mellon housing estate in Cardiff, he was told that half the families there were single parent families. His reaction was not to ask what could be done to help them out of poverty but to attack the unmarried single-parent culture and to suggest that benefits might be withheld until absentee fathers are tracked down. One Treasury Minister claimed that teenage girls could be lured into a life of poverty and state dependency by over-generous benefits.

That is not borne out by the evidence. One single parent interviewed on Radio 4 said:

"There's no question that some of the poorest people in the country are single mothers, so any reduction in benefits would hit an already desperate group—it's an appalling idea. There is no snap solution. People have less faith in marriage and we now have a whole culture who don't believe that marriage necessarily leads to happiness. You can't legislate on people's mental attitudes and morality by threatening them financially."

That was not someone from a left-wing Labour authority speaking, but Harriet Crawley, a single mother who stood as a Tory candidate in the last general election.

A report from the Joseph Rowntree Trust stated:

"Hundreds of thousands of lone parents are trapped on a 'poverty plateau', where it makes little difference whether they earn £70 or £170 a week. By the time child care and travel costs are taken into account, any incentive to work may have disappeared."

Contrast that with the French approach to single mothers. The Caisses Nationale des Allocations Familiales in Paris organises the French family benefits system and commissions research on family policy. One of its researchers, also speaking on Radio 4, said:

"In France, because the value system is different, a majority of women want to be both mothers and work, and the state, unlike the UK, will offer them the necessary support."

That is borne out by the two countries' employment figures for single mothers. In France, the figure is 85 per cent., but in the UK—as my hon. Friend the Member for Bristol, East (Ms Corston) said—it is less than 50 per cent. France, like Belgium and Denmark, is among the European countries that make the most generous provision for child care. That country considers it much more important to provide creches and kindergartens. As soon as children are two years old, they can attend pre-school all day long, with a hot lunch. Some 173,000 places are available in subsidised creches, and there are numerous approved mothers' helpers.

Lone mothers have priority on the day care and pre-school lists, which partly explains why such a high proportion of French lone mothers are in work, and more frequently have a full-time job than their UK counterparts. As a result, they are far less likely to rely on social assistance. French benefits to lone parent families are more generous than in the UK, especially where there is a child under the age of three, or there are three or more children, and the lone parent has a low income.

Family benefits in France are structured to favour larger numbers of children, and there are various training programmes that are relevant to lone mothers. Low-income lone mothers are also eligible for housing allowances. The great difference is that, in France, single mothers are not seen as a drain on taxpayers' money, as their benefits are paid from employers' contributions and because many of them are able to find full-time jobs with the help of the much better child care that is available.

In my local community recently, a survey was carried out by the training and enterprise council in south Cambridgeshire. It was done as a result of a Government pump-priming initiative, as my hon. Friend the Member for Peckham (Ms Harman) described it, in an attempt to get more child care schemes under way. The great problem with these schemes is that, although they have been valuable in showing up the deficiencies in child care, many of them will flounder later on because of a lack of money. Far too many people find child care too expensive when they have to pay the full cost out of what they earn.

The Cambridgeshire TEC carried out the survey last October. More than 1,000 questionnaires were distributed to the parents of children aged between five and 16. What emerged showed up the differences between my constituency and that of the Prime Minister.

The survey found that 23 per cent. of children in Cambridge had one parent working full time and the other part time; the corresponding figure for Huntingdon was 44 per cent. There was also a difference in the proportions of parents who both worked full time: 30 per cent. in Cambridge and only 19 per cent. in Huntingdon. There was a great difference in the numbers of single parents: 20 per cent. in Cambridge and 13 per cent. in Huntingdon. Those two places are only 20 miles apart, so the differences are rather surprising.

The survey also looked into how most children are looked after. It found that, in Huntingdon, 91 per cent. of child care took place in the family, whereas only 83 per cent. did in Cambridge. In other words, these families have no external help with their child care at all, so grandparents, brothers and sisters, and parents are caring for the children.

When asked, parents said that they were well satisfied with this arrangement. When they were asked, however, whether they would use an out-of-school care scheme, 70 per cent. of them said that they would in Cambridge, and

82 per cent. in Huntingdon said that they would. That goes to show the unmet need. A great many people who work part time during the school term need full-time care during the holidays.

I have had the pleasure of visiting a number of organisations and firms around my constituency in the past two years. I was, for instance, extremely impressed by the child care provision at the Babraham Institute, a Government research laboratory formerly under the Agricultural and Food Research Council and now under the Biotechnology and Biological Sciences Research Council. It is a research council institute, and it provides a nursery and an out-of-school care scheme for up to 10 children. It is always well used, and is considered of enormous benefit to the parents who work at the institute. I congratulate the director, Richard Dyer, on being innovative and forward-looking enough to start the nursery.

The institute's facility contrasts starkly with a bank in central Cambridge—it might not be fair to mention its name. I asked the bank about its child care policy and was told that there was a working party looking into child care and nursery provision in the organisation.

I asked the bank why it did not have a nursery attached to its central Cambridge branch, only to be told that it had considered the idea but decided against it, on the extraordinary ground that, if it did run such a nursery, it would not be able to stop fathers using it as well as mothers. Looking a little taken aback, I asked why that mattered. I was told that, if fathers were allowed to use the facility, their wives would then be free to work for the bank's competitors. I am still reeling from this information. It shows that we have to do a great deal to change this sort of sexist attitude to parents, families and children.

6.45 pm

Owing to the pressure from many single parents, married parents and parents in stable relationships, I decided that I would try to set up a child care project in Cambridge to help people gain access to child care facilities and to give them information about benefits and training. We held an interesting meeting, which I was pleased to note was supported by the Benefits Agency, the Child Support Agency, the county council, the Daycare Trust—it was extremely helpful—the Cambridge job centre, the city council, the Employment Service and the local training and enterprise council.

I explained that I wanted to help a group of single parents back into full or part-time work, with the aim of showing that investing in child care could in the long term prove cheaper than leaving single parents on benefits, without care for their children. This is a social as well as an economic issue. The Daycare Trust said that it believed that the major problem was the lack of adequately subsidised child care. There is a lack of places even in non-subsidised child care.

It also emerged from the meeting that we need a major information drive to reassure parents about coming off income support and on to family credit. Living on income support, at least people know that they are secure, but once they come off it and go into short-term or short-contract jobs, with the attendant insecurity of going on to family credit—they may not be sure that the Benefits Agency will get its sums right—they may worry a great deal about what will happen when a job comes to an end. We need to do much more to reassure parents that the process is feasible, and to offer them a little more security.

Although the Government introduced measures in the last Budget to try to deal with the cost of child care, in Cambridge the cost of full-time child care averages £60 to £70 a week. Many people pay much more than that, and presumably some pay less. The manager of the Benefits Agency in Cambridge said that he would like a business plan to be put together showing the long-term benefits of child care—a reduction in staff losses, lower net costs to the Exchequer, support for training places and so on.

The Government are not doing any of this. They are not examining the cost of not providing child care; they are looking only at the cost of providing it. That attitude is wrong.

Mr. Malcolm Chisholm (Edinburgh, Leith): Although child care is a massive issue for thousands of our constituents, that is often not reflected in either our procedures or media coverage. The reason is obvious: the institutions involved are still dominated by men, whereas in the present state of society child care is still predominantly a women's issue—although the responsibility should be shared equally between the sexes.

There are several reasons why child care is a massive issue. First, there is the objective reality of increasing female participation in the labour market. The male and female participation rates are now converging: indeed, in parts of the country—such as Lothian region, where I come from—women are in the majority in the labour force. That, however, masks the existence of a good many problems; it does not mean that adequate child care facilities are available to all those women.

My hon. Friend the Member for Cambridge (Mrs. Campbell) mentioned the problem of cost, but there are other problems. For instance, many women returning to the labour market after having children may take up jobs that they do not really want to do: they would prefer to be doing other jobs that it is not possible for them to do. They may also have to work fewer hours than they would like.

Notwithstanding the high rate of female participation in the labour market, only 18 per cent. of lone mothers with children under five are working in this country: that is the lowest rate in Europe. Moreover, the figure for all mothers with children under five is the second lowest.

This is, among other things, an equal opportunities issue, and the Equal Opportunities Commission has said as much. We cannot have a proper equal opportunities policy that does not take child care into account. That is the second reason why this is a massive issue; the third is that it also has economic implications, as many hon. Members have already pointed out. It can be viewed in many ways, but a fundamental point is that the skills of many women are being lost to the economy. That is why many employers are very interested in child care.

Only today, in the Lobby, I spoke to a representative of Employers for Childcare, who told me that, for that very reason, many employers are keen for the Government to adopt a co-ordinated strategy for child care, in which a number of them wish to be involved. Many studies have shown that the economy would benefit from a massive expansion of child care facilities; I hope to say more about that later.

[Mr. Malcolm Chisholm]

The fourth reason why this is a massive issue relates to poverty. My hon. Friend the Member for Bristol, East (Ms Corston) covered that very thoroughly.

My own involvement in child care resulted from my membership of the Greater Pilton Childcare Action Group, which operates in my constituency. A fundamental reason for its formation was the area's participation in the European Poverty 3 programme, and the fact that, at an early stage, child care was identified as a key issue in the attack on poverty. Incidentally, I should like to know why the Government are showing no interest in European Poverty 4 programme; people in my area certainly hope that the project will continue.

The ability of women to go out to work is a basic element of the attack on family poverty. That is why so many women in my constituency are keen to have the child care facilities that they need.

The fifth reason why this is a massive issue is the appalling state of child care in this country, in comparison with provision in other European countries. Many statistics show that to be true. For instance, 2 per cent. of care for children under three is publicly funded in this country; in Denmark, the figure is 48 per cent. In this country, the figure for children between three and five is 37 per cent.; it is 85 per cent. in Italy and 95 per cent. in France and Belgium.

I should add that there are considerable variations within our 37 per cent. figure. As other hon. Members have pointed out, the percentage is often far higher in areas with Labour-controlled authorities than in Conservative areas. For instance, the figure for nursery education for three and four-year-olds in Lothian region is running at 68 per cent. That is a major factor—and, of course, there are many other arguments for nursery education, in terms of the benefits for children.

There are many reasons, then, why child care is a major issue, and why the House should treat it as such. We want the Government to adopt a co-ordinated strategy; at present, their policy is very unco-ordinated. The fundamental principle is choice: people should be able to choose the type of child care they want.

The new clauses are concerned specifically with workplace nurseries. Although some Conservative Members have tried to misrepresent us and suggest that that is all we are interested in, they are entirely wrong; it is only one aspect of the general issue of child care. According to a study carried out by the British Social Attitudes survey, however, 20 per cent. of women with children under five would like workplace nurseries to be available. That is one strand of the policy that we need to formulate.

The new clause deals with the fact that the industrial building allowance is available only to workplace nurseries in industrial buildings and certain types of hotel. It seeks to end that anomaly, and to extend the allowance to all work places. The present position is particularly anomalous in the context of section 14 of the Capital Allowances Act 1990, under which sports pavilions and buildings in all workplaces can receive the allowance while nurseries can receive it only in specific buildings. I shall be interested to hear how the Financial Secretary seeks to justify that anomaly, if he does.

New clause 1 covers not only nurseries but child care for those of school age. The existing allowances apply only to children under five, but it should be recognised that children often need care after going to school as well as before. Conservative Members have drawn attention to the child care allowance in the Budget. That Government initiative—along with the after-school care initiative—is all right as far as it goes, and Opposition Members welcome both in principle; but there are many problems with the way in which they have worked in practice. We should like those schemes to be improved and extended.

An interesting feature of the child care allowance provided in the Budget is the fact that, only a few months earlier, the Prime Minister dismissed it out of hand. I know that, because I asked him a question about it, and when —as usual—he did not answer, I wrote him a letter. I kept his reply: I keep all his letters. In fact, when I wrote to him about nursery education, pointing out that he was saying something quite different from what his Secretary of State was saying, he did not reply—but the reason for that was obvious.

I found the Prime Minister's letter very interesting. As well as saying that disregards for parents in receipt of family credit were a ridiculous idea, he came up with the staggering assertion:

"research has shown that the majority of low income working lone parents do not pay for childcare."

I do not think that research is needed to discover that. The simple truth is that low-income lone parents cannot afford to pay for child care, but that is not adequately addressed by the child care disregard in the Budget.

We have heard about the costs of child care. The maximum allowance available is £28; according to an answer that I was given, 90 per cent. of families on family credit cannot receive even £28—and it should be remembered that that is for the whole family. That does not deal with the problem of affordability, which lies at the heart of the debate about child care.

The after-school care initiative is also good in principle, but particular problems are involved, certainly in Scotland. I have tried to find out how much each local enterprise company in Scotland is spending. This week, I received another letter—this time, from a Scottish Office Minister. It said, basically, that I had no right to know the answer: it was for Scottish Enterprise

"to determine whether and to what extent they will provide details of the financial allocations they make to the LECs and it would be inappropriate for Ministers to intervene."

Many enterprise companies in Scotland—including those in Lothian—spent nothing on that initiative last year, but the Scottish Office does not want to admit that publicly. Things seem to be slightly better this year; we shall wait and see.

The problem with the initiative is that, although it helps with start-up costs, many parents will be unable to afford the cost of after-school care. As I have said, affordability is at the heart of the matter. It was also at the heart of the European child care recommendation, which constitutes a very good guideline, although it was watered down slightly before being adopted just before the general election.

The Government have accepted the European child care recommendation, and at the heart of that recommendation is the idea that public funds should contribute to the provision of affordable child care. In reality, at the moment most people do not have access to affordable child care.

The Government have to introduce many measures to increase the supply of affordable child care. We have again been misrepresented by Conservative Members as just talking about demand subsidies. Some demand subsidies are necessary, but in fact it is the Tory argument that only demand subsidies will do, because it assumes that the market will provide. We believe that there has to be intervention in the market in order to increase the supply of child care. That is the thrust of our demand for a national child care strategy to look at the supply of child care.

7 pm

We have said that the Government should look at many schemes that are operated already by local authorities—as it happens, most of them Labour-controlled authorities—which have done something to deal with the problem. We have asked the Government to evaluate the schemes and to come up with a co-ordinated strategy instead of the current totally chaotic child care "policy"—if I can call it that—whereby some Government Departments do not know what other Departments are doing.

Partnership arrangements have been mentioned. I am told that these work in north Tyneside, for example. I know from personal experience that they also work in Fife in Scotland, where employers buy places in schemes run in partnership with local authorities. That is one way forward, because many employers recognise that it is in their own interests to make child care places available for their workers. That is part of the economic argument for child care to which I referred earlier.

Beyond that, I think that we need to put more money into the provision of child care. At the heart of the argument are the studies to which I referred earlier in general terms. The studies by the National Children's Bureau, the National Institute of Economic and Social Research and the Institute for Public Policy Research have shown that, in the long run, the provision of child care will benefit the economy.

I think that the Government recognised this fact in a very small way with their child care disregard in the Budget. That is the way forward, but we should act in conjunction with other policies. For example, the parental leave directive from the European Community, which has not been accepted by the Government, would help in the early stages of children's lives. More generally, the Government should recognise that society is changing and that increasingly men and women will have the same role in the family and in the workplace. The Government have to accept the subsequent changing patterns of work.

A policy from another country that appeals to me is the right of parents in Sweden to work a six-hour day for the first eight years of their children's lives. I think that the Government should look in that direction as well.

Child care is on the agenda now because society has changed. In last week's debate on the family, it appeared that many Conservative Members wanted to go back to the 1950s. They said that everything went wrong in the 1960s—the implication being that we should go back to the 1950s. I accept that argument to the extent that in the 1950s more people were in work, but the proviso is that it was only full male employment.

Nobody on this side wants to go back to the 1950s. We have to go forward into the 21st century, and prepare for a society in which the roles of men and women in the family and in the workplace will be identical. That is the issue that should be addressed.

I do not see how the Government can have any justification for arguing against this new clause. It is only one strand in the child care policy which we on this side are proposing. It is time that the Government came up with a policy, instead of introducing the occasional inadequate measure.

Ms Eagle: I support new clause 1. As we have all heard in the debate so far, it would allow the provision of workplace nurseries to attract more extensive capital relief, and would encourage joint ventures—which are already beginning to occur in some areas—between local authorities and firms to buy places in workplace nurseries.

As we consider the Budget, we are in the middle of a social and economic revolution which is changing the face of advanced western societies more rapidly than we ever thought possible. As legislators, we have to look at what is going on around us to see how we can change institutions and structures and how best we can legislate to take account of the changes that are occurring.

In the past 50 years, there has been a revolution in the patterns of family life and employment. The changes, particularly in the labour market and in the structure of jobs—who is working, for how long, for how much and where—have occurred more rapidly in the past 15 years with the deregulation of labour markets. One of the most obvious social revolutions is the massive increase in the number of women who are working or who want to work.

Between now and the end of the century, nine out of 10 new jobs created will be taken by women. Women will probably outnumber men as a proportion of the work force sooner rather than later—certainly by the end of the century. No Government who hope to create a society at ease with itself can possibly contemplate such massive change without seeking to alter societal structures and so accommodate and facilitate a planned, civilised change rather than the chaotic one which will occur if it is left to the market. So far, the Government have failed to respond adequately to the very great challenges that are being laid before them.

Historically, it has always been recognised that child care has to be provided if women are to be able to work effectively. We need only look at what happened during the world wars when women were required to work to sustain the war effort. Suddenly it became possible for women to do heavy engineering work—work that they had never been considered fit to do in the past—and it was quickly realised that women had to go on to the land to produce food. It was quickly recognised that women could perform every role asked of them to sustain the country in some of its darkest hours this century.

The Whitehall civil servants and Government Ministers who planned the economies during both world wars realised very quickly—particularly during the second world war—that in order to mobilise the capacity of 51 per cent. of the population they had to provide child care. Lo and behold, it was provided. But afterwards it was decided that women should be treated like the Turkish guest workers in Germany: once they had served their useful purpose in dire times they were meant to be bundled back into the home where they belonged and left there. So child care was withdrawn, as were jobs and wages that women had begun to take for granted, and women's employment was curtailed.

As I said earlier, at the moment there is a massive increase in participation in part-time work by women. It

[Ms Eagle]

appears that women are more able to be flexible in their employment and want to combine their duties of looking after children and providing a home with work. The social attitudes towards trying to balance a career and look after children are changing, and changing quite rapidly. But the institutions in our society are not changing to enable women to do that.

It is remarkable that so many women have managed, by hook or by crook, to circumvent institutions which do not encourage them to be where they are. I speak from some personal experience, as I believe that many of the women in this place have circumvented structures which were not designed to permit them to be where they are now. I believe that all women empathise with other women who are attempting to do two impossible things when the Government are offering no significant help.

The new clause attempts to help women in one very narrow respect, but it is a travesty for Conservative Members to criticise us for not dealing with some of the other important aspects of child care at a national level and with the strategic provision of child care. We are debating the Finance Bill and the new clause is quite appropriate because it gives us the opportunity to consider some of the economic implications of what is happening with regard to child care provision.

There has been a social and economic revolution and we are in a period of transition. The Government must facilitate a change to do away with some of the contradictions and madnesses with which untrammelled free market forces have left us. Some of those changes have already been alluded to. Millions of women—single parents—are unable to work because the jobs that we have created to date are often low paid and part time. On the money that they earn in the deregulated labour market, women cannot afford to pay for child care, so they are trapped on benefit. That is frustrating for the vast majority of those women who want to go out to work, to be independent and to be able to raise the next generation. All children, whether raised in poverty or otherwise, will be the new generation and, if we do not tackle the problems now, we shall eventually have to deal with the consequences of their being deprived in childhood.

The vast majority of female single parents want to work, to be able to provide more for their children and to have the independence and pride of going out to work. They do not want to be stuck on benefit, but it is practically impossible for them to work because of the lack of child care provision combined with their low earning potential. In the meantime, our benefit bills are soaring while many jobs remain undone, and not only in the caring professions. Children are living in poverty and women are frustrated because they cannot go out to work. One does not need to be a genius to realise that the provision of child care would allow those women to go out to work and come off benefit, thereby making a saving to the Exchequer; it would mean that they would pay taxes, thereby increasing the tax yield; it would create additional jobs because people would be needed to provide the child care that allows those women the freedom to go out to work in the first place; and it would increase spending power, which would also help the recovery.

The provision of adequate child care would also benefit children. All the experts say that it is no good for children to be brought up in poverty by frustrated and demoralised parents who cannot go out to work but are stuck on benefit. Those children often cannot mix with their peers because of the restrictions that living in poverty places on families. Children develop much better and more quickly if they can mix with their peers—they grow up more confident and better adapted to the world. Therefore, child care helps mothers and children, the Exchequer and our economy—so why on earth are we not providing it? I should be interested to hear what the Minister has to say.

Mr. Forman: The hon. Lady and a number of her colleagues have made a powerful case for investment in child care. I have listened carefully to what they have said and especially to the impressive speech by the hon. Member for Edinburgh, Leith (Mr. Chisholm) who spoke without notes, other than those from the Prime Minister which he kept in his pocket. Since Labour Members have broadened the debate and are not focusing solely on the new clause, they should be considering what, in a modern society, should be the appropriate balance of the financial contributions made towards the desirable objective of child care by the individual involved, by employers and by the generality of taxpayers. If I were to hear more from them about the appropriate balance to be struck in the Bill, I might be more persuaded.

7.15 pm

Ms Eagle: I thank the hon. Gentleman for his comments. I do not believe that the Government have yet accepted the case for a structured, strategic provision of child care—had they done so, it would have been in place. So far, private provision has been left to develop without intervention from the Government, which is what we would expect given the iron grip of neo-classical ideologies.

Mr. Dorrell: If the hon. Lady does not believe that the Government accept the case for targeted assistance to low-income families for child care so that people can get back to work, will she speculate on why my right hon. and learned Friend the Chancellor announced in the Budget that we were to spend £30 million net of Government money on the child care disregard in family credit? Why does she think that we have done that if it is not because we accept the need to help people back to work? When she has answered that question, perhaps she would like to answer that of my hon. Friend the Member for Carshalton and Wallington (Mr. Forman) and say what she thinks a national child care strategy would look like. Who would pay for it and what would be the result?

Ms Eagle: I should be the first to concede that a Government who did something about child care provision had finally recognised its importance, but this Government have not given it adequate priority. They have been in power for 15 years and we now have a £50 billion deficit and £20 billion of North sea oil money has been wasted on tax cuts for the very rich. It is therefore a bit rich for the Government to boast about spending £30 million. They have proved their interest in the issue—let us face the fact that their activity in this sphere does not amount to much, although I recognise that £30 million has been earmarked. My hon. Friends have commented on the inadequacy of that sum and I shall not repeat the arguments, but, when people look back at the Government's record, they will realise that child care has not been a very high priority. It

is only recently that the Prime Minister has mentioned it as something that is desirable, but the Government have not proved its desirability by committing money to it in anything like the sums needed to make a difference.

Child care should be regarded as part of the economic infrastructure and as an investment in the future. The Government do not yet understand how significant that is. The hon. Member for Havant (Mr. Willetts) came up with the interesting theory that informal child care is the most desirable. That means that the woman around the corner, granny if she is still alive, or anyone who happens to be around, should look after the children.

This country will not be able to compete seriously with the rapidly changing and advancing economies that will emerge in the new world, with their flexible employment patterns, high-tech industries and high levels of education, if we expect 51 per cent. of the population to rely on the woman next door to look after their children. The Government have to be systematic, but I do not believe that they have yet grasped the seriousness or the strategic implications of child care provision. After 15 years in power, it is about time that they did.

Another suggestion from Conservative Members was that we should deregulate the market in child care. They said that there were too many regulations facing anyone who wanted to set up child care provision, but people who go out to work must be confident that their children are in safe hands. There must be an appropriate level of regulation to ensure the quality of care. I cannot think of anything more important to ensure than that.

Leaving it all to the woman next door, or lowering the quality of care to such an extent that nobody knows whether it is good or not, is playing fast and loose with the future of our children and of our economy. After all those years, that is not worthy to be called a Government policy, yet it is all that we have heard from the Conservative party.

Conservatives are quick enough to deregulate the labour market and to help to accelerate changes such as the increase in part-time work. They are quick to celebrate a decline in earning power and the arrival of low wages, and then they wonder why so many people cannot afford to go out to work. They lament the consequences of their own policies, as if they had descended upon them from above. Yet often their economic policies and the ideology that they have pursued have caused some of the problems.

It is time that we took a strategic look at what we can do to deal with the issue nationally. We should not leave it all to patchy and fragmented practice in different parts of the country, some of which is good and some of which is bad. At present, because of the local authority provision, one is three times more likely to have access to child care if one lives in a Labour area than if one lives in a Conservative area. In Labour-controlled areas 40 per cent of all three and four-year-olds are in child care or nursery education, but in Tory areas the proportion is only 13 per cent. It is not fair that those who have the misfortune to grow up in Tory areas should not have access to something so vital.

No serious Government should consider how we can face the future and pay our way in the new economy, without realising that we must invest in child care here and now, or we shall pay for the consequences in the future.

Mr. Forman: I was reluctant to speak, but I feel bound to do so because of the nature of the Opposition speeches that I have heard on this important subject. Nobody on either side of the House would disagree with the general propositions that Opposition Members have advanced about the importance of child care, especially for very young children. All the studies show that the influences on young children are critical in determining how they grow up and lead their later lives.

As my hon. Friend the Financial Secretary to the Treasury said, we do not dispute the simple proposition that it is important to get mothers back to work after having a child, if they wish to work, because that is good for families and psychologically good for mothers, and it helps with the material circumstances of the families concerned. That is all to the good. And, as we all know, one of the smaller measures in the Budget was directed towards that end. So far, so good.

The real question was contained in my intervention in the speech of the hon. Member for Wallasey (Ms Eagle) —an intervention that I had been tempted to make during earlier speeches, too. Taxpayers, and other people listening to the debate, will want the Labour and Liberal parties to tell them how the necessary cost of the desirable measures that they advocate would be apportioned, and how that will fit into the overall strategy on which Opposition Members say that they are so keen—although I have not heard a great deal of substance to it so far.

In view of the contrast between what happens here and what happens on the continent of Europe, the Opposition must answer the question: what is the appropriate balance for meeting those costs in modern society? First, to what extent should we put the costs for those desirable extra measures on to individuals? What contribution should the families themselves make? Secondly, what contribution should employers make, in their own interests as much as for any other reason, so that they can recruit and retain the well-qualified women employees whom they need? Thirdly, what proportion should be borne by the generality of taxpayers?

We sometimes talk glibly of Government money—but there ain't such a thing as Government money, only taxpayers' money. There is an opportunity cost, and all those other things. I can think of other forms of desirable family financial support which could be made a charge on the taxpayer—for example, financial help for those looking after elderly people. Many women in families these days have to pick up the burden, both financial and human, of caring for an elderly relative. That will happen more and more in the future because of the changing demographic profile.

Mr. George Stevenson (Stoke-on-Trent, South): Given our appalling child care record in comparison with that of any European country that the hon. Gentleman cares to mention, does he accept the proposition that, whatever balance the Government have constructed over the past 15 years, it is self-evident that it is not working? Secondly, does he accept that the new clause represents but a small step in the direction of attempting to shift that balance more in favour of fostering child care, which, in view of our appalling record, is obviously not happening now?

Mr. Forman: If the hon. Gentleman's argument were correct, it would be surprising that our rate of female participation in the labour force has climbed so rapidly to such a high level in recent years, so that we are now second only to Denmark in the European Union.

[Mr. Forman]

In an ideal world where there was plenty of money available for such things, whether from individuals, companies or the generality of taxpayers, it might indeed be desirable to increase the financial contributions from all those groups. But before the debate finishes I want to hear some authoritative guidance from the Opposition. I do not know whether we shall hear another speech from the Opposition Front Bench; I apologise for not having heard the opening speeches, but I could not be in the Chamber at that time. I should like to hear an authoritative statement on how the Opposition would go about implementing the strategy about which they talk so airily. That is the key question with which we must concern ourselves during the Report stage of the Finance Bill.

Mr. Spearing: This debate should not be necessary. Indeed, if there were a properly co-ordinated and integrated Government policy on child care the debate would be unnecessary, and so would the new clause, and the speech by the hon. Member for Carshalton and Wallington (Mr. Forman). The hon. Gentleman may have a point about the mechanics of putting the effects of the amendment into practice, but he and the Financial Secretary have to answer for the lack of integrity in the Government's present approach to child care.

I use the word "integrity" advisedly. We often use it in a pejorative sense when we say, "That person has no integrity." But I am using the word in a collective sense to describe the Government, because their policy is not integrated. It is not a whole; therefore it has no integrity in itself, and I shall prove that. In an earlier intervention the Financial Secretary claimed that the Government had a strategy. He nods, but I hope to prove to him, to the House and to the public that they have not.

The hon. Member for Fulham (Mr. Carrington) castigated the 1906 Administration of Lloyd George—or rather of Campbell-Bannerman, and subsequently of Asquith and then, during the war, of Lloyd George. The hon. Gentleman said that the root of most of our troubles in the rest of the century could be laid at the door of that Government, and what it started. That remark illustrates the differences between Conservative Members.

Some Conservatives believe that we must have a collective form of public service whereby, together as a whole, we fund the professionals who provide care, whether that be in health or in education—

Mr. Carrington *rose—*

Mr. Spearing: I shall give way in a minute, when I have finished what I am saying.

Surely, by definition, care is not a marketable commodity. We have been talking about child care today, and the hon. Member for Fulham is really saying that the tradition of public service that the 1906 Administration started, and that my hon. Friends have attempted to continue since 1945, is all wrong. But I maintain that it is essential to meet the challenges of the next generation, as my hon. Friend the Member for Durham, North-West (Ms Armstrong) properly and eloquently explained.

Mr. Carrington: I do not to wish to go into long disputations about the pros and cons of the record of the Campbell-Bannerman and Asquith Governments, although I point out that Lloyd George was not a Liberal Prime Minister, but a coalition Prime Minister. The two principal achievements of that Government were the highest number of days lost in strikes at any time in the country until 1978, which occurred in about 1911, I believe, and the start of the first world war. Those two factors meant that most of our problems came from that Government.

Mr. Spearing: We may make a judgment about the causes of that terrible conflict, but if the hon. Gentleman considers the public institutions in what was the borough of Fulham or looks round any city or town at the public institutions and public buildings which were erected between 1906 and 1913, he will see that there is a great deal of good. The problem with Conservative Members is that some of them believe in public service, even if it is over a narrow range, and the rest of them do not. I rather suspect that the hon. Gentleman is one of those who does not.

7.30 pm

The Prime Minister believes in public service. He has written a great deal in the newspapers about child care. It is he who said in an interview in *The Daily Telegraph* that we were to have an expansion of nursery education. Articles in the *Daily Express* further trailed the Prime Minister' dedication to that, even though the Secretary of State for Education appeared to have a different sort of view as to how it should be discharged. My hon. Friend the Member for Bristol, East (Ms Corston) pointed out that, in their official report to the United Nations, the Government said:

> "It would like to see a widening of nursery and other pre-school education as resources become available . . . The longer-term ambition is universal availability for those who want it."

We may ask "universal availability" of what? It is clear that, as the Government have said, such availability relates to the widening of nursery and other pre-school education. Nursery education, playgroups and some form of minding all have a part to play. We must ask ourselves what are the best arrangements to create a balance and who should supply each of those commodities, as the hon. Member for Fulham calls them. I prefer to call it care.

That is the area in which the Government have not got the integrity of which I spoke. When I use the word "integrity", I do not mean it in a personal capacity. However, it is perfectly clear that, corporately, integrity does not exist and I shall show why.

The Education Act 1944 laid a duty on every education authority to have regard to the need for nursery education for children under the age of five. Every local education authority had a duty to assess that need. They did not have to provide it, they could argue one way or the other and they did not have to provide for the full need. Indeed, in 1979, Oxfordshire council decided that it was going to disband nursery education. As a result, legislation passed through the House in 1980 which removed that requirement of the 1944 Act. However, it was passed in a way which did not make it clear to the House that that obligation and duty to provide care—at least the duty to see how much care was necessary or desirable—was being removed.

It is interesting that that principle of providing nursery education was endorsed by R. A. Butler in his speeches on the 1944 Act. He said that the concept of nursery education was to support home life and was not an attempt to

supplant it. That is why, earlier this Session, I introduced the Nursery Education (Assessment of Need) Bill to put that duty back on the statute book.

Mr. Deputy Speaker (Mr. Michael Morris): Order. I remember the hon. Gentleman's Bill, but the three new clauses are not about nursery education, but specifically concern capital allowances, child care vouchers and the self-employed. I hope that the hon. Gentleman will at least address one of those three dimensions.

Mr. Spearing: Certainly, Mr. Deputy Speaker. However, you will recall that, in the course of the debate, the Government claimed—this relates to the need for the amendment of my hon. Friend the Member for Peckham (Ms Harman)—that their policy was integrated and met the needs of the hour.

I shall rapidly conclude my speech and address my remarks to the Minister, who claimed that that integrated policy was present. All that I shall say is that that Bill was talked out by the hon. Member for Sutton and Cheam (Lady Olga Maitland). It was blocked by Ministers subsequently and on Friday 15 April I moved, as was my privilege under the Standing Orders, that the Bill be sent to a Second Reading Committee for consideration of its merits. But the Treasury did not want the Bill, not because it could not be passed on the nod—at 2.30 pm on a Friday, which everybody understands—but because it objected to the principle of debating it in Committee. If Treasury Ministers are objecting to debating the principle which was enshrined in an Act in 1944 by a Government with a huge Conservative majority who were elected in 1935 and will not apply it to the needs of today, they have no integrity. That is why my hon. Friend finds it necessary to move her amendment.

Mr. Alan Simpson (Nottingham, South): One of the reasons why I am grateful for this debate is that it moves us beyond the platitudes that presume that there is a shared and common interest existing on both sides of the Chamber about meeting the rights and needs of the child to pre-school nursery care and education. It seems that if we are to have a serious debate on those issues, we must at some stage address three of the key elements that must underpin any such commitment. Those elements are: what form the care and provision should take, where it should be located, and how it should be paid for.

May I simply outline the starting point? I am grateful to a number of my hon. Friends who have pointed out that, in the European league of comparisons, our starting point for three to five-year-olds is as follows. While in France and Belgium 95 per cent. of children have access to nursery education, in Italy and Denmark the figure is 85 per cent., and in Germany, Greece and Spain up to 70 per cent. of children receive nursery education, in the United Kingdom only 35 per cent. of children have such access. We are second to bottom of the European league. *[Interruption.]*

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman. I should be most grateful if the hon. Member for Cambridge (Mrs. Campbell) would recognise that her hon. Friend is addressing the Chair.

Mr. Simpson: Our best is less than half the best of the rest of Europe. Therefore, we ought to place our debate in a somewhat humble context. We perform no better if we stretch the age range and consider the provision for the under-threes. In Denmark, 48 per cent. of its children have access to nursery education and nursery care. The figure for France and Belgium is 20 per cent., but for the United Kingdom the figure is 2 per cent.

Against that relatively humble background, the House must ask what the starting point should be for a coherent and strategic policy that delivers to children their rights of access to pre-school nursery care. I take as my starting point the report of the Education, Science and Arts Committee in 1988. It reported:

> "We recommend those LEAs which have not already done so should review their existing plans to ensure that under fives provision is not adversely affected by the rise in pupil numbers."

The report went on to say:

> "It is unlikely therefore that any significant expansion could take place in provision for the under fives without provision of additional resources by central government."

Sadly, the Committee had to recognise that the Government had stated that it was their aim

> "broadly to maintain the present level of expenditure on under fives in real terms."

When the Committee questioned the Government further, they said that the

> "maintenance of the current participation rate seemed incompatible with level funding given the increasing number of under fives."

The Committee asked the Government to clarify whether that would guarantee increased funding in absolute terms. The Government's response was that they would not at present

> "envisage providing resources on the scale necessary to expand provision"

in the way that the Committee was recommending. The Committee concluded that the gap between public policy and public provision was a stark one that had to be addressed in unambiguous terms and commitments. It stated:

> "in the long run, we are brought, by the evidence on the value of nursery education, by the picture of the child situation in the eighties, and by the evidence of parental demand to our second major conclusion, that the way forward is the provision of a place in a nursery classroom for all children whose parents wish it."

Those conclusions, which were set out in 1988, have not been honoured. We have made no significant progress towards meeting those observations or commitments.

If we are to identify any pathways of hope, they are to be found not in Government policy but in the policies pursued by local authorities; virtually in defiance of the successive and swingeing cuts that central Government have imposed on local authority spending.

I am grateful to my hon. Friend the Member for Wallasey (Ms Eagle) for saying that the local authorities' record of provision for the under-fives is exemplary when compared with central Government provision. In the main, the record is exemplary for Labour authorities rather than for those that are controlled by the Conservative party. As my hon. Friend said, a child is three times more likely to have access to a nursery place if it lives in a Labour authority than in a Conservative area. Of the best 40 providers of nursery places, 34 are Labour authorities. Of the worst 25 providers, not one is Labour controlled.

I am even prouder to say that in Nottinghamshire the record of the Labour education authority since it came into power in 1981 has been outstanding. Nottinghamshire is now the leading shire county in the provision of child care. Every year since 1981 the authority has increased the number of places for children under five in local authority nurseries. The numbers increased from 4,700 places in

[Mr. Simpson]

1981 to 6,900 last year. It meant, last year, that there were 13,500 children throughout the county in full-time or part-time nursery places.

The authority has been struggling to hit a target that it set itself. It wishes 50 per cent. of the under-fives to have access to nursery places. It has reached 49.68 per cent. and sadly failed to reach its target. There has been a shortfall each year simply because the numbers of under five-year-olds outstrips the number of places that the authority is able to provide, in defiance, as I have said, of Government policy.

Within that commitment I am even prouder to recognise that 65 per cent. of children in Nottingham city have access to nursery places. I am grateful to the hon. Member for Havant (Mr. Willetts) for saying earlier that it is not sufficient to talk about the generality of provision. We must ascertain whether provision is being made available, first, to those who are in greatest need.

I invite the hon. Member for Havant to examine the record of Nottinghamshire's education authority. It is against the criterion that the hon. Gentleman outlined that it has decided where to make provision for nursery places. Unless that quality criterion is built into any general policy, there is a risk that those who are most able to demand will be first in the queue and those who may have the greatest claim on a needs basis will be at the end of the queue. The hon. Member for Havant made this an important point that we should all bear in mind in any strategy that we claim to put before the House that reflects favourably on the extension of the rights of children under five in terms of access to nursery care.

7.45pm

Every child in Nottinghamshire with a place in nursery education must, though, understand that the vote of thanks that he, she and his parents need to make should be addressed to the Labour local authority that has obtained, maintained and sustained those places.

Several Conservative Members have talked about parental choice. I spent a number of years before entering the House as an inner-city community worker. For much of that time the level of child care provision was well below the needs of the local communities with which I was working. In many instances some of the best initiatives were taken by groups of parents who gathered together and said that, despite the rigours of central Government finance, which were restricting the expansion of nursery provision, they would do their own thing. In effect, they said, "It is better that we make common provision to offer some stimulation for our children than to make no provision at all." I can only praise the parents who made that sort of commitment.

At the same time, I would not want anyone to be under the illusion that the approach that I have outlined constituted a free and positive choice that was being offered against the widest of all possibilities. Even the widest of the possibilities that stretched across these parents' horizons denied them the choice of a nursery place for their children. It was the denial of that choice that forced them into making other provision.

There may be some people who, given the widest range of choices, would still wish to say, "I would like to have a hands-on involvement, along with other people in my community, for the pre-school care and education of my children." That is fine. There may be others who say, "I would rather that my children were with members of my family." Again, that is fine, but I want people to be able to exercise such choices in the knowledge that they also have rights of access to free and comprehensive child care provision of the highest quality that the country can provide.

If people make personal choices to invest their own time and effort in education within extended family networks, that is fine. Unfortunately, we are a long way from having that range of options as a positive choice.

I am grateful again to the hon. Member for Havant for trying in an intervention to question whether the House should be concerned about the general provision of child care as opposed to questioning or examining the prospects of children in households where there is low income, one income or no income. It is an extremely important question which needs an answer if we are to address the rights of all children in our society.

Mr. Deputy Speaker: Order. The hon. Gentleman may have been asked a question in an intervention, but I ask him to relate his remarks to the three new clauses; he must weave his speech around them.

Mr. Simpson: I shall do that specifically.

In addressing the new clauses, we must look at the nature of the recent changes in the employment market so that we can ask ourselves some fairly serious and searching questions about whether employer-based provision will work and whether it is desirable.

I draw the attention of hon. Members to a recent survey conducted by the Low Pay Network, which was referred to in an article in *The Observer* on Sunday. Some fairly stark evidence was provided in that article which must raise the most serious question about women in part-time work being able to buy places for their children in either employer-based nurseries or private or community-based schemes. The study related to part-time jobs which had been generated in the Stirling area, and examined 91 part-time retailing jobs and the incomes of those who took up the jobs. Virtually all of the jobs were taken up by women.

The consequences for those women, and for the House, must be understood and considered. One consequence is that the earnings of those women were equivalent to 28 full-time jobs. The tax contributions they paid fell by a staggering 96.5 per cent. They fell from some £42,000 in tax and national insurance contributions to a total of £1,470. What we have is an increase in the activity rates in the work force of people who will not be able to pay for access to private nursery care or full-cost nursery provision by an employer. They will certainly not have the money to pay for child minding on any responsible and reputable basis.

The question is: how do those working mothers then gain access to decent nursery care for their children which meets the highest standards which their children have a right to expect? That question is important not only for the employer but for the Government. As the Government widen the base between the tax take that they get from the shuffling of the employment market, and as they retreat from their commitment to direct nursery provision, a massive and serious shortfall is being loaded on to society

which it will have to pick up in the future. Any party that has a serious commitment to a comprehensive policy on access to child care must address that issue.

It must be understood that those who are caught in the employment revolution, which the Government frequently laud in the House, are faced with a choice whereby they are pauperised in employment or stigmatised out of employment. Access to child care through the employer then takes on a different notion. The most sinister and disturbing context in which it could be construed is that the most cynical employers—if they were drawn into provision because they could make tax gains from it—would use it in precisely the way in which my hon. Friend the Member for Cambridge (Mrs. Campbell) pointed out, in terms not of extending access to children but of restricting the rights of parents. Employers would not allow access to the caring father in case the mother sought employment elsewhere, especially with a competitor. That would make access to nursery care not a child's right or a parent's right but an employer's right.

There is something deeply disturbing about seeing a solution to the rights of child care provision for children mainly in the hands of employers. Given the Government's ideological commitment to free market forces, the logic of the argument is that we will see child care inexorably tied to permanently low pay, to the maintenance of poor conditions and to the continuation of discriminatory practices in the workplace.

Mr. Willetts: I congratulate the hon. Gentleman on what seems to be a significant attack on the new clause proposed by the hon. Member for Peckham (Ms Harman). It is absolutely devastating.

Mr. Simpson: I am trying to address the rights of children in the whole and—

Mr. Deputy Speaker: Order. That has become plain, but I appeal to the hon. Gentleman to recognise that this is a specific debate on three new clauses. He has not mentioned one of the new clauses for one moment of his speech.

Mr. Simpson: I think that that is a trifle unfair, having just been congratulated by the hon. Member for Havant (Mr. Willetts) on addressing precisely that key issue.

I am aware that employer-based nursery provision is an important but second-best option in a comprehensive strategic policy that delivers child care opportunities to all of our children. I do not discount employer-based child care as an option. However, in order to place it properly in a strategic policy, we should not deceive ourselves that what may be an answer in part is in fact an answer in the whole. We need to place its provision in that context.

If we are considering moving along that path, we must be willing to open up a debate about partnership which moves beyond the terms by which the Government have structured this debate. I am not averse to a partnership between the public and private sectors. However, the benchmark of that partnership must be judged not by whether we can come to an agreement between ourselves but whether we can devise provision by the public and private sectors that meets the desires and demands of parents and their children.

All provision must eventually be measured and judged against the rights of children. That does not get in the way of a diverse and pluralistic approach to such provision, but it sets down clear, common standards against which the provision must be judged. It is not a question whether the provision should be tax deductible; it is a question whether it is based on shared obligations which the public and private sectors take on board with regard to meeting the needs of children.

In constructing whatever debates we have, we must be clear that the issue is not about a parent's desire for a job but about a child's right to a nursery place. We must understand that we have a common interest in making access to child care a universal right for all under-fives in this country. We have that common interest for two simple reasons. First, a study which was done in the United States a couple of years ago asked the question: what can we best do to deflect young people from crime? The answer that resulted from extensive research throughout the United States was that public and private initiatives needed to invest in provision for under-fives. If society wants the best "bang for its buck" in terms of anti-crime initiatives, it should invest in the under-fives. It is in the interests of industry and employers as much as it is in the state's interest.

We also need to know that employers, as much as anyone, have an interest in producing a generation of children who are highly literate and numerate, and who are capable of finding a place in a high-wage economy. If we do not invest in that for the century ahead, then the gap between those who are retired non-earners and who are dependent upon tomorrow's earners and pension contributors will be increasingly unbridgeable.

8 pm

We need, as my hon. Friend the Member for Edinburgh, Leith (Mr. Chisholm) mentioned, a strategic and co-ordinated national policy about child care provision. That must take on board the issues of staff training and take-up rights. It must extend from the question of funding buildings to books and also toys. It must recognise that if we do not develop a comprehensive and strategic approach which delivers access to child care and nursery care for all under-fives who wish it—as of right—we will be doing little other than stealing from our own future.

Mr. Dorrell: I begin by congratulating the hon. Member for Nottingham, South (Mr. Simpson). Those who have sat through the debate have heard many calls for a national child care strategy, but he is only the hon. Member who has not merely spoken in favour of the idea but has sketched out some idea of what a national child care strategy would look like.

The only problem is that there appears to be a difference of nuance between the hon. Gentleman and the Opposition Front Bench. The hon. Gentleman made it clear that he is not in favour of employer-provided child care. I look forward to welcoming him in the Lobby if the hon. Member for Peckham (Ms Harman) chooses to force a Division, because the purpose of the hon. Lady's amendment is to provide a tax concession for employer-provided child care.

Mr. Simpson *rose—*

Mr. Dorrell: There is another difference in nuance between the hon. Gentleman and the Opposition Front Bench. He might like to reply for both of them at once, as I shall give way in a moment.

[Mr. Dorrell]

The hon. Member for Peckham responded to more than one intervention this afternoon by avoiding answering the question of what a national child care strategy would look like. A large number of speeches have called for a national child care strategy, but all of the hon. Gentleman's colleagues neatly avoided setting out what that meant. The hon. Gentleman was clear that what he means by a national child care strategy is free access to child care and nursery education for all under-fives at the choice of the parent. That is his view, and it is perfectly clear, but I fear that he has yet to persuade the Opposition Front Bench that that is either affordable or desirable.

Mr. Simpson: I hope that the Minister will recognise, given the difficulties that I had in making my way through the interventions from the Chair, that the terms of the debate are specifically limited. There is not a great deal of scope for setting out a national strategy and there have been other occasions when those on the Opposition Front Bench were more than forthright about what the framework of that should be.

May I simply clarify a point that I made about employer-based provision? I am not opposed to it and I said clearly that it is an important strand of a second string to the provision of child care rights. It must be judged against what is in the best interests of the child, rather than the employer, and it must deliver universal access to all those children who are under five who wish access to such provision.

Madam Deputy Speaker (Dame Janet Fookes): Order. That was a long intervention after a fairly long speech.

Mr. Dorrell: The hon. Gentleman said that it was difficult, in this debate, to have the opportunity to sketch out a full strategy for child care. I congratulate him on finding a way to do so that his hon. Friends were not sufficiently ingenious to find.

The hon. Member for Peckham was quite right to say that the debate about child care takes place against the background of a major change in the labour market over the past couple of decades. There has been a large increase in the number of women at work and that has led to a substantial increase in the number of two-earner households. For a number of other social reasons, there has also been a substantial growth in the number of single-parent families.

Those are all important factors, which demand an increase in the level of provision of child care. That is not in dispute. The problem is that Opposition Members appear to be dismissive of the fact that that demand for increased child care has been met. There is clear evidence in the figures of a substantial increase in the number of places in nurseries and in child minding. That is responding to precisely the kind of social phenomena that the hon. Lady identifies.

It became clear in the debate that the attitudes of the Opposition were accurately summed up by the hon. Lady's article in this morning's edition of *The Independent*. She wrote:

"The number of children in private day nurseries . . . is 90,000 and increasing."

That is a fourfold increase on the figure of 10 years ago. She goes on:

"But the demand for child care for working mothers has been met above all by a huge increase in child-minding. More than 250,000 children are being cared for by child-minders".

That is a rise, as the hon. Lady accurately says, of 155,000 or 150 per cent. in the past 10 years.

The attitudes of the hon. Lady become clear when she goes on to say:

"For many parents, child-minding is their preferred option."

One could say that there is clear evidence that they are taking up opportunities which are there. She continues:

"But for many more, it is not. It is unsatisfactory that the increase in women at work is being underpinned by a major expansion in a type of child care which is not the first choice of parents or experts."

The last word is the giveaway. The truth is that the Opposition are more interested in the views of experts on collective provision than they are in the views of parents about how their children should best be cared for.

Before I pursue the argument any further, I should declare an interest. I am the father of an 18-year-old son —*[Interruption.]* An 18-month-old son. My wife works and I must declare to the House that, despite the opinion of experts, my son Philip was taken on Monday of this week from a nursery and given to a child minder because that met the needs of my family more directly. I am sorry if that contradicted the opinion of the hon. Lady about what we should have done as parents. However, the choice of parents should determine our child care policy.

Mr. Spearing: The Minister has claimed that the Government are responding to the various needs, whether in child minding, nursery education or playgroups. Why do the Government persist in rejecting what the House accepted in 1944—that local authorities should assess the need, even if they are not to supply it?

Mr. Dorrell: The hon. Gentleman knows that the Act to which he refers related to nursery education, not child care.

The hon. Member for Peckham called for a national strategy for child care. My hon. Friend the Member for Carshalton and Wallington (Mr. Forman) was absolutely right to point out that—with the honourable exception of the hon. Member for Nottingham, South—no Opposition Member sketched out in any degree what he meant. The new clause does not constitute a strategy. It provides an industrial buildings allowance for child care facilities in commercial buildings. It is based on the proposition that that is available for sports facilities in commercial buildings. That is not correct.

There is a specific industrial buildings allowance provision for sports pavilions, but sports facilities in commercial buildings would be treated in precisely the same way as child care provision in commercial buildings. That is, their access to capital allowances would be determined by the status of the building and, if it is a commercial building, no capital allowance would be available. So on her own logic, the hon. Lady's argument falls.

As my hon. Friend the Member for Havant (Mr. Willetts) said, the hon. Member for Peckham's argument was in direct contradiction to the concerns that she expressed about employer-provided nurseries in the book that she wrote on all those subjects, and from which my hon. Friend quoted. The hon. Lady and her hon. Friends called for a strategy and, with one honourable exception, made no attempt to set one out.

The Liberal Democrats on the other hand offered us something that at least cost a substantial amount of money.

even if it did not constitute a strategy. The hon. Member for Christchurch (Mrs. Maddock) argued that we should introduce tax relief for child care vouchers. That in itself is a relatively low-cost proposal, but I have to ask the hon. Lady and anyone else who may be attracted to child care vouchers as the way forward what we would do when employers and employees agreed that, as child care vouchers were tax deductible, it was in the interests of both to provide vouchers, if necessary at the cost of a reduction in pay, in order that employers could meet directly the child care that was previously met by employees out of their own pocket. It would clearly be in the tax interests of both employers and employees to do that.

Such an arrangement would substantially increase the cost of the hon. Lady's proposal. She would then have to explain why it applied to employees but not to the self-employed. When she had done that, she would have to explain why child care was tax deductible when all those convolutions were gone through, but not when employees paid for it out of their own pocket. Once that concession was made—the lobby groups make it clear that that is their objective—the cost to the Exchequer would be £300 million a year. Not a single extra child care place would be provided as a consequence. I do not regard the hon. Member for Christchurch's proposal as a strategy or a sensible use of £300 million when it would not lead to the provision of a single extra child care place.

Ms Diane Abbott (Hackney, North and Stoke Newington): What about single parents?

Mr. Dorrell: I am coming to precisely that point in response to the hon. Lady. I am always happy to go where she leads.

The proposition that the Government put to the House is that the wrong way to go about child care is to introduce blanket subsidies of the kind that were accurately described by my hon. Friends the Members for Havant and for Fulham (Mr. Carrington) as ill-targeted assistance going to the wrong people. The Government believe that we should recognise that there is a real problem for those on low incomes, particularly single-parent families, and that it is in the interests of such families, wider social policy and wider economic policy objectives to help those people out of the single-parent employment trap. That is why in the Budget last year my right and hon. learned Friend the Chancellor introduced the child care disregard in family credit. That is why, in addition, we are assisting the development of 50,000 places for children of school age through the out-of-school child care initiative.

The Government's approach to the problem is to target assistance where there is a real problem, where there are real anti-work incentives and real difficulties for people in finding their way off benefit and into work. By using money in that way we shall be able to achieve a substantial social advance rather than a blanket subsidy which is ill targeted and delivers the lion's share of the benefit to people who do not need it and are comfortably off with their present arrangements. On that basis, I commend the Government's approach—

Mr. Chisholm: Will the Minister give way?

Mr. Dorrell: No. I think that the House wishes to come to a decision on the matter. I commend the Government's approach and recommend to the House that all three of the new clauses should be rejected.

Question put, That the clause be read a Second time:—

The House divided: Ayes 259, Noes 291.

Division No. 213] **[8.13 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cartile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge Hl)*
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H.
Dunnachie, Jimmy
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Kean, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie

Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Hallam)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'k'ds E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. John Cummings and
Mr. Alan Meale.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Allason, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Boscor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heathcoat-Amory, David
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard

Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Robert G. Hughes and
Mr. James Arbuthnot.

Question accordingly negatived.

New Clause 6

CHILD CARE VOUCHERS

'.—(1) Where an employer supplies child care vouchers to an employee in qualifying circumstances and up to the qualifying limit such vouchers shall not be treated as emoluments for the purposes of section 131 of the Taxes Act 1988 or as benefits to which section 154 of the Taxes Act 1988 applies.

(2) For the purposes of subsection (1) above the vouchers are supplied in qualifying circumstances if

(a) the vouchers can be used only in paying for care for a child who falls within subsection (3) below and

(b) the registration requirement is met

(3) A child falls within this subsection if the child

(a) is a child for whom the employee has parental responsibility

(b) is resident with the employee or

(c) is a child or stepchild of the employee and is maintained at the employee's expense

(4) The registration requirement is that

(a) the premises on which the care is provided are registered under section 1 of the Nurseries and Child-Minders Regulation Act 1948 or section 11 of the Children and Young Persons Act (Northern Ireland) 1968 or

(b) a person providing the care is registered under section 71 of the Children Act 1989 with respect to the premises on which it is provided

(5) For the purposes of subsection (1) above the qualifying limit is

(a) in the case of each child who is under the age of six years and is not in full time education, £75 a week

(b) in the case of each other child under the age of 16 years, £30 a week.

(6) In this section, "care" and "parental responsibility" have the same meaning as in section 155A of the Taxes Act 1988.'. —*[Mr. Beith.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 22, Noes 293.

Division No. 214] **[8.29 pm**

AYES

Alton, David
Beith, Rt Hon A. J.
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Connarty, Michael
Davis, Cynog
Ewing, Mrs Margaret
Foster, Don *(Bath)*
Harvey, Nick
Johnston, Sir Russell
Jones, Ieuan Wyn *(Ynys Môn)*
Kennedy, Charles *(Ross,C&S)*
Llwyd, Elfyn
Lynne, Ms Liz
Maddock, Mrs Diana
Michie, Mrs Ray *(Argyll Bute)*
Steel, Rt Hon Sir David
Taylor, Matthew *(Truro)*
Tyler, Paul
Wallace, James
Welsh, Andrew
Wigley, Dafydd

Tellers for the Ayes:
Mr. Archy Kirkwood and
Mr. Simon Hughes.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Allason, Rt Hon Michael *(Salby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman

Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Irvine Patnick and
Mr. Michael Brown.

Question accordingly negatived.

New Clause 13

JOINT VENTURES FOR INFRASTRUCTURE INVESTMENT BETWEEN PUBLIC AND PRIVATE SECTORS

'The following subsection shall be inserted after section 6(1) of the Income and Corporation Taxes Act 1988—

"(1A) Where—

(a) a company has been formed for the purpose of the construction, design and operation of roads, rail or other transportation projects, the provision of training or child care, or such other purposes as the Treasury may by regulation deem appropriate, and

(b) not less than 10 per cent. of the issued share capital of that company is owned by the Government or other public sector body at the end of an accounting period, and

(c) not less than 30 per cent. of the issued share capital of that company is owned by private bodies at the end of the same accounting period,

then the liability of that company to corporate tax under this section for each accounting period shall be reduced by £100.".'.—*[Mr. Darling.]*

Brought up, and read the First time.

Mr. Alistair Darling (Edinburgh, Central): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to take new clause 18—*Joint Ventures for Infrastructure Investment between Public and Private Sectors (No.2)*—

'The following section shall be inserted after section 6(1) of the Income and Corporation Taxes Act 1988—

"Where—

(a) a company has been formed for the purpose of the design, construction and operation of roads, rail or other transportation projects, the provision of training or child care, or such other purposes as the Treasury may by regulation deem appropriate, and

(b) at the end of the period of concesssion the assets and activities of the company are to pass to the public sector,

then the liability of that company to corporation tax under this section for each accounting period shall be reduced by £100.".'.

Mr. Darling: The new clauses are technical in nature but they allow us to debate an important matter that is crucial to the future of the United Kingdom and the world economy. Both concern the need for more initiatives involving public and private sector capital.

The need to invest in Britain's infrastructure is obvious to most people, if not to the Government. At the last election, the Labour party was anxious to ensure that the public sector had private sector money available to it. My hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott), the shadow employment spokesman, spent much of the general election campaign emphasising the fact that we believed that it was necessary for British Rail to attract private sector money. At that time, he was roundly criticised by the Government, who suggested that such a solution to the problem was not acceptable and should be rejected. Yet immediately following the general election the Government adopted exactly the same policy, showing that yet again they followed Labour party policy in this area of industrial development.

The bankrupt nature of the Government's approach during the past 15 years is best illustrated by what has happened with the channel tunnel link between London and the Kent coast. This summer, trains will travel through France at 185 mph. They will then travel through the tunnel at 85 mph. Then, and for the next 10 years, they will limp through Kent—a 75-mile bottleneck—at just 47 mph. The decision to build the channel tunnel was taken in 1986 and work began in December 1987. Yet Britain will probably not have a fast link between London and the Kent coast until 2004. Until we have that fast link there will not be the through link to many parts of England and to Scotland, all of which should benefit from the opening of the channel tunnel. I believe that that has happened because of the Government dogma which prevailed throughout the 1980s, and which we still see today, which says that only private sector money is appropriate for large infrastructure projects of this kind.

We know that parts of the London underground system are more than 120 years old. Anyone who travels on any part of the London underground system—which, as a general rule, Ministers do not—will know that it is in desperate need of overhaul. Even when the Government recognise that action is necessary, there is delay. The Northern line is an example of that, to which I shall return shortly.

The Heathrow express line, now a public-private sector partnership initiative, was planned 10 years ago. We have one of the world's major airports, if not the world's major airport; yet there is no efficient public transport link between it and London city centre. The Piccadilly line, which currently links the two, is an appalling service. I can bear personal testament to that, and it is no way to link a modern airport with a city centre. Yet after years of delay and argument the Heathrow express line will not be ready until 1997—and even when it is completed it will dump passengers at Paddington station with no direct link anywhere else.

The crossrail project, which will link east and west London, has still to complete its parliamentary passage and we do not know when, if ever, the line will be completed.

Leaving aside the argument whether the London docklands development was a good scheme, we had the absurd situation where it was completed but there was no infrastructure to enable people to get in or out of it. Until recently, the London river bus—another casualty of the recession—was by far the best way to docklands and other parts of London because the road and rail links were not efficient.

We also know that one in six sewerage pipes in Britain is more than 100 years old.

Alongside all those projects which desperately need investment we have between 3 million and 4 million people who are unemployed and condemned to a second class existence. They are people who want to work. There is work to be done and there are people ready to do it. What we need to find—and what the Government should find—is a solution which brings the work that is needed to those who want to work. The kind of initiative highlighted by new clauses 13 and 18 would provide one possible solution. I emphasise that it is one solution because there are other possibilities.

Clearly, projects totally financed by the public purse and those totally financed by the private purse are ways of tackling these problems, but I wish to concentrate on the solution that would be enabled by the new clauses—matching the need to invest with the available private sector finance if such finance is available. That is one reason why we published a consultative document entitled "Financing Infrastructure Investment" in February this year. We subsequently held a conference which was heavily over-subscribed and attended by industrialists and financiers, confirming our belief that the private sector wants to contribute and that the biggest single barrier to progress is Government dogma, on the one hand, and simple paralysis on the part of the Government on the other.

8.45 pm

I do not believe that there should be any ideological difficulty over the funding of such projects. For far too long, political ideology has been dominated, certainly on the Government side, by the issue of public financing. Throughout the 1980s, the Government held that the only spending worth undertaking was that undertaken by the private sector. If the private sector could not or would not do it, it was not worth doing. That is as daft as saying that the only way to finance public works is through the public sector.

Partnerships between the public and private sectors are essential. They are used in many different parts of the world. Local authorities throughout Britain have been pioneering such developments. The Government should now embrace the concept in order to tackle the woeful lack of investment in public infrastructure. The negative, polarised attitude has to change. We need to bring about the structural changes which are needed if partnerships are to develop. Public money should be used in a way which maximises the benefit to the community, which includes public infrastructure. If public funds are applied and they in turn attract public funding, aggregate spending is increased, bringing both direct and indirect benefits.

Our concept of public-private partnership is ambitious and expensive—*[Interruption.]* That was a mere slip of the tongue. Those who have been observing the debate so far will have noticed that our amendments are far from expensive, as the Financial Secretary has already seen. Our partnerships are ambitious and expansive. We see the scope for new partnerships not just in the provision of rail and infrastructure, but in inner-city and regional developments, training, housing and child care, as we discussed at some length in the previous debate.

As a first step, the Government should draw up a list of their priority projects. That is what seems to me to separate the Labour and Conservative parties. The Conservative party has never yet drawn up a list of those projects that it considers to be major priorities. It is for the Government to

determine their infrastructure priorities and then to invite the private sector to participate—not the other way round. That simply has not happened. No doubt the Financial Secretary will tell us why.

That is also the view of the private sector. It is not just the Labour party which is saying that the public sector should do this. The Royal Bank of Scotland has said:

"The public sector takes an active role in identifying and promoting priority projects."

John Laing—no particular friend of the Labour party—has said that it is essential for the Government to ensure that projects are drawn up so that

"the private sector pursues projects at the top of the Government's shopping list."

That has not happened so far and it should happen as a matter of urgency. Instead, in the past 15 years we have had a Government ideology which has maintained that only the private sector knows best. That view has been rejected by the private sector itself. Yet every Conservative Member in the House today has been a bag carrier of that failed Tory dogma in the past.

Last September, the Chancellor decided that a new initiative was required. Having announced that because he was born in the midlands he had an eye to industrial strategy, he produced a list of 78 projects that he claimed demonstrated the Government's commitment to public-private sector projects. They ranged from the channel tunnel link at one extreme to the car park behind Eastbourne hospital at the other. When he addressed the Confederation of British Industry last November, he said in his typical style:

"You could say it is about privatising the process of capital investment in our key public services."

As usual, he missed the point. The Government must determine priorities.

With other projects, the risks are too great to be borne by the private sector alone. Where such projects are to be encouraged, it must be the Government's responsibility to take a lead and to share the risk appropriately. Many projects, such as the west coast railway, have a strategic importance but are not necessarily seen by the private sector as an attractive commercial proposition, or at least not in their entirety. In that instance, no private firm would contemplate the line's wholesale upgrading; but in partnership with the public sector, certain parts of the project might be attractive to a private firm and it might be willing to help fund them.

Mr. Beith: I agree with the hon. Gentleman, but surely his earlier slip of the tongue was right. Some projects are expensive, but they are justified and cost-effective. The crunch is whether the Government are prepared either to put up the money or to underwrite the risk of some of the projects that he described. We shall not get away with £100 concessions to companies, as the hon. Gentleman's amendment proposes. It will require some commitment of public money to achieve the hon. Gentleman's objectives.

Mr. Darling: The right hon. Gentleman makes a fair point. Of course the sums at stake are substantial, particularly in respect of the channel tunnel link and the upgrading of the west coast main line. Ultimately, the public will fund those projects with the public purse through taxation, to service the loan. If they are funded jointly by the private and public sectors, the money will come partly from taxation and partly from fees, pricing or some other means of paying for them.

Earlier, before I was diverted by the Financial Secretary, I made the point that if public money is applied in that way and brings in private money, the aggregate investment is increased. I wholeheartedly accept the right hon. Gentleman's proposition that if the British economy is ever to get out of the rut that it is in, infrastructure investment in key projects will be needed. The Singapore Government, for example, are building both a physical highway and a telecommunications superhighway through the spine of that country. That is one example of a country prepared to embark on a major investment led by the public sector but subject to a substantial private sector commitment. That will bring economic spin-off developments which will provide employment for people who will then contribute taxes and national insurance or whatever is the appropriate system in that country.

I fully accept that such developments do not short-circuit the fact that if the public sector is involved it creates a public sector borrowing requirement commitment. We are debating ways of introducing private and public sector money to allow investment in infrastructure projects which have been neglected for many years.

Precisely that argument led me to emphasise the need for a channel tunnel link. It is not a narrow matter of a link between London and the Kent coast. The entire railway infrastructure to allow British companies to export to the rest of the European Union depends on a link between all parts of Britain, the tunnel and mainland Europe. That will not be possible in the absence of a fast link between London and the Kent coast, which is unlikely to exist for another 10 years

The west coast main line was one of the most modern railways when the Government came to power in 1979, but it is now desperately in need of investment and its managers warn that it is at risk of catastrophic failure. All that the Government have done is to put obstacles in the way. Instead of the private sector or the Government dealing with one operator—British Rail—the network is run by more than 20 operators, all with their own goals and priorities. We know the difficulties that that has caused. Strathclyde passenger transport executive, which operates a major commuter network in the west of Scotland which is vital to communications there, is finding it difficult to maintain its commitment with ScotRail, which operates the Scottish rail network, because of uncertainty about the effects of privatisation. It is tragic when an integrated transport system is put at peril because of Government dogma.

Earlier I mentioned the Northern line of the London underground—a classic case of the inflexibility of Government rules. Their policy has repeatedly delayed the investment that anyone who uses that line knows is desperately needed. The manufacturers of the new trains are happy to enter into an agreement to lease and to maintain them, which is important, because problems will inevitably arise with new rolling stock and they will have to be overcome. The Government want the manufacturers to go one step further and share the revenue risk. The people who build the trains freely admit that they do not have operational expertise. They cannot control the revenue, as they have no control over fare structure or marketing.

I do not argue that leasing and maintenance is the solution that we would go for in every case—there may be occasions when revenue risk is entirely appropriate—but the Government must devise some mechanism which

offers the flexibility required. If the Government want a project badly enough, they should accept a greater degree of risk—perhaps ultimately by undertaking the entire project themselves, but perhaps something less than that. If the Government do not give a project particularly high priority, they would be right to ask the private sector to take a far greater share of the risk. At present, we have an extremely inflexible system, the result of which is that hundreds of thousands of Northern line users will be inconvenienced for a long time to come. That does not seem to make any sense. Does the Minister wish to intervene?

Mr. Dorrell: I am grateful to the hon. Lady—[*Laughter.*] I beg the hon. Gentleman's pardon. He alleged that there is a blockage because the Government require the operators to take a risk on revenues, but that is not the position. The Government published in the *Official Journal* the terms of a competition to determine which supplier would make the best offer in terms of replacing Northern line rolling stock. Is the hon. Gentleman arguing that that step is otiose?

Mr. Darling: Earlier the Financial Secretary was confused about the age of his son. Now he appears confused about my sex. I wonder if he is also confused about Government policy on the public and private sectors.

I have no objection to competitions or to tendering. The Government have said that they want the operators of the trains to accept a revenue risk, but I entirely see the operators' point of view: they do not know about the business of running trains. If they have an interest in only one particular line and not in others, it is difficult to see how they can reasonably be expected to take such a risk unless they are given some say in the fare structure and in marketing, so as to protect the risk that they are running.

Clearly, the Government must be flexible about any strategy for attracting public-private sector initiatives. If a bridge is to be built across a river, the Government may adopt a view different from the one that they would take if it was just a case of providing rolling stock for one section of one line. The Government must be open about these matters and must be prepared to show flexibility.

I would never argue that the Government should not press the private sector to make as much of a contribution to the risks as it possibly can. I know that those behind the Jubilee line extension wanted the Government to take the lion's share of the risks. I accept that the Government were right in that case to stick to their guns and ensure that the private sector took its fair share of the risk. No one should be dogmatic about these issues; it is just a case of what is right for the circumstances.

Mr. Dorrell: I entirely agree with the hon. Gentleman about the need for flexibility—it is an important point. He was arguing earlier that an unnecessary delay was being built into the Northern line acquisition by the Government's stance. The delay, if it be delay, is caused by the Government's insistence that potential suppliers enter into a competition. I want to establish whether the hon. Gentleman accepts that competition should be the next stage. If he does, he cannot argue that there is a delay.

9 pm

Mr. Darling: There is a delay by definition—because the Government have decided to hold a competition. I am glad to see that that is common ground. This is not just my complaint: many Members representing London constituencies, together with the *Evening Standard* and numerous members of the public, all know about the misery of using the Northern line every day—and they consider that the Government have caused the delay.

To say that the Government must be prepared to show flexibility is not to say that the private sector should not be pressed as hard as possible when it is right that it should assume a far greater risk. In certain other projects, such as the Northern line, it is important that the Government strike a realistic balance.

Mr. Brian Wilson (Cunninghame, North): Does my hon. Friend agree that, whatever the Minister says, there has been an inordinate delay in getting to the point of holding the competition? The reason for that has been the Treasury's obsession with the idea that risk must take the form of operating risk—as well as maintenance risk, to which the operators are prepared to agree. Does my hon. Friend further agree that if the Minister is saying categorically that the Treasury is no longer insisting on operating risk as an element of the contract, that will be good news for everyone?

Mr. Darling: I do not believe that the Minister was saying that—indeed, he seems to be shaking his head. I think that we can take it that the Government are indeed insisting that operating risk should be part of the package.

Mr. Dorrell: It is one of the issues that will determine the result of the competition.

Mr. Darling: My hon. Friend the Member for Cunninghame, North (Mr. Wilson) makes his own point, and now the Minister appears to accept it. There has been an inordinate delay, but this is only one of many projects in which there has been delay, caused partly by the fact that the Government are not clear in their collective mind about what their approach should be.

There seems to be some confusion about where the Government stand. I appreciate that they have travelled a long philosophical road. Five years ago, under the previous regime, such talk would not have been allowed. At that time, the idea of a public-private sector partnership was not to be tolerated: the private sector knew best—that was all there was to it. We have had this list of 78 projects, of which 43 are mere proposals and, as such, cannot be relied on as part of a comprehensive Government strategy.

We should recall that these projects were announced by the Chancellor on a wet night in Glasgow last September. Perhaps they have the same status as the Chancellor says the Tory promises of tax reductions had when it came to the last Budget—it is just that one list was delivered on a wet night in Glasgow and the other in Dudley. They cannot be relied on. Two of the projects are, in any event, for car parks—highly desirable, no doubt, but scarcely the stuff of economic regeneration. They cannot be said to be priorities, but perhaps we shall hear more about them this evening.

The Government will say that it is unfair of me to blame them for everything that has gone wrong, and that the private sector has also made mistakes in the past. Others would argue that this business ought to be left to the private sector and that the public sector has no role to play. I recognise that there have been failures on the part of the private sector to invest in areas which fall within its own domain.

[Mr. Darling]

These matters are perhaps outwith the scope of this debate, but the Government can take a lead. They set the tone and the economic framework. For example, they determine the takeover policy which has led to companies being forced to pay out heavy dividends to fight off takeovers—dividends which could have been deployed for investment. The Government should have a view on corporate governance, which can have a heavy influence on the culture of investment.

Institutional investors also have a lot to answer for. Those who saw last night's BBC "Panorama" programme must have despaired on hearing reports that banks, pension funds and other institutions are again investing heavily in property, despite two spectacular collapses in the past 20 years. It is not just a private matter: money invested in property is, by definition, not available for other investment, and property collapses which leave banks badly burnt are paid for by the public through increasing bank charges. It is high time the whole culture of investment in this country and the behaviour of some people in the City was questioned—not just by members of the public, but by the Government. Perhaps the Financial Secretary, who has hinted in a series of speeches that he is concerned about such matters, will say something about them today.

We need projects which can be implemented quickly, as well as projects which can enhance long-term efficiency and competitiveness. Projects should provide an acceptable rate of return, taking account of employment effects as well as straight cash terms. The Government have encouraged a culture in which high dividend payouts have taken priority over research and capital investment, which has seriously damaged our competitiveness. For that reason, it is for the Government now to show a lead in promoting public-private sector initiatives that will begin to redress some of the balance. We understand that only now, after 15 years, are the Government examining companies' behaviour with regard to dividends; only now has the Financial Secretary started to take an interest in the matter from the Government's point of view.

What about privatisation? No doubt we shall be hearing something about that. On average, about 20 per cent. of after-tax profits are paid out in dividends, but nearly 45 per cent. of the after-tax profits of the privatised utilities—water, electricity and gas—have been paid out in dividends. That is more than twice the figure for other companies. Yet we are asked to believe that privatisation leads to the best investment decisions. We know that that is not the case. We cannot leave such important matters, particularly matters of infrastructure, to private sector judgment alone. There are areas in which the private sector can operate best, but in many others there is a public interest—a public interest that has been neglected over the past 15 years. So far, we have seen no evidence that the Government are prepared to tackle seriously and reverse the problems that have occurred in the 15 years during which they have been in power.

There are other problems to be addressed. There is, for instance, the question of risk. As I have said, a flexible approach is needed. Risk does not come only in cash terms; there is the question of the Government's acceptance of planning and legislative risks, for instance. There is also the question of the public sector borrowing requirement, as I pointed out in response to an intervention from the right hon. Member for Berwick-upon-Tweed (Mr. Beith). The PSBR will not go away, but I believe that we need more transparency. The Government should separate their accounts to show their trading activities and investment borrowing as opposed to the borrowing that they undertake to maintain their core activities. We should bear in mind Sir Leo Pliatzky's observation that the PSBR is merely what the Treasury says it is. A far wider debate is needed about the definition of the PSBR. We accept that it will not go away, but people should be able to see what the Government are borrowing for.

The cost of borrowing itself must also be considered. The rate of return demanded by the Government has been unreasonably high in some cases—higher even than that in the private sector. That has stopped much rail investment, for example. Then there is the question of the status of public bodies such as the Post Office which find it very difficult to operate in the market because the Government will not let them do so—although many believe that the Post Office could compete very adequately if it were freed of the plundering by the Treasury each and every year.

It is significant that many local authorities—particularly Labour authorities, I am glad to say—have been at the forefront of imaginative development in metro schemes and various public sector developments. That should be encouraged. The whole issue of the public-private sector initiative must be part of an overall strategy for manufacturing investment and economic development. Yet we hear nothing from the Government. Such developments are happening all over the world—in the far east, in Europe and in the United States—yet in this country we have seen very little. We see merely continuing decay and decline.

The Government say that there is no alternative to their policies—just as they said that there was no alternative in the last 15 years which saw Britain's gradual decline in economic performance. I accept that there are problems, but these problems are there to be tackled and not used as an excuse for doing nothing. The Government need to broker agreements where agreements need to be reached. There is a willing private sector, there are people who want work and there is work that needs to be done. Britain should not be condemned to a second-class economic existence because of the triumph of Government dogma over common sense.

Mr. Beith: During the period of grim recession that we have just experienced the Government, along with the private sector, could have productively engaged in promoting infrastructure investment. In doing so, they would have allowed contracts to be placed at a time when the private sector was in a particularly weak position and when excellent prices could have been obtained. That would have created employment, thereby increasing the return from tax revenue and decreasing expenditure on social security benefits. At the end of the day, there would have been assets that we need desperately: an improved transport system and improvements in housing and other aspects of public investment.

The fact that this has not occurred will count very heavily against us. If there is an economic recovery, there will come a point when it will be difficult for the Government to promote more investment and activity in this area because the private sector may be quite active elsewhere and engaging in such investment could generate more inflation.

But the gaps will still be there. The deficiencies in the transport system will remain. They will produce bottlenecks which will create further problems, such as inflation, in particular, because of scarce capacity. People will have difficulty getting to work—a problem which is particularly evident in London where the transport system is not equal to the task of getting people to work. Business faces huge losses because of that inefficiency.

There will be problems not just in London, but in other parts of the country as well. The Government have missed a great opportunity and, in so doing, have made it a great deal more difficult for us to succeed and to be competitive in the future.

The opportunity has been missed partly for the reasons of dogma which have been mentioned already in the course of the debate. But let us get one thing clear: there is no free lunch; the kind of investment that we are talking about will cost the public sector some money. Partnership with the private sector can reduce the total amount of public sector commitment as well as bring other advantages. Private sector project management and private sector operation of activities can, in many cases, bring benefits and qualities which are sometimes absent from the public sector.

But the public purse will have to provide certain elements, or the projects would have gone ahead long ago. As a speculative investment, the private sector would have built railways and done other work for which there was a prospect of a reasonable return—particularly if economic conditions had been better managed than they have been in the past few years. But we are talking about areas where the risk is too great, where the return is too uncertain, or where, by the very nature of the scheme, there is not the means of securing the return which the private sector requires.

So we need a contribution by the public sector in the form of money up front or in the bearing of risk. Either way, the Treasury believes that it should appear on the public sector borrowing requirement. I was pleased to hear the hon. Member for Edinburgh (Mr. Darling) accept that as a fact of life; it is no use pretending otherwise. The logical conclusion is to say, "Right, we may well be justified in adding to the public sector borrowing requirement in that way because by doing so we improve public investment, we improve our competitiveness for the future and we ensure that, in some respect, we can lower future public borrowing because we have an efficient and competitive economy".

It is extraordinary that, as a result of our not having a public sector balance sheet, we have this curious ideological argument. Just like any company, we should make a regular assessment of our community assets. The lack of a public sector balance sheet puts all the emphasis on revenue accounting. A public sector balance sheet would show where our assets were declining and where we were not renewing them and would set in context the debate about the PSBR.

9.15 pm

As I said, we must recognise that there has to be a contribution from the public sector to get some of these projects under way. The hon. Member for Edinburgh, Central said that the new clause was technical, and indeed it is—to any eligible company, it would mean only £100 relief from corporation tax. The Labour party's care not to make any public spending pledges could scarcely be clearer. I take it that the new clause was a device to secure a debate, but there is an important point underlying it.

Labour and Government Front Benchers are trying to escape the reality. The Government are trying to pretend that a great many public and private sector co-operative ventures are about to appear. The fact that they have not done so year after year, despite successive changes of policy by Chancellors, supposedly to make it easier, makes it clear that the Government are not facing reality. As for the Labour party, it refuses to admit that such projects cost money and that we shall have to fork out some public money to get them under way. I should expect the Labour party to argue that not only do they cost money but that it is money well spent and a reasonable expenditure. I agree with all that the hon. Member for Edinburgh, Central said about the desirability of the projects in question and their long-term cost-effectiveness.

The Government should come clean and admit that their efforts thus far to achieve public-private sector partnership have been woefully unsuccessful. If that were not so, there would not, in almost every Budget and in almost every autumn statement, have been another Government commitment to make new changes to move the culture so that the projects were easier to mount. Every year, we have questioned Ministers and civil servants in Committee about what they were going to do next and what other changes they were going to make, but we get nowhere because the Government will not face the fact that there has to be a significant contribution in the form of funds up front or guarantees to enable some of the projects to go ahead. For their part, the Opposition need to recognise that the projects involve justified commitment of public resources because they will make our economy much more efficient in the future.

There is so much agreement on the general desirability of some of these projects and such wide acceptance of the principle of partnership between the public and private sectors that it is extraordinary that we should still have to argue about it and that we should be making so little progress. I therefore call on the Government to make it clear that the projects that we are debating are necessary and important and will justify a commitment of public resources.

Public sector borrowing is not all bad. Public sector borrowing that is designed to create assets for the future can be fully justified if we can show a return on it in the future. In their understandable attempt to cope with the borrowing that has resulted from recession and from what I would describe as the mismanagement of recent years, the Government should not throw out the baby with the bath water. They must not convince their supporters, let alone the public in general, that it is always wrong for the public sector to borrow. It is not wrong if we are creating assets that will make our economy more efficient in the future.

There is a long list of such projects and there is considerable private sector interest in getting involved in them, but we cannot escape the need for a degree of public sector commitment if they are to go ahead. So far, the Government's attempts to promote public and private sector co-operation have not been equal to the task. The Ryrie rules, which originally covered this matter, have been relaxed at least three times in my recollection without any noticeable effect on projects coming to fruition. Successive Chancellors have said what they were going to do, but still too little has been done. Let us proceed—these projects are needed and they will make our economy more successful in the future.

Mr. Nicholas Winterton (Macclesfield): I rise to speak because I have been fascinated by the contributions to the debate so far. I have immense sympathy with the views expressed by the Opposition Front-Bench spokesman and by the right hon. Member for Berwick-upon-Tweed (Mr. Beith)—except for his reference to what he called the Government's "mismanagement" over the past 15 years. I suspect that in a quiet moment, and perhaps only privately to me and not on the Floor of the House, the right hon. Gentleman would confess that what has happened over the past 15 years would probably have happened whatever Government had been in power. [HON. MEMBERS: "No."]

I say to the right hon. Gentleman and to the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) that they have only to look back at what has happened in the past 50 years, since the war. Because of the damp hand of the Treasury, which is the real problem, Governments have not made the investment either in public infrastructure or in private industry which the country required. As the right hon. Member for Ashton-under-Lyne knows only too well, such investment has been made in the countries that are our major competitors—in Japan, Germany and even France.

We should look just across the channel at the huge infrastructure that has been put into the channel tunnel project. We should consider the huge investment that the French, including their Government, have made on the other side of the tunnel at Calais and Sangatte, and in the rail infrastructure right the way through to Paris and elsewhere. I believe that this country should follow that example.

It is a pity that debates of this nature are not held more frequently, and on occasions other than debates on amendments or new clauses when the Finance Bill is on Report. If the House debated more seriously and legislated less frequently we should get a better answer at the end of the day. I am sure that the right hon. Members for Berwick-upon-Tweed and for Ashton-under-Lyne share my view that if all-party committees of the House considered proposed legislation—not least on joint ventures between the public and private sectors for infrastructure investment—the legislation that ultimately came before the House would have considerable cross-party support, and we should be able to counter the damp hand of the Treasury, which seems to bring to a halt in one way or another investment in both the public and the private sectors.

There is no doubt that the Government will never be able to find purely from public resources the means to fund, finance and resource the infrastructure projects. As the hon. Member for Edinburgh, Central (Mr. Darling), who led for the Opposition, and the right hon. Member for Berwick-upon-Tweed both said, we need those infrastructure projects because they are an investment for the future which will provide medium and long-term returns for the country.

We shall never be in a position to compete, especially in manufacturing, unless we have the infrastructure in the United Kingdom that will provide the best way for British industry to connect with the continent. Is it not crazy that the tunnel is about to open, yet British Rail does not have the infrastructure to enable the north-west—and, indeed, the north-east, but I am especially concerned with the north-west, because it is my region—to link up with the tunnel? That would enable us to channel immense investment and immense amounts of goods and manufacturing production towards the continent.

I hope that the Minister who responds to the debate will say that proposals such as those of the official Opposition and the Liberal Democrat party will not fall on deaf ears. I hope that he will realise that there are Conservative Members who are sick and tired of the Government's finding excuses not to advance resources for vital infrastructure projects. If they do not provide the actual resources for those projects, they should provide guarantees which would make it attractive and possible for the private sector to come forward with its expertise and its funds to make those projects possible.

The Government are currently toying with the idea of privatising the Post Office. What they do not say very often is that the Post Office in Britain is the most profitable, effective and efficient post office in the world. All that the Post Office needs is to be released from the restrictions under which it is operating at the present time. We will have to let the Post Office loose from those restrictions, or the Dutch or the Germans, for instance, will come into the country and cream off the corporate business of our Post Office to the detriment of the Post Office, to the detriment of employment in the country and to the detriment of the country as a whole. With the relaxation of restrictions on our Post Office, I believe that it will be able not only to continue to provide a universal service to all parts of the country, but will be able to make technological advances in Britain and look abroad for additional business. It requires action from Government and action from the Treasury.

The Government are concerned about public expenditure, but, as the hon. Member for Edinburgh, Central said, we must separate the types of public expenditure. For instance, we must separate the core activities of government, to use the phrase of the hon. Member for Edinburgh, Central, from that expenditure which would be an investment in the future, which could include investment in some of the public infrastructure projects to which the hon. Member for Edinburgh, Central and the right hon. Member for Berwick-upon-Tweed referred. It is stupid for the Government to pile up huge, additional expenditure for themselves by way of social security and other benefits when, by some modest investment, we could get people back to work, thereby reducing unemployment and reducing the pressure on the social security benefit budget.

I say that to my hon. Friend the Financial Secretary because I know that he has a very successful business background. I am sad because he has so far failed to manage to persuade the Treasury mandarins to do things that he would practise as a private business man. It is to my mind crazy that the present Government, who are supposed to represent business and private enterprise, so clearly fail to do just that through their policies. How would it be wrong for the Government to create the right environment in which those major projects could go ahead, either by providing a guarantee or by providing some climate in which it would be worth the private sector taking the risk and making the investment?

My hon. Friend knows, as do Labour Members, that in the House I have sought to speak for manufacturing industry for all the 23 years that I have represented my constituency. Just over a year ago, we formed the all-party manufacturing and construction industries alliance, which has had a little influence, not only in the House, but, dare I say it, on organisations outside the House such as the CBI. Sadly, from time to time, the CBI does not positively

enough encourage the Government to take the right decision in the area of joint ventures by the public and private sector. That is the way in which to proceed.

I share some of the views that I think will be expressed by Opposition Members. I do not think that privatisation in itself is the solution to all the problems of the country. We are able to have highly efficient public organisations. I think that I was one of only two Conservatives who voted against water privatisation. I do not regret that decision and I believe that I have been proved right. What is the point of exchanging a public monopoly for a private monopoly, especially when it trebles the salaries of top executives and screws industry and the private house owner when everyone is going through a deep recession, because it is able to do so from its position of monopoly?

9.30 pm

I am not in favour of privatising the Post Office, but I am in favour of putting in, as we have, the best management and releasing it from the Treasury shackles within which it now operates. I hope that my hon. Friend the Financial Secretary will confess that the Post Office is making a substantial contribution to the Government's budget each and every year. Indeed, that contribution will increase this year over last year. Yet the Post Office is unable to compete in the free market.

I accept that there are not many Conservative Members in their places. I am ashamed that so many of my right hon. and hon. Friends are not present because this is a critical debate about our country's future.

The involvement of the private sector with the public sector in major construction projects could do much for the advantage of industry and for employment. It could do a great deal also to reduce the huge social security and benefit budget, which has caused many of the problems that the Government are now facing. If only—dare I say this where the Government and the Treasury are concerned—it were realised that we should take a gamble. The Government and the Treasury should, with the expert advice that is available to them, be able to identify many infrastructure projects upon which public money should be spent, and spent now. With the provision of guarantees we could make even more private money available to fund infrastructure projects.

I ask my hon. Friend the Financial Secretary why the north Birmingham relief motorway has not already been constructed. It is vital. The hon. Member for Liverpool, Broadgreen (Mrs. Kennedy) knows the M6 well as she uses it to travel down from her constituency to London. I know it, too, because I use it when I travel down to London from Macclesfield. It is crazy that the relief road, which could have been partially funded by the private sector, has not been constructed and put into operation, thereby reducing the tremendous road and other problems that are faced on the M6.

Ridiculous excuses have been trotted out by the Department of Transport and Treasury Ministers. I am sick and tired of them. We want action from the Government. I say to my hon. Friend the Financial Secretary, and through him to some of the highly paid and well-pensioned mandarins who sit in the Treasury, that it is about time they got out of London and started to use some of our infrastructure so that they come to realise how inadequate it is.

It would not cause a run on the pound if we were to invest in solid, sensible and well-assessed infrastructure projects involving both the public and private sectors. The Government would get cross-party support. Indeed, there would be support in the City. The trouble is that the City pays itself too much money and does not realise what is happening at the grass roots.

As the hon. Member for Edinburgh, South said from the Opposition Front Bench, too much money is being invested again in property. Why is it that people are investing in property? The answer is that in the past it has provided a much better return than investment in other sectors. But it has not created any real jobs in the long term. As a result, manufacturing industry has not been able to provide a return by way of dividends to its shareholders and has suffered a reduction in its investment.

We must invest in jobs. What is the most competent area of our economic activity in which we shall get that process going? The answer is the construction industry. What does the construction industry do? It carries out vital infrastructure projects. If we were to give the construction industry a fillip, it would undertake more work, provide more jobs in the United Kingdom and provide itself with a good base for undertaking the fantastic projects that are available to construction companies throughout the world. We have a fine history of carrying out some of the most successful infrastructure and civil engineering projects overseas.

Sadly, I shall be voting with the Government—*[Interruption.]* To be fair, the failings of new clause 13 have already been pointed out admirably by the right hon. Member for Berwick-upon-Tweed. I am sure that the hon. Member for Edinburgh, Central realises that the new clause was tabled to achieve a debate on Report of the Finance Bill. It has enabled me—I thank the hon. Gentleman for this—to say to my party in the House and publicly what I often say privately: let us get on with it, Minister. There is a hell of a lot to be gained. You can take a lead here. You have a business background, unlike many of your colleagues in the Treasury.

Madam Deputy Speaker: Order. The hon. Gentleman has forgotten that he should be addressing the Chair.

Mr. Winterton: Madam Deputy Speaker, I could never forget that. We have seldom had a more colourful Deputy Speaker. You are always in my eye, especially today because of the bright colours that you are wearing. *[Interruption.]* Madam Speaker, will I have to repeat the compliments that I have passed to Madam Deputy Speaker, who is just vacating the Chair?

My final comments are directed at my hon. Friend the Financial Secretary. I ask him whether the Treasury can give much more serious consideration to the sort of concept that is highlighted in new clause 13. I pray that he will understand the sincerity with which I have spoken. I come from a business background. There are many Tory Members who would like to see a better understanding by the Treasury of the important role that such infrastructure projects can play. They understand that the Government cannot do it on their own and it is vital to involve the private sector. That is what is behind the new clauses. I hope that my hon. Friend will do more than simply respond to them; I hope that he will give a commitment that the Government will take them seriously.

Mr. Hoon: We have heard three different speeches in the debate representing three different political parties. It is fair to say that, apart from slight differences in detail, there

[Mr. Hoon]

has been no difference in substance between any of the speeches. Perhaps it will be left to the Financial Secretary to inject a note of controversy in our debate on the new clauses.

That is typical of the problems that the country faces when the majority of public opinion is united in calling for new public investment but, sadly, is unable to persuade Ministers of the necessity for it. Indeed, the new clauses were designed to open up debate as to how we can best promote partnership in the provision of investment finance from the public and private sectors working together, as the new clauses emphasise, to improve the infrastructure in our society.

There is little doubt—the hon. Member for Macclesfield (Mr. Winterton) put the point forcefully, and perhaps even more radically than some Labour Members would do on occasions—about the chronic need for new capital investment in our infrastructure if we are to compete effectively with other advanced economies in Europe and, indeed, throughout the world.

Sadly, one comment that is made by people returning from visits abroad is how disappointed they are in the state of our public buildings—they seem to be run down and tired, and in need of new investment and new developments. People are also disappointed in how poor many of our public services have become in comparison with our immediate continental neighbours, and how low is the quality of our public environment. The vast majority of the population recognise that we need urgently new investment to restore our public facilities. However, to bring that about we need a Government who are prepared to take the lead. The present Government—although apparently committed in principle to the idea of attracting new private investment to public projects—appear incapable of getting involved, again for ideological reasons.

Management consultants Ernst and Young put it in this way in a pamphlet called "Project Finance in the 1990s":

"One of the chief deterrents to the private sector is Government's 'hands off' policy with regard to privately financed projects".

The pamphlet continued:

"Government should act as the primary promoter of projects rather than as the arbitrator between different consortium bids."

The limited role which the Government have set for themselves goes a long way to explaining why their own private finance initiative has enjoyed such modest success—if success is the right word to use in that context. Some 96 projects were apparently identified, only 12 of which are under construction. Eleven have been completed, but each of those was started long before the initiative was announced. A further 43 apparently are no more than paper proposals which have not reached any stage of activity.

Mr. Dorrell: The hon. Gentleman has argued that the Government should set out clearly the projects which are available to be developed on a joint basis. I agree, and he has quoted from the list which was published by the Chancellor in September. Some of those projects have been completed, some are under construction and some are precisely what he is asking for—projects which the Government want delivered and where we are looking for private sector partners.

The hon. Gentleman cannot have it both ways. Either the list is suspect because some of the things on it have not been done yet, or he wants a list of projects for which the private sector can bid. I agree with the latter proposition: some of the projects have been included in the list about which he is talking.

Mr. Hoon: I intended my points to be taken together, and not chopped quite so logically as the Financial Secretary sought to do.

Many more than 96 projects around the country could be identified by a Government who were prepared to lead the way. That is precisely the criticism which was made by Ernst and Young, and that firm is hardly likely to be advancing propositions such as those made by the hon. Member for Macclesfield or by the Opposition.

It is said that many more projects would be possible than the 96 that have so far been identified. I hope that the Financial Secretary will address his remarks to that and explain why more has not been done by the Government. We must identify projects because, without them, we will not be able to compete effectively.

I want to consider one area—my hon. Friends will want to look at other areas—in which I believe that we must bring together public and private finance to take advantage of the technological advances which are available to us. We have talked a lot lately in this country and in the United States about information super-highways. My hon. Friend the Member for Edinburgh, Central (Mr. Darling) touched on that.

We know about the possibility of the technology which is available to establish networks which would allow information to be exchanged around this country, Europe and the rest of the world. Eventually, those networks will be based on systems of comprehensive fibre-optic cabling, not only throughout this country but in a way which will enable us to transfer information instantly around the world.

It is recognised that fibre-optic cabling will be used to improve our information exchange systems, and projects for our main trunk routes are to be cabled fibre-optically. As for taking the benefits of that technology along every street, we are engaged in cabling our streets with some of the oldest technology available in the field.

We are not even contemplating the way in which the technology will reach every home. If we are to take full advantage of the interactivity which will be available from the new technology for work and education, we must look at ways in which the full benefits of the technology which is well established can reach every house, every workplace and every public institution. Consider the benefits that that would bring to our society. Every place of work, every home, every public institution and every educational facility could have access to such sophisticated computer links. Working from home would become an entirely practical proposition, not only for the self-employed in particular types of job but for many employees who currently travel to and from work every day at roughly the same time in the morning and in the evening. Eventually it would be possible to extend the use of such facilities to the generality of employees. That would ease congestion on our roads, reduce the stress on public transport and eliminate the cost to businesses of providing expensive office accommodation in prime sites in big cities.

9.45 pm

Similar arguments can be applied to educational provision. People could enjoy educational courses at home at a time of their choosing, but with access to teaching on line that would allow them to ask questions. At present remote teaching does not always provide for that. Many people have concentrated on the benefits to entertainment of such a system. It could provide every home with access to the latest films, television and music. Indeed, the provision of that entertainment is seen by many as the key to providing the capital investment that will be required for the network.

For the moment, the along-the-street cabling that we are considering as a society is based on comparatively limited and rather old-fashioned technology. We need a financial structure that will allow us to take advantage of the latest in technology. In a sense, that problem is typical of the difficulties faced by Government in keeping pace with technological changes and harnessing those changes for the benefit of their citizens. Given the parlous state of Government finances, indeed the state that any new Government will inherit, no Government is likely to commit itself to the massive public expenditure involved in fibre-optic cabling every home, public building and workplace.

Moreover, despite the attractions of supplying paid-for entertainment and services down such fibre-optic cables, no private company will be in a position to take the enormous long-term risk involved in providing the large-scale fibre-optic linking, even if it was allowed to provide and charge for the comprehensive range of services.

The constraints placed on British Telecom are a good illustration of the difficulties under which private companies have to operate. Privatised by a Conservative Government who trumpeted the virtues of free market forces, the company is nevertheless prevented by law from competing with cable companies in the provision of entertainment down the line, even though the same cable companies provide telephone services in direct competition with British Telecom.

Moreover, in developing and using the technology, companies such as British Telecom are forced to do so subject to the constraints imposed on them by our existing relatively limited telephone network based, as I have said, on relatively old technology. Surely it ought to be possible to imagine a project agreed jointly between the public and private sectors in which the Government would lead the way in the provision of fibre-optic cabling subject to a significant private sector involvement in the provision of services paid for perhaps by long-term leases on the use of the basic equipment. The price of those leases would assume a significant return on the capital injected by the Government.

Mr. Dorrell: The hon. Gentleman makes an important point. He argues that the cabling that is currently being done by the private sector is an obsolete technology and that it would be a better business decision for those companies to invest in a different technology that allowed all the benefits that he describes. He will recognise that that is essentially a business decision. Why does the hon. Gentleman think that I—my hon. Friend the Member for Macclesfield (Mr. Winterton) kindly referred to my expertise in business from the textile industry, perhaps not the obvious background to make a judgment—or indeed anyone else in Whitehall, am better placed to make the type of judgment that he describes than the companies currently putting their shareholders' shirts on investing in the technology that the hon. Gentleman describes as obsolete?

Mr. Hoon: With the greatest respect, the Financial Secretary has demonstrated the Government's limited horizons on such projects. He has shown that he is considering the matter in the terms in which the Government established the system.

The Government are saying that small-scale cable companies will have a monopoly to provide such facilities, free from competition from British Telecom—free market forces only go so far where Government philosophy is concerned. Small companies cannot compete to provide the investment that will be necessary to bring fibre-optic cabling to our doors. That is what I was saying when the Financial Secretary interrupted me.

The Government are big enough to lead the way, and with private finance it could be done. Small-scale private operators are constrained to use older technology to provide cable systems and essentially that is what we have. Market forces mean that small companies can cable a relatively limited area using limited technology. That is the result when the Government opt out of their responsibility for leading the way.

That is not the reaction in other countries, where Governments recognise that they have a responsibility to establish those projects and create the conditions in which the private sector can participate. If the Financial Secretary considers the problem in that detail, he may reach some different conclusions.

I see no reason why the Government cannot take the lead. Providing leadership for a project and finding ways in which the private sector might become involved would be a perfectly proper role for the Government to play. I can imagine equally ingenious ways in which the private sector could pay for access to such computer networks.

The Government's scheme for computerising the Inland Revenue seems to have dragged on for an inordinate time. I understand the difficulties involved. The system will leave many people who are claiming state benefits still subject to the existing haphazard and rather abitrary system which, sadly, tends to dehumanise those involved on both sides of the exchange.

One only has to compare the scene in a typical social services department office, where a queue of claimants are trying to establish their rights and dealing with hard-pressed and often overworked officers, with that in a typical high street retail store where someone is paying with a charge card. The store has the technology to show that the card has been used on a certain number of occasions, subject to a credit limit. The card can facilitate shopping in all manner of ways.

It can also facilitate borrowing, with no social stigma involved. When people claim social security, they are subject to significant social stigma, notwithstanding the fact that they are exercising their legal right to funds to which they are clearly entitled. People who borrow money can do so in a socially acceptable way, but people who are exercising their rights to benefits are treated as second-class citizens.

Computerisation of the benefits process could make a significant difference, especially if private sector companies were involved in designing software packages.

[Mr. Hoon]

Such packages could, for example, show the best package available and how claimants could maximise their entitlement.

The Government need to use only a little imagination to envisage the possible revolution in the use of technology. I have given only one illustration of the way in which they could promote contact between the public sector and private finance. They might then recognise that such an exchange would have benefits for society.

I hope that the new clauses will force the Government to think more clearly about the ways in which private sector finance can be involved in large-scale capital projects which require their leadership. I hope that we can thus encourage the Government to think more carefully about the link between their initiatives and private sector finance and to take a lead in that respect.

Mr. Peter Snape (West Bromwich, East): I have listened with interest to the debate. My hon. Friend the Member for Ashfield (Mr. Hoon) will forgive me if I do not follow him down the road that he has taken.

The hon. Member for Macclesfield (Mr. Winterton) referred to his 23-year career in this place. He will probably be aware that I spent some time, in a minor capacity, doing my best, 23 years ago, to prevent him getting here. Indeed, one of the narrowest escapes of my political life was not being selected as his opponent in the subsequent general election. He has mellowed considerably in the 23 years that he has been here. *[Interruption.]* Those Conservative Members who scoff should have seen him in those days.

Few of us would argue with the very relevant arguments that the hon. Member for Macclesfield made, especially about what he called the "damp hand" of the Treasury —what many of us would term the "dead hand" of the Treasury—which always seems to fall across any infrastructure project. Of course the circumstances—the economic situation—are never right for the expenditure of public moneys on major infrastructure projects.

Had the Ryrie rules been in Germany, the rubble of world war two would still disfigure most German cities. The German Government are a little more intelligent in their approach to public transport and infrastructure projects generally, and much more intelligent than successive Governments have been in the United Kingdom. I shall refer specifically to a project dear to my own heart in the west midlands, a light rail project—the midland metro.

My hon. Friend the Member for Edinburgh, Central (Mr. Darling) referred to some of the work that was done before the last election by the Labour party transport team in considering ways in which private sector capital could be attracted to some infrastructure projects. That initiative, led by my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott), was widely rubbished by some Conservative Members—not by the hon. Member for Macclesfield, I am glad to say, but especially by one of the many Transport Secretaries who occupied, for a fleeting few moments, it seemed, that post in the previous Conservative Government.

It is perhaps a poignant commentary on present-day politics that one of those Transport Secretaries, now Lord Parkinson, finds himself leading a consortium that is anxious to bid and to involve private sector money in work of the type that has been mentioned in the debate. He will have one great advantage that some of his colleagues might not possess—he will be able to refute all the arguments that he used to make against such projects when he was Secretary of State for Transport.

It appears that the lessons have not been learnt by the present Administration, and especially by the Treasury. One would have thought that the midland metro was the type of project that would appeal 100 per cent. to the Conservative party. The private sector is accepting a great deal of the risk. I will make comparisons later between the risk that has been accepted by the private sector in the midland metro and in other light rail schemes—in Manchester and Sheffield, for example.

When one considers projects such as the channel tunnel rail link, the west coast main line, the Heathrow express and the Northern line of the London underground, one is scarcely filled with optimism about the likely detail of the response of the Financial Secretary to the Treasury.

It seems to many of us that the Government's only idea about private sector involvement is to cloud and confuse the issue with a series of supposed competitions between supposedly interested companies at such length that interest in the matter dies away and the decision-making processes are postponed year after year. Line 1 of the midland metro, which runs through your constituency, Madam Speaker, as it does through mine, has had the toughest appraisal ever given to any transport project by the Department of Transport. It is the No. 1 transport priority for the west midlands, supported by all seven metropolitan councils, two of which, at least for another couple of weeks, are in the hands of the Conservative party.

I think that all Members of Parliament from the west midlands, Labour and Conservative, have supported that project, as have the chambers of commerce and industry, business groups such as Birmingham City 2000, and many others. Yet the net cost to the public purse of line 1 is just over £100 million. Government approval is needed right now to spend that, and Government grants of around £50 million are needed towards the total cost.

I listened with interest to my hon. Friend the Member for Edinburgh, Central. We in the Labour party are being a little timid at the moment about how we propose any public sector involvement in projects such as this. We shall never satisfy the Conservative party about our fiscal abilities, and it is pretty pointless trying to do so. But if we have a public debate about how much public money goes into projects such as the midland metro, our arguments will stand the test when set against the lack of progress in such projects by the Conservative party.

Despite the fact that the awful negative campaigning in which the present-day Conservative party indulges the whole time will enable it to go round accusing us of all sorts of fiscal sins, it is well worth while that a project such as the midland metro, and some of the others that I have already mentioned in which public and private sector finance is involved, should go ahead.

I referred to the other light rail projects for which the Government have given the go-ahead—the Manchester metrolink and the Sheffield supertram. Neither has been subject to the same fiscal appraisal as the midland metro. None of the private sector people involved in those projects has given the sort of guarantees that the John Laing/Ansaldo joint venture companies have given to the financial initiatives involved in the midland metro. Yet they have been given the go-ahead.

The Manchester metrolink has been up and running for some years, and the Sheffield supertram started a few weeks ago. We all know that the Treasury has the weird view that somehow public sector projects are less worthy than, for example, road building.

Mr. Derrell *indicated dissent.*

Mr. Snape: The Financial Secretary shakes his head, but he should listen to the speeches of some of his colleagues in the Department of Transport. They talk of massive rates of return on road building projects, but they refer to the midland metro as an expensive project.

The Prime Minister came to the west midlands a couple of weeks ago. Between infuriating the city of Birmingham with some of his more inflammatory comments, he talked about the specific project. Unfortunately, he gave us no great hope that we would get the go-ahead before the next financial year. But what more can the city of Birmingham, the west midlands, the constituency authorities and Members of Parliament do collectively to convince the Treasury of the worthwhile nature of the project?

If we cannot get the Prime Minister to give the go-ahead two or three weeks before local elections when the Conservative party chairman has promised to win the city of Birmingham—that is another promise that looks as though it is being junked the nearer we get to the day of the election—what can we do to convince the Financial Secretary of the necessity for the project in order to prevent the west midlands conurbation from seizing up altogether?

The Financial Secretary might consult his fellow Ministers in the Department of Transport, and they might say that there already exists some public transport along the Wolverhampton/West Bromwich/Birmingham corridor. It is true that there is an existing heavy rail line along part of that corridor, but since the closure of the former Great Western Railway line in 1972, constituencies such as ours, Madam Speaker, have been poorly served by public transport. The congestion along that corridor grew worse throughout the 1980s and 1990s. The alternative to the A41 Holyhead road are the M5 and M6 motorways. No hon. Member who uses that alternative—particularly those of my hon. Friends who advocate the swift completion of the Birmingham northern relief road—is under any illusion about the congestion it produces.

10 pm

I am at a loss to know how best we can convince the Financial Secretary of the worth of that project, particularly after the rigorous selection process to which it was subject. I hope that the Minister will say that the Government not only pledge their continued support and commitment to the project but will give it the go-ahead sooner rather than later. Unless that is done, all the talk from the Treasury Benches about commitment to public and private sector projects is so much hot air. That project is a priority for the west midlands.

We heard a great deal tonight about the Financial Secretary's business expertise, although we discovered subsequently that it was gained in the textile industry rather than in the people-moving industry. The hon. Gentleman is none the worse for that. It makes a pleasant and refreshing change for a Treasury Minister to have any sort of business experience. If the Financial Secretary is to live up to the blandishments heaped on him by the hon. Member for Macclesfield, he will put us out of our misery and give the go-ahead for the midland metro.

Mrs. Jane Kennedy (Liverpool, Broadgreen): The new clauses do not pretend to offer a panacea for the overall problems of investment, but suggest changes to the Income and Corporation Taxes Act 1988, to allow joint funding of projects of the sort mentioned tonight to be placed on the agenda. They are not at present, because the fiscal regime does not encourage it.

The hon. Member for Macclesfield (Mr. Winterton) mentioned our shared sorrow at regularly having to use the M6 motorway. Another consequence for me of entering Parliament to represent a Liverpool constituency is that I must closely study changes in employment patterns in my own constituency and the constituencies of my hon. Friends, as well as throughout the world.

A recent study of Pacific rim countries revealed that they are investing heavily in labour-intensive manufacturing industries to compete with this country in attracting capital investment and custom. We no longer have to compete in the world market for capital—that is freely available.

We can beat other countries on the skills of our work forces. When we on these Benches talk about the need to invest in skills, we are not trotting out tired old phrases but advocating real investment, to give Britain a competitive edge in the world.

We can also beat our competitors in the developing world through our infrastructure. Tonight's debate has concentrated on large-scale projects of the kind that Pacific rim countries are taking seriously. They are investing a great deal of public and private money in developing their road and rail systems, to enable them to compete with us even at that level.

Unless we recognise that our competitors are achieving the same levels of skill and investment that we achieved in the past but are failing to achieve now, we shall fall behind. It will not matter that we are a member of the European Union. That issue needs to be taken seriously by the Government and, so far, they have not done so. My hon. Friends and the hon. Member for Macclesfield have made that point forcefully.

I want to talk briefly about one small area in which the public and private sectors could invest together. I also want to challenge some of the arguments advanced by the Financial Secretary during the previous debate.

Last week, I had the honour of opening the Rocking Horse day nursery in my constituency. It provides 40 places, largely for the children of the employees of Alder Hey children's hospital. It represents a public sector investment by an NHS trust. A beautiful building, it has been built right next door to Ronald McDonald house, so named because McDonald's food chain invested £1 million in a charitable project to provide accommodation for families visiting their children while they are in hospital.

Why did not the public and private sectors together consider investing in the nursery itself? Could not McDonald's or Burger King have been persuaded on to the site to invest alongside the health authority so that 80, not 40, places could have been provided?

The Financial Secretary has said that there is no problem with child care, because the need for it is being met by child minders. I know from personal experience that child minders offer an invaluable service. Not only do they provide a flexible service for working mums and dads; they also offer an easy way for women to return to the labour market, so they serve two purposes. But I challenge

[Mrs. Jane Kennedy]

the Minister's assumption—that just, because child minders represent the growth area in child care provision, they are what most people would choose. That is not necessarily true.

The Financial Secretary said that he himself had chosen to use a child minder instead of a nursery. I made the opposite choice: having used a child minder, I opted for a private day nursery. But many people in my constituency do not have that choice. They have to use child minders because there are no nursery places.

There should be a fiscal regime that encourages the public and private sectors to consider ways in which money can be invested in this sort of project. Perhaps one sector could provide the capital and the other pay for the running costs of a nursery. Perhaps one or other could pay for certain staff—there are a range of ways in which, given the will, joint funding arrangements can be made.

We are losing because the private sector is discouraged from considering these options by our current tax regime.

Mrs. Teresa Gorman (Billericay): Does the hon. Lady agree that, if we could persuade the Treasury to allow the cost of child care provision to be offset against earnings —tax relief on the cost of child care, in other words—that would be enormously helpful to women? It would also encourage the growth of new jobs—a whole new type of occupation for people who are out of work at the moment.

Mrs. Kennedy: We certainly need to consider every conceivable suggestion that might encourage child care provision to meet the growing needs of working mums and dads. The hon. Lady's option is one that should be considered—and would be, if we were developing the strategy whose details the Financial Secretary requested earlier.

Mr. Beith: May I remind the hon. Lady that that option was considered a little earlier this evening, when the House voted on new clause 6? As far as I can recall, neither she nor the hon. Member for Billericay (Mrs. Gorman) spoke about or voted for the new clause, which would have achieved precisely what they have asked for.

Mrs. Kennedy: I did not vote for the new clause because I do not agree with the idea of tax vouchers—but they should certainly be debated. It was the right hon. Gentleman's right to table the new clause, and mine not to vote for it: and I did not.

Ms Abbott: Is not nursery provision an excellent candidate for private/public sector partnership? It is easy enough for the Financial Secretary to say that child minders are meeting the need, and there are many excellent child minders about; but in inner-city areas such as my own—Hackney—and, for instance, Liverpool, child minders are struggling to look after children in inadequate living conditions and with insufficient training and support. Tomorrow morning, many a woman will take her child to a child minder with a heavy heart: she would be much happier if she had the option of taking her child to a high-quality nursery.

Mrs. Kennedy: My hon. Friend is absolutely right. Although the child minders whom I have used throughout my working life have, after months and years of acquaintance, become close personal friends whose help I have always appreciated, I am aware that some of my friends have not had the same experience. Child minders are not the answer to most people's problems, as the Financial Secretary suggested.

10.15 pm

Finally, let me say a word about the cost of nursery education. The Rocking Horse day nursery, which provides a marvellous service for the staff of Alder Hey hospital, charges £15 per whole day. In small projects like that, public/private sector partnerships would allow the public sector to provide more subsidies to help with child care costs.

I hope that the Financial Secretary will consider all the issues that I have mentioned. I feel that he replied too quickly to points made earlier, and I trust that he will deal with the serious matter raised by the new clause.

Mr. Keith Hill (Streatham): All the speeches that we have heard—not least the impassioned contribution of the hon. Member for Macclesfield (Mr. Winterton)—have suggested that joint private and public sector projects could provide a useful way of supplementing infrastructure development, and that there is growing interest in the subject, as well as growing consensus between the parties.

As some Opposition Members have already pointed out, the concept has long been expounded by my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott), whose proposals for leaseback arrangements for certain railway projects on the French model were included in Labour's manifesto at the time of the last general election.

It goes without saying that my hon. Friend's eminently sensible proposals were consistently rejected, derided, condemned and shrugged off by a succession of transport and finance Ministers. They must now find themselves rather shamefacedly having to eat their words, following the Chancellor's welcome and important commitment to the private finance initiative in his Budget statement of 30 November 1993, in which he announced a number of new projects under the initiative, confirmed the establishment of a new working group chaired by Sir Alastair Morton and concluded that the Government had

"injected a new momentum into the private finance initiative."
—[*Official Report*, 30 November 1993; Vol. 233, c. 933.]

I am bound to say, however—given that the Conservative Benches have been singularly barren throughout most of our proceedings—that that momentum has not exactly set the Conservative party in Parliament alight.

Hard on the heels of the Budget statement, Labour published its own report on the issue, entitled "Financing Infrastructure Investment" and subtitled "Promoting a Partnership Between Public and Private Finance". That detailed consultation document set out a number of areas in which public and private initiatives could be undertaken through the creation of public interest companies, new relationships between Government and public trading bodies, the possibility of regional development banks' mobilising private finance into small and medium-sized firms and—critically—a review of the current distinction between operating and finance leases, a subject to which I wish to return.

The report makes clear Labour's commitment to private and public initiatives across a range of policy areas and beyond transport infrastructure alone. It says that Labour's concept of public-private partnership is "ambitious and expansive"—as my hon. Friend the Member for Edinburgh, Central (Mr. Darling) precisely enunciated.

We on this side of the House know, and the country knows, where Labour stands on this issue, which is the subject of new clause 13. Notwithstanding the Chancellor's fine words in his Budget statement, are we entirely sure where the Government stand on this issue? Has it finally been resolved in the Chancellor's favour inside the Treasury?

In his Budget statement, the Chancellor said that making a success of the private finance initiative would require "a complete change of culture within Government". Certainly the Treasury's grudging response to the recent London Underground Northern line offer by ABB Transport seems to suggest that this cultural change still has a long way to go.

It is rather tempting to believe that the Treasury was wrong-footed on this issue precisely because it was a private rather than a Government initiative. But despite the very clear benefits of the deal—a totally new fleet of trains on London's misery line for the first time since world war two; a 20-year operating lease financed by the private sector; the total value of the scheme amounting to in excess of £700 million, which could certainly not be funded in present circumstances by London Underground; and most of the new fleet in place by 1997—the Treasury dragged its feet for three or four months before it announced that it consented to the commencement of the tender process.

One is also tempted to think that its consent was influenced more by the political pressures generated by the highly effective campaign of the *Evening Standard*, as well as the imminence of the London local elections, than necessarily by a change of heart—a new conviction—on the part of the Treasury.

Nevertheless, the contract has now gone out to tender. I think that most of us who were involved in the campaign accept that making the announcement through the *Official Journal* was inevitable, and probably the correct procedure. But if the deal goes ahead, whichever company wins it, it will doubtless reflect the main features of the ABB offer.

So far, so good. Members of Parliament on both sides of the House, and all Londoners, were delighted with the progress achieved in the Secretary of State's announcement of 29 March. Notwithstanding the Secretary of State's announcement, some nagging doubts are emerging about the fine print in the Government's response.

These nagging doubts raise the question: was this merely a tactical concession on the part of the Treasury to avoid a short-term political embarrassment, or, at the heart of the Treasury, does there remain a fundamental resistance to this kind of scheme which jeopardises the whole approach to public and private finance initiatives—the subject of the present debate?

The Treasury has laid down two tests which such initiatives must pass: the value for money test and the risk transfer test. The essential element of the value for money test is whether it is apparently cheaper to fund within public sector borrowing requirement rules or through a private finance initiative.

Under the test, if it is apparently cheaper in total value for money terms to purchase through the public sector route, the private finance proposal is deemed to have failed. I emphasise that, under the test, a proposal is deemed to have failed, irrespective of whether Government moneys can ever have been made available for the project. That is clearly ludicrous.

Following the 1993 Budget, London Underground deferred indefinitely its Northern line modernisation scheme, and further cuts in public support may be in the offing. If it is left to public sector financing, there is no prospect in the foreseeable future of the investment like that offered by ABB, and possibly other sources, being made available to London Underground.

There is no acceptable alternative to the scheme. The refurbishment project, which we understand has been touted in the Treasury as an alternative, has few benefits and perpetuates many of the disadvantages already experienced by Londoners travelling on the misery line. A failure to acquire new Northern line trains through the private finance initiative would be an absolute loss to the London travelling public. I hope that the Financial Secretary will offer a firm assurance that there is no question of this absurd and irrelevant yardstick being applied in the final assessment of the bids under the tendering process.

The second test applied by the Treasury to the private finance proposals that we are debating is the risk transfer test. The essential measure is whether most liability for asset ownership over the life of a project transfers to the private sector. The questions are how much risk, and what kind of risk? This is perhaps where we find the source of the main anxieties about the Treasury's approach.

The Secretary of State for Transport's announcement of 29 March, the contractual details of which have now appeared in the *Official Journal*, set out two aspects of risk-taking by potential bidders. First, the private sector would be required to finance the cost of trains and to provide a complete maintenance and support system. Secondly, any deal would

"have to transfer a substantial degree of risk to the private sector in order to meet the Government's criteria under the private finance initiative".

The first requirement seems entirely reasonable in any such joint private-public venture. It seems reasonable that a manufacturer in this case—or any manufacturer, for that matter—should undertake responsibility for meeting the risk of performance of the rolling stock that he is producing as well as for possible cost overruns and delays. Indeed, such an undertaking, together with a maintenance deal, was already on offer from ABB Transport.

What seems by contrast quite unreasonable is the fact that the manufacturing company should assume responsibility for the many variables on which revenue returns are dependent and which lie entirely outside its control. For the Government, that means the level of public subsidy for transport services, and for London Underground management, it means factors such as staff costs, fare levels and even marketing.

However, that apportionment of risk now seems to lie at the nub of the argument and may be the obstacle that the Treasury is laying in the path of this new and exciting private financing initiative. The fact is that it is a matter of subjective decision-making. No fixed scale of risk transfer is laid down on projects of more than £10 million.

London Underground has estimated the percentage risk transferred with the ABB Transport project at 70 per cent., and it is satisfied that the project is merit worthy with a 6:1 benefit-to-cost ratio. Is it really the case, as some commentators suspect, that the Treasury wants to transfer the totality of risk to the private sector? Surely—this point

[Mr. Keith Hill]

has been made by many other hon. Members—the heart of the public-private sector joint project concept lies in the sharing of risk.

It is eminently acceptable that the public sector should bear a part of the risk because the gains from a decent public transport system, or decent public services in general, cannot be captured in higher fares and higher charges—higher charges if one wishes to impose them. Decent transport and decent public services are a public good and private and public deals should reflect that fact. If it is not recognised, such deals will not happen because there is nothing in it for the private sector. That may, of course, be precisely what the Treasury is looking for.

We are entirely clear that we are talking about risk sharing and sweeping away the cobwebs of obsolete thinking. However, we need answers from the Financial Secretary. Is the requirement for revenue risk in the Northern line project an absolute stipulation or, as the Secretary of State for Transport implied in evidence to the Select Committee on Transport, a general requirement that would be of interest, but would not be a make-or-break criterion for going ahead with the project? We need to know the status of that requirement. Much depends on the Financial Secretary's response.

10.30 pm

If the Government do not sort out the issue, if they intend entirely to privatise risk in such projects, that will sink the chances of the entire private finance initiative. That would be bad news for the Government, but—it is rather more important—it would be bad news for London Underground passengers and passengers elsewhere in the country, who would have to wait another two or three years until the next general election, after which a start will made on the modernisation of Britain's transport infrastructure, with a Labour Government genuinely committed to a partnership between public and private finance.

Mr. Dorrell: Anyone listening to the debate, if he had no reason to know better, could be forgiven for thinking that during the past 15 years the country had been run by a Government motivated solely by the aim of keeping the private sector out of the delivery of public services. From the speeches that we have heard it would have been reasonable to draw the conclusion that the idea that the private sector has a role to play in the delivery of public services was a new idea launched by the Opposition.

That is the exact opposite of the truth. For 15 years the Government have been involving the private sector in the delivery of services that in 1979 were regarded as the exclusive preserve of the state. British Telecom, water, electricity and gas are parts of the infrastructure now vested in the private sector, free from the public sector constraints that Opposition Members profess to find objectionable.

If the Labour party is serious about wanting to involve the private sector in the delivery of public services, surely to goodness that is a Damascene conversion on a truly biblical scale. It involves eating the words that have been spoken from the Opposition Benches for the past 15 years.

Mr. Wilson: Will the Minister give way?

Mr. Dorrell: No, I will not.

The use of the private sector in the delivery of public services goes to the core of what the Government have sought to do for 15 years. That is why over that period, in addition to the privatisation programme, we have used the private sector to deliver the Dartford crossing and to build the second Severn bridge, and to engage in the largest civil engineering project of our age—the channel tunnel. It is absurd for the Opposition to talk about their interest in the private sector as the deliverer of public services.

In the 1992 autumn statement—

Mr. Wilson *rose*—

Mr. Dorrell: No, I shall not give way.

In the 1992 autumn statement, my right hon. Friend the Member for Kingston upon Thames (Mr. Lamont) made it clear that he wanted the private finance initiative to be used to extend further the role of the private sector in the delivery of public services. The Opposition's argument this evening has been that the results of that initiative have been sparse. That is hard to square with the facts.

Since the 1992 autumn statement, private sector operators have been able to compete for the building of two new prisons. We have made it clear that we are extending to the private sector the opportunity to replace the Scottish air traffic control system. There has been a substantial investment in a myriad small projects in the national health service, involving private capital and management. The private sector has invested in student accommodation, as part of the expansion of our university system.

It has been involved in the future planning of the road system, through the development of road charging and the opportunity for shadow tolling, which was foreshadowed in a statement made by the Secretary of State for Transport only last week.

The principle of the Government's position is absolutely clear. The private sector has made it clear that it wants to be involved, and believes that it can contribute to the better delivery of public services. We, on behalf of the public sector, want to see its expertise and its resources recruited to the better delivery of public services. Changes on that subject are not required on this side of the House. It is on the Opposition Benches where the truly difficult questions remain to be faced. The hon. Gentleman—

Mr. Wilson: On a point of order, Mr. Deputy Speaker. Will you confirm that it is within the rules of a debate for a competent and confident Minister to give way during that debate, rather than simply to read from a prepared—

Mr. Deputy Speaker (Mr. Michael Morris): Order. The hon. Gentleman has been in the House long enough not to need that sort of ruling.

Mr. Dorrell: The best that the Labour party has been able to do to substantiate its proposition that private finance is an issue that it may call its own has been to quote the speeches of the hon. Member for Kingston upon Hull, East (Mr. Prescott) on leasing to British Rail before the last election. Frankly, the hon. Member for Kingston upon Hull, East is condemned from his own mouth. He described his own idea as one concerned with accountancy not socialism. That is precisely the problem for the Labour party on the subject.

The problem has been grasped by the hon. Member for Hackney, North and Stoke Newington (Ms Abbott). She wrote to *The Independent* soon after the document about which the hon. Member for Edinburgh, Central (Mr.

Darling) waxed so lyrical, drawing attention to the difficulties of the document published by Labour Front-Bench spokesmen. It is interesting to quote to the House the writings of the hon. Lady. She argued that:

"private sector involvement in public sector investment has all kinds of problems that neither Gordon Brown nor *The Independent* seem to appreciate. It is a more expensive way of raising money and the private sector invariably wants to take all of the profit and none of the risk."

She went on:

"The involvement of private sector personnel and practices in the public sector seems to bring with it a risk of sleaze and corruption."

In the hon. Lady's eyes, the private sector is identified directly, apparently, with sleaze and corruption.

The key point came in the next sentence of the hon. Lady's writings. She said:

"Above all there is a danger that the private sector will by degrees affect the priorities and the policies of a Labour Government in relation to public expenditure."

She is, of course, exactly right. That is what involving the private sector means. It means bringing in not only capital, but management and accepting that people other than the Government have a perspective on improving the delivery of public services.

For 15 years, the Government have been opening the public sector to private sector skills and disciplines. During the whole of that time, Labour has resisted the process and identified public service with public provision. At last, we have seen the first signs that the dinosaur may be blinking. Labour has finally noticed that, while Government reforms have been giving customers better quality service and taxpayers better value for money, Labour policy has been stranded in a cul-de-sac. Fifteen years after the Government stamped on its tail, apparently the message has finally reached the dinosaur's brain. For that, there is much mercy, but little celebration.

Mr. Darling: The Financial Secretary's reply must surprise many people who thought that he was the coming man of the moment for the Conservative party. Instead of dealing with the arguments advanced, not only by Labour Members but by two of his hon. Friends, he has engaged in a rant which, frankly, does not do the subject any justice at all. We are entitled to ask where the Government stand on the question of public-private sector partnerships. The Financial Secretary seemed to be attacking its very principle, yet the Government say that they are in favour of developing further partnerships.

All that we have seen from the Government is a list —cobbled together, I suspect, 24 hours before the Chancellor gave a speech in Glasgow in September—of projects. Many of those will never see the light of day, but are simply glints in the planners' eyes. Others have been completed.

However, there was no evidence that the Government have any idea of a clear strategy on how to approach the problem. It is a piecemeal approach. The Government say that they are building two new prisons, and that they are building a Scottish air traffic control centre. I remember when the Chancellor announced that Scottish scheme, because it took many people in the air traffic control industry in Scotland completely by surprise. They had never heard of the project before. Yet the Government were saying that it was one of the centrepieces of the then autumn statement.

We have known for a long time that the Government have no strategy for economic investment. It is now abundantly clear, however, from what the Financial Secretary has said that they do not even have a strategy for promoting public-private partnerships.

The Financial Secretary complains about what my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) said before the last general election. He still condemns what my hon. Friend said. Yet the Government, having condemned what Labour candidates said during the election, went on to adopt the very same policy only a few months later.

It is not surprising that people do not have confidence in what the Government say. It is clear from what the Financial Secretary says that the Government do not know what they are doing from one moment to the next. They say that they are in favour of public-private sector partnerships, and the next day they say that they are not.

The Financial Secretary made no attempt to deal with the arguments advanced by the hon. Member for Macclesfield (Mr. Winterton), who made an excellent speech; I would not disagree with one word of it. I might suggest to him, however, that he should be complaining about the dead hand of Treasury Ministers, not that of the Treasury. It is Ministers who decide, and it is Ministers who should be held to account for the bankruptcy of policy in this area.

Many of my hon. Friends have said that it must make sense to invest in the infrastructure that the United Kingdom desperately needs if it is to compete with the rest of the world. My hon. Friend the Member for Ashfield (Mr. Hoon) referred to the Government's appalling policy and lack of foresight in respect of telecommunications super highways. My hon. Friend the Member for West Bromwich, East (Mr. Snape) talked about desperately needed infrastructure, including a specific metro scheme. In the area which I represent in part, Lothian regional council's metro scheme has been sidelined by Government policy.

As for timidity, I make no apology for the Opposition not being timid about the Government's policy. We believe that public-private initiatives are one way in which our country can begin to regenerate and rebuild its infrastructure, which has been neglected for the past 15 years.

If we are serious about maintaining and sustaining a high level of employment, surely rebuilding our infrastructure will enable people to go back to work to undertake that task. That must be a project that is well worth supporting. Yet what do we get from the Government? The answer is absolutely nothing. They heap scorn on anyone who comes up with any new ideas. They are hidebound by the dogma that has caused so much decline and misery for the past 15 years.

The Financial Secretary has made several speeches and written several articles. He has let it be known among the press that he is a new thinker, and that he is prepared to consider proposals that hitherto the right-wing members of his party were not prepared to contemplate. He has even hinted that there is something to be said for a consensus between the parties on economic matters where that makes sense. We have heard nothing about that tonight.

The Financial Secretary is supposed to be examining British industry's policies and problems on and with dividend payouts. We have heard nothing about that. He says that we should rely on the Government's privatisation proposals. He did not respond to our complaint that the dividend payments of the privatised utilities are double that

[Mr. Darling]

of most other companies. That is money that should be available—we were told that it would be available—for rebuilding the privatised utilities' infrastructures. The Financial Secretary said nothing about that.

It is not surprising that, when the Labour party published "Financing Infrastructure Investment" earlier in the year, it was welcomed both inside and outside the House. It is not surprising also that, when the party held a conference to discuss the matter, it was heavily over-subscribed.

People said to us repeatedly, "Is it not surprising that the Government have no idea how to conduct an economic policy?" The Government live from day to day and minute to minute. They have nothing to say to those who believe that Britain must compete with the rest of Europe and, indeed, the whole world. To do that we must rebuild our infrastructure, which has been neglected because of the free market dogma that has dogged the political system for the past 15 years.

If the Financial Secretary is supposed to be the man of the future, it is not surprising that more and more people are coming to the conclusion that the Conservative party is the party of the past, and that it will be thrown out of office at the next election.

Question put, That the clause be read a Second time:—

The House divided: Ayes 260, Noes 297.

Division No. 215] **[10.44 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'kl'ds E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Speller, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Tyler, Paul
Vaz, Keith

Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Peter Kilfoyle and
Mr. Jon Owen Jones.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rathbone, Tim
Redwood, Rt Hon John
Richards, Rod
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark

Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. David Lightbown and
Mr. Sydney Chapman.

Question accordingly negatived.

It being after Eleven o' clock, further consideration of the Bill stood adjourned, pursuant to Order [1 February] and Resolution [this day].

Bill, not amended (in the Committee) and as amended (in the Standing Committee), to be further considered tomorrow.

EMPLOYMENT

Ordered,

That Mr. Andrew Robathan be discharged from the Employment Committee and Mr. David Nicholson be added to the Committee.—*[Mr. Andrew MacKay, on behalf of the Committee of Selection.]*

AGRICULTURE

Ordered,

That Mr. Martyn Jones be discharged from the Agriculture Committee and Mr. D. N. Campbell-Savours be added to the Committee.—*[Mr. Andrew MacKay, on behalf of the Committee of Selection.]*

Rail Sleeper Service (West Country)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Andrew Mitchell.]*

11.1 pm

Mr. Anthony Steen (South Hams): Just over 11 years ago, on 9 March 1983 at 10.16 pm, when I was the Member for Liverpool, Wavertree, I introduced an Adjournment debate on the British Rail sleeper service to the north-west. I initiated the debate because a little mole on the night train had told me that British Rail was going to cut and run and savage that sleeper service, leaving the public high and dry. British Rail wheeled out the hoary old chestnuts that the route did not justify the investment, that each new night sleeper cost £250,000, that the service was not producing a 7.5 per cent. return on its capital and so forth.

I was strongly supported by the hon. Member for Warrington, North (Mr. Hoyle) and, sadly, by the late Mr. Bob Cryer, who was then the Member for Keighley, by the former Member for Manchester, Openshaw, Mr. Charles Morris, and the hon. Member for Denton and Reddish (Mr. Bennett)—then the hon. Member for Stockport, North. The former hon. Member for Manchester, Withington, Mr. Fred Silvester, made a good contribution and the former Secretary of State for Employment, Mr. Albert Booth, who represented Barrow-in-Furness, added his weight. My friend and colleague the Under Secretary of State for Transport, now Sir Reginald Eyre, responded in his normal avuncular, cogent and helpful way.

As a result, after heavy lobbying and the strongest of representations, the sleeper service to the north-west was saved and everyone breathed a sigh of relief. British Rail did not dare to run the gauntlet again until after the Boundary Commission got rid of my Liverpool seat. Within months of my adoption for the Devon seat of South Hams, British Rail whisked the night sleeper off. I saw the right hon. Member for Manchester, Wythenshawe (Mr. Morris) earlier and he said that the region was the poorer for losing the night train. Obviously, the battle between what some people have described as David and Goliath did not percolate down to the south-west, or British Rail might have had second thoughts before taking on someone who, if I may say so, is a seasoned warrior.

The Government are committed to the west country. The Prime Minister said that the Cabinet was now thinking west country, and he has been as good as his word, delivering the nuclear refit to Devonport, guaranteeing jobs well into the next century. The President of the Board of Trade was as good as his word in ensuring that large swathes of the south-west are now eligible for European money through assisted area status and 5b status. It is good to see on the Front Bench, among other distinguished Ministers, the Minister with responsibility for deregulation, the Under-Secretary of State for Corporate Affairs. It is nice to see that he is keeping an eye on such subjects.

Much of my constituency is now covered with layers of grant opportunity, as has never happened before in our history. More Cabinet Ministers have descended on the west country than have done for generations. I am told that some Ministers are now thinking of applying for season tickets to save the taxpayers money. The fact that the west country is an important area, which, unlike Scotland and Wales, does not have its own Government Department, has

meant that it has to receive top priority in Government thinking and there are plans for its future development throughout the region.

The Devon structure plan forecasts an increase of 66,000 houses by the turn of the century. We must have a better transport system to cope. The Department of Transport is reviewing whether the Exeter to Plymouth A38 should be upgraded to motorway standard. Brymon Airways continues to run, through British Airways, a service from Heathrow to Devon and Cornwall throughout the day. It is not a cheap service to fly west and it is not surprising that the airplanes are not as full as British Airways would like.

That goes also for the Cornish Riviera sleeper train. It used to stop at Reading, Swindon, Bristol, Taunton, Exeter, Newton Abbot and Plymouth and continue to Cornwall. Now it stops only at Reading, Exeter and Plymouth and, not surprisingly, there are fewer people as there are fewer stops. None the less, the sleeper train provides an essential communication link with the west country's principal towns and cities.

If the sleeper ceased to exist, the first weekday train from Paddington would not reach Penzance until 1.30 pm —a whole morning has gone—and one would not reach Plymouth much before 11.30 am, if the train arrived on time. By the time that one got into Plymouth proper, it would be midday. Those would be the first available times that one would arrive at those towns' railway stations.

If you were an investor or an industrialist, Mr. Deputy Speaker, would you choose to put your inward investment in a town that you could not reach until midday on public transport? If you were coming from Japan or Europe, there are many other parts of Britain that you would favour, nearer the channel tunnel, with excellent infrastructure and good public transportation systems. You would not invest in Plymouth or Cornwall if you could not get there. If the public transport is bad, new industry and new employment prospects will not come there. It is too much bother to go somewhere when one has to drive the whole time.

One of the reasons why the inner cities have not revived as fast as we would like, in the way that the Government would like, is not only violence on the streets and high rates, but the absence of proper infrastructure that allows big articulated lorries in and out, or good railway connections that help industrialists to travel between places. One cannot get into many of the inner cities and one cannot get out of them.

The rail and airplane network has to be top class, or people take the roads, because it is more convenient, even though the roads are heavily congested. With the £3 billion reduction in the road-building programme this year, it is essential that we use other channels of communication and do not overburden even more the roads that we have built.

British Rail's west of England service has greatly improved in the past 10 years. It is odd, though, that in spite of the multi-million pound new signalling equipment, that has not resulted in faster or more frequent trains. However, the fact that the night train continues to plough its way across the country both ways, every evening, six days a week, arriving virtually on time in every case, so that the business man can arrive fresh for a day's work and tourists arrive with buckets and spades at the ready, makes it an essential part of the rail infrastructure.

The Great Western management, to whom I shall pay tribute later, seem a little less enthusiastic about the continuation of the Cornish Riviera night sleeper, as it is known, perhaps because they do not see it as an essential part of the west country fabric. Financially, apparently, it is precariously balanced, but that is not too surprising because the charges are high, the continental breakfast is quite dreadful, the facility is not well enough marketed and the train does not stop at enough stations.

I pay tribute to my right hon. Friend the Minister and my right hon. Friend the Member for Taunton (Mr. Nicholson), whose interest in the railway is well known, for coming up to Paddington and touring the sleeper. I have never seen so many people in a single first-class cabin. There were two television companies, each with their floodlights, and my right hon. Friend the Minister shaking the hand of a poor man in pyjamas. It was quite an amazing sight.

My right hon. Friend the Minister was left in no doubt when he heard all those who were travelling on the night sleeper—I think that it is fair to say that no one put British Rail up to it; they were all diehard travellers on the night sleeper—say how tremendously important it was to their industry and business. I am only sorry that my hon. Friend the Member for Plymouth, Drake (Dame Janet Fookes) is unable to speak because of her elevated position. Like me, she used to use the night sleeper. In particular, she and I were regular travellers on the Saturday night sleeper, but that has been withdrawn.

The Devon and Cornish Riviera night service has become a symbol of the Government's commitment to the west country. If it is withdrawn, it would appear that the Government are not prepared to stand up for an essential service, especially as the franchise bid is but a year away. Just at the point when the west country is witnessing the beginning of the economic upturn with business and commerce showing real signs of revival, an essential public transport service is about to come off the rails. Will the Minister, therefore, give me the opportunity of being the first hon. Member to save two sleeper services, the Liverpool one and now the west country one?

Before I close, I pay a special tribute to Brian Scott, the managing director of InterCity, Great Western Railways. He has managed to build around him a first-class team at the management level and has inspired loyalty and commitment from those working the service on the stations and in the trains. The restaurant cars are run to a high standard but I wish that there were not so many ticket collectors constantly disturbing one's journey, not to mention the incessant announcements telling one not to open the doors, to close the doors, not to leave any personal luggage, where to find the buffet, what the buffet is selling —hot and cold snacks; I know it by heart. A little peace and quiet would be much appreciated.

What we have in the House tonight is the strength of the west country Conservative Members, who are committed to a first-class franchise service but who do not want to damage the west country's prospects by an early and unnecessary withdrawal of a crucial rail facility. I have been trying for three and a half months to get this slot in the parliamentary timetable and I am most grateful to whoever arranged for me to speak tonight. I hope that my right hon. Friend the Minister, knowing that I have waited three and a half months, will not let us down. Whatever he says, I thank him for his extended courtesy for spending a couple of hours at Paddington station last night seeing for himself what we on the Conservative Benches believe is of great importance to the west.

Mr. Paul Tyler (North Cornwall): Will the hon. Gentleman give way?

Mr. Steen: No, but I shall give way after the debate has finished!

I thank all my hon. Friends for helping me during the past three months in ensuring that the sleeper service continues and that we have a helpful and productive debate. Finally, Mr. Deputy Speaker, I should say that, as my hon. Friend the Minister has sorted out with us, my hon. Friends have my consent to speak for as long as they like.

11.13 pm

Mr. Robert Hicks (Cornwall, South-East): I support my hon. Friend the Member for South Hams (Mr. Steen) in what he said about the need to continue the Paddington —to—Penzance sleeper service, although I am not sure that I would necessarily support his remarks about other areas during the course of his 12-minute speech, particularly in relation to Liverpool.

Of those present in the Chamber, my hon. Friend the Member for Exeter (Sir J. Hannam) and I are probably the longest standing users of the service. When we were first elected in 1970, there were two night sleeper services between Paddington and Penzance. One reason why British Rail withdrew one of them was lack of support. It is incumbent upon all of us in the west country to play our part in making sure that the service continues. I make the point to my right hon. Friend the Minister that we are approaching a crucial period.

Mr. Tyler: An election.

Mr. Hicks: I do not need flippant remarks from Liberal Members.

It is important that we ensure that the service continues into 1995 so that it forms part of any franchise offer made to Great Western or anyone else who may be interested post-1995. If the service were to be discontinued this year, it could not be included in the franchise package. That makes it absolutely crucial that my right hon. Friend the Minister leans on British Rail management, or uses whatever influence he has at his disposal, to ensure that the service stays in the British Rail timetable post-October and remains in the package for the franchise or whatever future arrangements are made next year.

If we lose the service this year, there would be no guarantee that it would re-run at some future date. I look to my right hon. Friend for an assurance that he has done what he can with British Rail and Great Western management to ensure that the service will not be discontinued from October.

11.16 pm

Mr. David Nicholson (Taunton): I congratulate my hon. Friend the Member for South Hams (Mr. Steen) on securing this Adjournment debate, which has attracted widespread support from Conservative Members representing west country constituencies.

I accompanied my hon. Friend and my right hon. Friend the Minister to Paddington station last night to see the sleeper and to talk to people using it. I shall not add to my hon. Friend's unparalleled description of the scene at the station at midnight, except to say that we spoke to a number of passengers who use the sleeper service regularly —at least once a month. They much appreciated the assistance being given, and we appreciate the contribution that they—as business men, industrialists or investors—make to the west country. It would much diminish economic recovery in Devon and Cornwall in particular if the sleeper service were withdrawn.

There is a slight snag, of which my right hon. Friend the Minister is aware. Three years ago, the sleeper service ceased to stop at Taunton. We saw a train at Paddington station that was about to depart, at 11.30 pm, for Bristol —so that area is served by a late-night train. Exeter, Plymouth and Cornwall are served by the late-night sleeper service. Taunton and the hinterland of Somerset, north and east Devon could much benefit from a service that departed about midnight and stopped at Taunton at 2 o'clock in the morning. A sleeper would not be required, because few passengers would want to use one for such a journey. They would require only the seating accommodation that we saw on the train last night.

Such a service would enable my constituents and those of neighbouring constituencies who are in London for evening meetings, dinner, theatre or whatever to return home the same night. The lack of such a service has caused considerable concern and aggravation in my constituency over the past three years. I make the point to my right hon. Friend the Minister but also to British Rail and the successor companies that such a service would make good common and commercial sense. It is a financial equation and—

Mr. Tyler: Will the hon. Gentleman give way on that point?

Mr. Nicholson: I cannot give way because the Minister will want to speak. Perhaps the hon. Gentleman will catch the Chair's eye later.

It makes good commercial sense to entice more passengers on to the late-night service—people who want to return to Somerset or thereabouts. With the opening of the channel tunnel, over the next few years more people will want to use the railways. As they come to see the environmental problems and the huge costs of road transport, more of them will want to travel by rail. I hope that the Government and those responsible for operating the rail service will take the opportunity not only to make the service stop at Taunton but to ensure that it survives.

11.20 pm

Mr. Sebastian Coe (Falmouth and Camborne): Members who represent Cornwall all recognise that Cornwall's ability to sustain full-time meaningful employment is inextricably linked to the ability of its business people to go out and conquer fresh markets, and to chase markets hitherto closed to them simply because they could not get in and out of the county within one full working day and get back to shepherding their businesses the following day.

We recognise that the future of the sleeper service is closely linked to all this. As my hon. Friend the Member for South Hams (Mr. Steen) pointed out, we must impress on the Minister the need for any future structure running the railways to market the service properly. The future of any public service depends—this is almost a truism—on the number of people who use it, and that is particularly true of a sleeper service. The service must be marketed as a stand-alone service that can compete with all the other burgeoning services in the county.

This is an important facility—

Mr. Matthew Taylor (Truro) *rose—*

Mr. Coe: —and I hope that the Minister will make a positive response to our requests.

11.21 pm

Sir John Hannam (Exeter): I congratulate my hon. Friend the Member for South Hams (Mr. Steen) on his initiative, not only in securing the debate but in arranging for the Minister's visit to Paddington station to see the extent of the support for the continuation of this important service to the west country.

I represent the constituency with the first stop in the west country. Business men and women in Exeter, Dorset and east Devon would tell the Minister that they rely very much on this service. They like to leave their cars at Exeter, come up to do their business in London, then journey back late at night, arrive in the morning, pick up their cars and get home for a couple of hours before starting a normal day's work.

The same applies further west in Cornwall, where, unless people have a sleeper service, they cannot pursue a normal day's business when they get back to Truro and points west.

British Rail needs reminding again and again that great opportunities are unfolding with the new system that we are setting up, and that its success will depend on attracting more customers and new business; and the only way to do that is to open up the system and provide ever more facilities—unlike what has been done with freight services which have in the past been shut down. Not only should this important service be maintained but stations like Taunton should be reopened so as to offer access to a wider clientele.

My hon. Friend the Member for South Hams reminds me of one of those wonderful steam engines of the past: when the going gets tough and the track starts going uphill, he makes a lot more noise and exerts even more determination. That is how he secured victory in Liverpool. I am sure that in this endeavour he will have the support of my right hon. Friend and of us all as our businesses and industries enter a period of expansion.

Our aim is to move regional offices from Bristol down towards the south-west. The civil servants and others working in those offices will need a night service to get home after, say, late-night debates in the House.

I hope that my right hon. Friend will listen very carefully to the views represented tonight, and will ensure that the service continues, so that when the franchise is offered it will be included as an important part of the service to the west country.

11.24 pm

The Minister for Public Transport (Mr. Roger Freeman): I congratulate my hon. Friend the Member for South Hams (Mr. Steen) on initiating a debate on this important subject. I also congratulate my other hon. Friends who have participated, particularly my hon. Friend the Member for Falmouth and Camborne (Mr. Coe)—who came to see me yesterday with my hon. Friend the Member for South Hams—and my hon. Friends the Members for Taunton (Mr. Nicholson) and for Exeter (Sir J. Hannam), who also came, as did my hon. Friends the Members for Cornwall, South-East (Mr. Hicks) and for Plymouth, Drake (Dame Janet Fookes).

Representations have also been made over recent weeks by, in particular, my hon. Friend the Member for St Ives (Mr. Harris), and by my right hon. Friend the Member for Honiton (Sir P. Emery) and my hon. Friends the Members for Tiverton (Mrs. Browning), for Torridge and Devon, West (Miss Nicholson), for Plymouth, Sutton (Mr. Streeter), for Woodspring (Dr. Fox) and for Westbury (Mr. Faber). It is a formidable list.

As my hon. Friend the Member for South Hams implied, we had a very interesting discussion yesterday afternoon to discuss the continuation of the Paddington-to-Penzance sleeper after the end of the current timetable. We covered the issue in some detail, and I felt that the meeting had enabled me to understand much more fully the concerns of my hon. Friends representing the south-west. That contrasts sharply with the behaviour of members of the Liberal Democrat party, who have neither sought a meeting with me nor tried to secure an Adjournment debate; nor have they raised the issue in the same direct way as my hon. Friends.

Mr. Tyler: Will the Minister give way?

Mr. Freeman: No. Indeed, what they have been doing—

Mr. Tyler: On a point of order, Mr. Deputy Speaker. Is it in order for the Minister specifically to attack hon. Members and then refuse them the opportunity to intervene?

Mr. Deputy Speaker (Mr. Michael Morris): It is entirely in order, as far as the Chair is concerned. The Chair has no role to play, and no comment to make.

Mr. Freeman: I pay tribute to Brian Scott and the management of British Rail, who have succeeded in improving services on the Great Western railway. That includes the sleeper, which has received significant and welcome patronage in recent months.

Let me give my hon. Friends the firmest possible indication of Ministers' views on the continuation of the Paddington-to-Penzance sleeper, known as the night riviera. Ministers believe that the service should be part of the franchising process in 1995. We want to see what ideas the private sector can bring to the future operation of services—for example, in terms of improved marketing of the night riviera service.

Mr. Brian Wilson (Cunninghame, North): Will the Minister give way?

Mr. Freeman: No.

Until franchising takes place, the future of the service is a matter for British Rail; but I do not wish to see any precipitous change. I assure my hon. Friend that Ministers wish the service to continue throughout this year and up to and including the franchising process. The service is in the current timetable, which runs up to October. I therefore expect it to be included in the October timetable, which is the winter timetable, so that it will be open to the Franchising Director to consider it in the context of franchising the Great Western main line services. I hope that that reassures my hon. Friends who have interests in that important part of the country.

[Mr. Freeman]

The Government accept that important rail services such as the Great Western main line and sleeper services are perceived as being very important to the economy of the west country—important not only to the business community, but to those who travel to the area for leisure purposes. It must be recognised, however, that the economic viability of the night riviera service is a crucial factor in the determination of its future. I understand that currently the service is marginal. However, I also hear that Great Western hopes that passenger ridership will increase as the economy comes out of recession, and there is already evidence of an increase in patronage.

I believe that the debate tonight—I again congratulate my hon. Friend the Member for South Hams on his contribution—will serve to raise the profile of this important service. But a railway, as with any other business, has to be responsive to passenger demands. It is therefore vital that, in order to ensure the long term future of the night riviera service, there be increased usage of the sleeper. It really is a case of use it, or lose it. People cannot come to British Rail, Great Western and the Franchising Director and ask for a service to be retained if they are unwilling to make use of it.

I thank my hon. Friend the Member for Falmouth and Camborne for helpfully and clearly spelling out that point. I also confirm that we expect to see channel tunnel night services running on the Great Western main line. I hope that the night stock, which is currently under construction, will be running on that line from Christmas 1995. That will bring a very welcome boost to the economy of the west country because it will bring tourists directly from the continent of Europe and through the channel tunnel, all the way along the Great Western main line, and certainly as far as Plymouth. We do not rule out a continuation and extension of that service in the future.

It is very important for the economy of the south-west that we continue to develop rail services. I can tell the hon. Member for Cunninghame, North (Mr. Wilson), who has had ample opportunity to criticise our reforms in other debates, that the reforms which will follow in the wake of the Railways Act 1993 will improve rail services in this country. He will find that the private sector will introduce into the railways not only fresh capital but innovation—new ideas.

I agree with my hon. Friend the Member for South Hams that one of the great advantages of franchising is that the marketing of the service is improved. I make no criticism of Brian Scott and his management team or of British Rail—they have done an excellent job within the constraints of a public sector service.

The hon. Member for Cunninghame, North and the hon. Member for North Cornwall (Mr. Tyler) have no imaginative or positive ideas to offer to improve rail services. The Government have a monopoly on good ideas to improve rail services. We will bring additional capital to the railway industry, we will let the private sector market the services better, and we will see more patronage not only on the day services and night services but on the sleeper services.

The motion having been made after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-nine minutes to Twelve midnight.

House of Commons

Wednesday 20 April 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT

Environmental Protection

1. **Dr. Liam Fox:** To ask the Secretary of State for the Environment what progress has been made in environmental protection over the past year.

The Secretary of State for the Environment (Mr. John Selwyn Gummer): A full account will be given in the third year report on "This Common Inheritance", which we will publish on 10 May.

Dr. Fox: In discussing that report, will my right hon. Friend make the strongest possible representations to the French Government over the proposals to extend the shooting season, which will result in the unnecessary and unacceptable slaughter of many British migratory birds? Is my right hon. Friend aware—I hope that he is—that many people in the United Kingdom will find that to be an arrogant and unacceptable proposal, and completely distasteful?

Mr. Gummer: I have already made it clear to the French Government that any consideration of the proposal to which my hon. Friend has referred must be in the context of there being no change in the present practice. They have assured me that they will take the scientific advice that has so far been given by Ornis, but there is more scientific advice to be obtained. I note that the European Parliament has declined to discuss the matter at this stage. The British Government have taken the clear view that the issue of migratory species is a matter of European Community competence, and we are determined to protect those birds that come to this country.

Mr. Simon Hughes: The Secretary of State's claims that he is protecting the environment look pretty thin when he publishes a 1993 report only in May 1994, when he drops his plans to set up contaminated land registers, when we still have not had before us any legislation on the Environmental Protection Agency and when there are no longer any long-term targets for limiting CO2 emissions. Worst of all, the Government and their friends have tabled more than 200 amendments and new clauses, which are clearly intended to wreck the Energy Conservation Bill being promoted by my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith). Is the Secretary of State aware that that measure would do more for the environment than anything that he is now doing?

Mr. Gummer: The Liberal party is utterly unable to make any such comment ever since it reneged on its support for proper taxes on energy consumption. The hon. Gentleman knows very well that his position is untenable. We have heard the usual Liberal demand for something for nothing. The hon. Gentleman is entirely wrong in all his other allegations. We are reporting for the third year running on these matters at a later date because of the publication of the report on sustainable development, which has been widely welcomed. Only the Liberal party would make such silly allegations.

Mr. Michael Spicer: My right hon. Friend will be aware that the River Severn was severely polluted last weekend. In the light of that experience, will he have a word with the water regulator to ensure, first, that the quality of water is properly monitored and, secondly, that when such pollution occurs, samples are taken and analysed quickly so that the public can be accurately and properly informed of what is going on?

Mr. Gummer: My hon. Friend is right to draw attention to a serious incident. My hon. Friend the Minister for the Environment and Countryside was in the area yesterday. There was an immediate inquiry into the matter. The points that my hon. Friend has raised will be taken fully into account. As far as we can see at this stage, the measures to which my hon. Friend referred were taken. The inquiry will establish that. We shall naturally seek to learn as much as possible from the inquiry to ensure that there is no repetition of that incident.

Mr. Chris Smith: Will the Secretary of State acknowledge that, over the past year, the environmental protection record of local government has been better than that of central Government? The right hon. Gentleman is fond of pouring scorn on Labour local authorities. Why is it that of the 11 local authorities that have been specially invited by the Government to make a presentation on best practice to the Partnerships for Change conference, not one is controlled by the Conservative party? Of the eight district councils selected by the Government as examples of best environmental practice, seven were controlled by the Labour party. Will the right hon. Gentleman now praise the pioneering work of Labour councils on environmental protection?

Mr. Gummer: I am happy to say that up until now we have managed to praise the environmental work of a large number of councils of different political colours, and this is the first time that a party political division has been drawn into the matter. The hon. Gentleman should be ashamed of himself. The only party in the House that has no right to talk about the environment is the Liberal party because it has reneged on all its willingness to support those matters. The Labour party must remember that I have criticised only the fact that it has the vast majority of the councils which demand the most money for the least services. It costs £131 more to pay the council tax in Labour councils—*[Interruption.]*—and the hon. Member for Blackburn (Mr. Straw), who is trying to intervene, has had to admit that his figures are phoney—phoney councils, phoney figures, Labour councils.

Mr. Nicholas Winterton: Would my right hon. Friend think that it was making progress in protecting the environment if an application to establish opencast coal operations were granted at Towers Farm in Poynton in my

constituency, in a most sensitive green belt area right on the edge of Cheshire and on the boundary of Greater Manchester, against the opposition of local residents, the parish council and the borough council and at a time when British Coal is closing coal mines as though there were no tomorrow?

Mr. Gummer: I do not think that the cause of environmental protection would be helped much if my hon. Friend were to receive an answer in the House of Commons to what is a properly constituted inquiry into the matter, in which the environment will play a major part. I hope that my hon. Friend will wait for the results of that properly constituted inquiry and my decision on it. As to his comments about the coal industry, that is a matter for the coal companies themselves.

Coal Mines (Water Pollution)

2. **Mr. Ronnie Campbell:** To ask the Secretary of State for the Environment what plans he has to protect areas surrounding closed coal mines from the potential pollution of watercourses.

16. **Mr. Etherington:** To ask the Secretary of State for the Environment what discussions he has had concerning mine water pollution; and if he will make a statement.

The Minister for the Environment and Countryside (Mr. Robert Atkins): My hon. Friend the Minister for Energy is considering the detailed allocation of responsibilities in respect of coal mines after privatisation, as between the operators and the Coal Authority.

Mr. Campbell: Throughout the county of Durham, wildlife is being destroyed and farmers' fields are being flooded. Surely someone must take responsibility for the pollution. I know that the Government want to renege on their responsibility, but is not it time that someone stood up and took the matter in hand?

Mr. Atkins: I am grateful to the hon. Gentleman for —like others of his colleagues—raising that important matter, which we are seeking to address. That is why, following the last Environment Question Time when the matter was raised, I took it upon myself to talk to my colleague the Minister for Energy. At present, if there is a particular cause of pollution, the National Rivers Authority should be spoken to. If the hon. Gentleman has a specific case in mind and would like to talk to the NRA, but has been unsuccessful, I should be pleased if he would take the matter up directly with me.

Mr. Etherington: The Minister will be aware that the National Rivers Authority is of the opinion that the law is somewhat unclear about British Coal's responsibility for pollution. Does he accept that many people are afraid that when private enterprise has the responsibility—if it can be called that—of keeping pollution at bay, the situation might get worse? Can he assure the House that he will take the necessary action to tighten up the legislation and ensure that no additional burden falls on either water ratepayers or council taxpayers in the areas concerned where there is likely to be a diminution of deep mining?

Mr. Atkins: As I have said, I recognise the concern. The hon. Gentleman is unfair in his attack on private enterprise—in many areas, private enterprise has demonstrated a good record on environmental activity and pollution control—but I understand what he is saying. We have recently published a document called "Paying for our Past" and we have invited various people and organisations to comment on what we should do about contamination of the sort that the hon. Gentleman has mentioned. I know that the hon. Gentleman's points, and those of the hon. Member for Blyth Valley (Mr. Campbell) and the others who share his worries and concerns, will be dealt with when we consider the results of that consultation.

Mr. George Howarth: Is not it far from the case that the NRA has the responsibilities that the Minister has just suggested that it does? Does the Minister agree with Lord Crickhowell, the chairman of the NRA—no raving socialist, I understand—who said recently:

"There is a legacy of contamination for which no one is currently responsible, no one is prepared or able to pay the necessary clean-up bill, and no one is charged with the running —".

Madam Speaker: Order. I am sorry, but I think that the hon. Gentleman is aware that he may not quote at Question Time. He may paraphrase, not quote directly.

Mr. Howarth: Certainly, Madam Speaker. Is not it clear from the comments of Lord Crickhowell that the responsibility that the Minister claims already rests with the NRA simply does not? Will the Minister undertake to the House that when the Environmental Protection Agency legislation comes before the House, he will consider using that opportunity to clear up the confusion? I assure him that, if he does that, he will get co-operation from the Opposition.

Mr. Atkins: Under the Water Resources Act 1991, it is an offence for mine owners to cause or permit the pollution of water courses. There is legislation, but I recognise that there are some questions about exemptions because of the retrospective aspect of the legislation.

Lord Crickhowell's comments during a debate in the House of Lords the other day are part and parcel of the consultation procedure. His views, as the chairman of the NRA, will be considered as important, along with those of others who respond to the consultation document on contaminated land.

Council Tax

3. **Mr. John Marshall:** To ask the Secretary of State for the Environment if he will list the top 10 council taxes and the bottom 10 council taxes.

The Minister for Local Government and Planning (Mr. David Curry): The highest council taxes in descending order have been set by Liverpool, Manchester, Newcastle, Coventry, Langbaurgh, Salford, Bristol, Cleethorpes, Middlesbrough and Hartlepool.

The lowest council taxes in ascending order have been set by Westminster, Wellingborough, Wandsworth, the Isles of Scilly, the City of London, Hambleton, Tewkesbury, Rochester, South Cambridgeshire and Ealing.

Mr. Marshall: My hon. Friend has drawn attention to the success of Ealing in setting a low council tax. Is he aware that in 1986, when I was a member of the Ealing council, it boasted the lowest rates in west London? Is he also aware that 12 months later—following 12 months of

Labour control—the rates had gone up by 65 per cent? Does not that show that Conservative councils cost people less and Labour councils cost people more? Is he also aware that Westminster schools are so good that they appeal to one Labour Member, who prefers Westminster schools to Lambeth schools?

Mr. Curry: There is one essential statistic in all of that. It is that Conservative councils cost people less—precisely £131 less across the country.

Mr. Betts: Is not the Minister using fiddled figures in making comparisons? Does he agree that the only true comparison is that made by using the average rate of council tax? That simply takes into account the amount that a council spends and how many people live in that area. The use of bands is distorted because the different spread of property types and values in an area is reflected in those figures. Does the Minister agree that no one would use that comparison objectively? Is not it only those who would try to use the figures for cheap political advantage who would use bands, rather than another comparison?

Mr. Curry: For Opposition Members to talk about distorted figures is pretty rich. The hon. Member for Blackburn (Mr. Straw) quoted figures which entirely overlooked the fact that the three precepting authorities were Labour. Nothing is more irrelevant than to use the average tax per household, as it depends on the level of banding in that property and on the amount of grant that is given. The lower the banding, the greater the grant, and Labour councils are delegated even more grant. The trouble is that they do not use it very well, and that is the heart of the argument.

Mr. Congdon: Does my hon. Friend find it interesting that those authorities in London that receive the highest levels of grant from the Government, such as Lambeth, Haringey, Camden and Islington, also levy the highest council taxes? Is not it even more revealing that those authorities that receive the lowest levels of rate support grant, such as Wandsworth and Westminster, are able to charge the lowest council taxes?

Mr. Curry: That is exactly right. It might be helpful if I spelt out those standard spending assessment levels, so that we can get the facts right. Tower Hamlets receives £1,481 per capita—that is not a Conservative council—Hackney receives £1,305, and Islington £1,185. Westminster is number four, receiving £1,167, and Wandsworth does not appear in the top 10 at all.

Mr. Straw: Could the Minister explain why so much money has been stuffed into Wandsworth in non-means-related grant? Wandsworth contains 0.5 per cent. of the country's population, but receives 11 per cent.—£44 million—of all non-means-related grant. Could he also explain why, in Westminster, £96 of every £100 of council spending is contributed by central Government, while the council tax payer spends just £4?

The Minister claims that the average household tax is irrelevant. Can he explain why that measurement was used this time last year in a private Conservative party briefing document, and was also used in a public Department of the Environment official press release the day before the council tax came into force? Is not the truth that it was only when Conservative Ministers discovered that Labour costs less that they dropped that measurement? Is not it also true that, while the average council tax is £493 in Conservative areas, it is £453 in Labour areas? Labour costs £40 less.

Mr. Curry: The hon. Gentleman is an astrologist, not a mathematician. He does not understand the system to begin with. Let me make it clear. Why does Wandsworth receive the grant that it receives? Because its community charge was zero, to the great benefit of its population, the transit relief had to be at a higher level, and because it had the biggest cut in standard spending assessment. That is why it has the damping grant.

The reason for the proportion of grant that Westminster receives is the fact that it sets a budget below its standard spending assessment. If Westminster set a budget as far above its SSA as Liverpool has, it would have to charge 22 per cent. in its council taxes, which is more than Liverpool charges.

Construction Industry

4. **Mr. Spring:** To ask the Secretary of State for the Environment what role he foresees for his Department over the next 12 months in sponsoring the construction industry.

The Minister for Housing, Inner Cities and Construction (Sir George Young): The Department will build on the enhanced support that it is giving to the construction industry in order to encourage its success in both home and overseas markets.

Mr. Spring: Is my right hon. Friend aware of the £6 billion worth of exports undertaken by the United Kingdom construction industry during 1992? Is he satisfied that the industry is receiving sufficient support and can he cite any initiatives that would help it to gain a still larger share of the world market?

Sir George Young: I pay tribute to the construction industry's work in generating some £6 billion in overseas earnings: that shows that there is a demand for British products and skills. My hon. Friend the Under-Secretary has just returned from India—where he led an export drive—clutching a fistful of new orders. I am off to Beirut next week, and to Kazakhstan next month, with the construction industry, and my right hon. Friend the Secretary of State is off to Chile and Argentina. The Department will do what it can to help British companies to win orders and generate work for British people.

Mr. Battle: Why do not the Government act now to forge a clear link between housing construction, employment and the health of our economy? As well as encouraging the industry to win contracts in Berlin and Beirut—which we welcome—why not also let local authorities use their £5.5 billion worth of capital receipts from council house sales to get thousands of our 500,000 construction workers back to building and repairing the homes that are desperately needed for rent here in Britain?

Sir George Young: The hon. Gentleman clearly has not seen the figures that we published yesterday about the construction industry. Construction orders for the latest three months were 14 per cent. up on the previous three months—31 per cent. higher than a year ago. Public sector building orders are 50 per cent. up on 1991. There has been a real about-turn in the construction industry, with the most

positive forecasts that we have seen for many years. I hope that the hon. Gentleman will rejoice at the better news that is now coming out of the industry.

Mr. Ward: My right hon. Friend will be aware that Sir Michael Latham is about to produce an important report on the construction industry. May we be assured that the Government will consider it carefully and will provide any legislative time that may be needed to implement it?

Sir George Young: As my hon. Friend says, our former colleague Sir Michael Latham is carrying out an important study into construction. His interim report was published a few weeks ago and was well received. He hopes to complete his work in July. It is a tribute to his work that the interim report was well received, and certainly the Government and all those in construction who await his final report in July will give it the serious consideration that it rightly merits.

Green Ministers

5. **Mr. Bayley:** To ask the Secretary of State for the Environment on how many occasions in the past year the departmental green Ministers have met together.

Mr. Atkins: Green Ministers have regular bilateral meetings. The last full meeting took place in October 1993, and the next one will take place in May.

Mr. Bayley: Do the green Ministers realise that the forest sales programme is eating away at the heart of the national forest? Will they explain how their stated aim of expanding forest cover, as set out in the document "Sustainable Forestry", will be achieved if they allow private investors to buy the public forest instead of planting their own forests? When will the forest review report finally appear?

Mr. Atkins: That report is currently in front of Ministers and in due course the hon. Gentleman and the House will hear the results of those deliberations.

Sir Donald Thompson: Will my hon. Friend the Minister explain what are green Ministers?

Mr. Atkins: Green Ministers are those Ministers from various Departments who, under the tutelage of my right hon. Friend the Secretary of State for the Environment, take various actions in their Departments to ensure that the use of materials, recycling, energy use and other matters are regularly reviewed and that the Government estate benefits in the same way as everyone else.

Housing (Wolverhampton)

6. **Mr. Turner:** To ask the Secretary of State for the Environment if he will make extra funds available for housing improvement grant allocations in order to deal effectively with the backlog of housing renovations and repairs in (a) Wolverhampton an (b) other cities and towns.

Sir George Young: Within their overall resources, local authorities may spend whatever they wish on private house renovation and my Department will reimburse 60 per cent. of their expenditure.

Mr. Turner: In the current year, Wolverhampton's housing improvement grant allocation has been reduced by just under £4 million. There are thousands of post-war properties crying out for improvement, especially new forms of heating. Children in families are cold and the lives of elderly people whose homes need new insulation techniques that ought to be applied to those properties are being affected.

Dame Elaine Kellett-Bowman: Question.

Mr. Turner: I am asking for more resources to respond to the real housing needs in Wolverhampton and in many other cities and towns.

Sir George Young: I recently spent a morning in Wolverhampton in the company of the leader of the council, the Conservative Bill Clark, and I saw at first hand the improvements that the local authority is carrying out to properties in the constituency of the hon. Member for Wolverhampton, South-East (Mr. Turner).

Mr. Turner: Was the Minister electioneering?

Sir George Young: Indeed I was, and rightly so. I hope that the hon. Gentleman will also be electioneering. During my electioneering, I got positive support from those whom I met. The hon. Gentleman will be pleased to know that many of his constituents appreciate the improvements to their properties that are being carried out by the Conservative-controlled Wolverhampton city council.

Mr. Budgen: Does my right hon. Friend appreciate that the people of Wolverhampton understand that socialists always believe that every housing problem can be cured by throwing taxpayers' money at it? The people of Wolverhampton are increasingly buying their own homes, and they are enjoying the current low interest rates, which make it possible for an increasing number of people to make their own housing provision.

Sir George Young: I am sure that my hon. Friend speaks for a majority of the people in Wolverhampton when he refers to their aspirations to home ownership—aspirations which are now much more within their reach due to the very low rates of interest. I hope that many people in Wolverhampton will take advantage of the present low interest rates to achieve their ambition and buy property in Wolverhampton. There are many good-quality new schemes being built by builders, offering people homes at competitive prices.

Mr. Pike: The Minister knows that the Federation of Master Builders agree with towns such as Wolverhampton that they have not enough money to meet their statutory requirement to meet mandatory grants. Will he make additional resources available to Wolverhampton and other local authorities now, or is he going to end the right and entitlement to mandatory grant?

Sir George Young: As the hon. Gentleman knows, we have just completed a review of the improvement grant regime, which considered a number of radical options, one of which would be to enable local authorities to have a more proactive approach and promote more home improvement areas. The Government will announce the conclusion of that consultation exercise later this year.

Mr. Faber: Is my right hon. Friend aware that there are about 801 pre-reinforced concrete homes in my constituency in west Wiltshire, many of which are substandard and some of which are in danger of falling down? Is he further aware of the plans submitted by the

district council to transfer the entire stock to the private sector for restoration—plans that have so far been blocked by the Treasury? Can he assure me that in his Department, he will give a fair hearing to the district council when it resubmits the plans, so that those people who live in appalling conditions in PRC homes will have a better chance in the future?

Sir George Young: As my hon. Friend rightly says, it has not proved possible this year to find a place in the large-scale voluntary transfer programme for the properties to which he refers. I very much hope that it will be possible to restructure the proposal of his local authority, so that the transfer of those properties can proceed in 1995-96, and we will certainly do all that we can to facilitate such a transfer.

Energy Conservation

7. **Mr. Harvey:** To ask the Secretary of State for the Environment what further measures he plans on energy conservation.

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): Our further measures to encourage energy efficiency are clearly set out in the United Kingdom's climate change programme, in our strategy for sustainable development launched recently by the Prime Minister, and in our response to the Environment Select Committee's report on energy efficiency.

Mr. Harvey: Can the Minister reassure the House that the decision by the Government and their hon. and right hon. Friends on the Conservative Benches to table more than 200 amendments and new clauses to the Energy Conservation Bill has nothing to do with the desire for the amount of electricity consumed to be maximised before the sale of the remaining 40 per cent. Government stake in the two national power companies? Is there not a direct contradiction between those two Government policies—energy conservation on the one hand and maximising the revenue from those sales on the other?

Mr. Baldry: Only a Liberal Member of Parliament could dream up such a fantasy. The straightforward fact is that the Bill would impose a statutory duty to compel every local authority to inspect and audit every home in the country, not only their own housing stock, and we believe that that would impose an unnecessary extra regulatory burden on local authorities and unnecessary extra costs on taxpayers.

Dr. Twinn: Will my hon. Friend join me in congratulating Midland Electricity on its generous gift of £500,000 to Neighbourhood Energy Action in support of its excellent work, supported by the Government, to insulate low-income homes? Will he take the opportunity to encourage other British electricity companies and others in the energy field to give money to NEA?

Mr. Baldry: I fully support everything that my hon. Friend says. Neighbourhood Energy Action does some excellent work, especially the work that it does with the home energy efficiency scheme. That scheme has been nearly doubled to £75 million. It provides grants to improve the energy efficiency of low-income households and will enable 400,000 homes to be treated in 1994-95. That is an indication of the support that the Government give to energy efficiency.

Mr. Cecil A. Walker: Can the Minister explain why he is stopping the application of the Energy Conservation Bill to Northern Ireland?

Mr. Baldry: That, I suspect, is one of the matters that the House will wish to consider and debate at some length on Friday.

Mr. Batiste: Does my hon. Friend agree that one of the primary purposes and benefits of energy conservation is that it reduces the need for energy production and the environmental damage caused by it, especially by such means as opencast mining? As his contribution to that process, how soon will he publish the revised guidelines for MPG3?

Mr. Baldry: We hope to publish the revised guidelines by the summer.

Mr. Chris Smith: On this Friday's Energy Conservation Bill, am I right to assume from the Minister's answer to the hon. Member for North Devon (Mr. Harvey) that the Government are opposed to that measure? Is that why more than 200 amendments have been tabled in an apparently deliberate attempt to sink the Bill through lack of time? Is that why the Government are attempting to change the fundamental principle of the Bill from placing a duty on local authorities to allowing a permission for local authorities, thereby undermining the entire purpose and benefit of the Bill? If the Government engineer the collapse of that measure, will not they be left without a shred of credibility on energy conservation?

Mr. Baldry: I made clear the Government's approach to the Bill on Second Reading. It is ludicrous for the hon. Gentleman to suggest that, in some way, the Bill is a touchstone of the Government's attitude to energy efficiency. Our commitment to energy efficiency is clear and constant. The budget of the Energy Efficiency Office has been increased to more than £100 million this year, which represents an increase of nearly 50 per cent. on last year and a 17-fold increase in real terms since 1979. We have a clear commitment to energy efficiency, but we do not believe in imposing unnecessary regulatory burdens on local authorities, which will not necessarily bring further benefit to energy efficiency.

South West Water

8. **Mrs. Browning:** To ask the Secretary of State for the Environment what plans he has to discuss with South West Water the charging policy for water consumers.

Mr. Atkins: Both the Department and Ofwat have had a number of discussions with South West Water about the importance of keeping price rises to the minimum.

Mrs. Browning: Is my hon. Friend aware that, since the latest increase this month, there is now grave concern at the ability of those on fixed incomes and pensioners with modest savings in my constituency of Tiverton to find the money to meet this year's bill, let alone the expected increases in future years? When speaking to South West Water, will my hon. Friend examine carefully its contribution to the investment in the clean up of south-west beaches and its exorbitant charging for installing water meters? Will he also make representations to his

colleagues in the Treasury to ensure that they are aware that financial help will be needed to assist the people of the south-west?

Mr. Atkins: I understand the concern that my hon. Friend represents, which has been expressed to my right hon. Friend and me by hon. Members from the south-west on numerous occasions. As we all know, there are many beaches in the south-west of England, but fewer people than in the rest of the country to pay for the clean up required, as well as the cost of water. I shall convey my hon. Friend's concerns to my colleagues in the Treasury and to the water companies.

Ms Corston: Is the Minister aware of the growing consensus against the use of compulsory water metering, which is considered a waste of money that should be spent on repairing our ancient water system, and in favour of using council tax bands to assess water bills?

Mr. Atkins: The hon. Lady's view is not held unanimously, even on her side of the House. Many people feel that metering has a part to play, just as it does in charging for electricity and gas. Given that we are discussing the use of a long-term resource with increasing demands on it, metering seems to be the fairest and simplest way to charge for it. However, I recognise that concerns have been expressed about the possibility of council tax banding. Hon. Members must understand that, were that option to be considered, it could be just as damaging in terms of people's pockets as any of the other options.

Sir John Hannam: Is my hon. Friend aware that water prices for the average householder in the south-west have nearly doubled in the past few years and will double again by the end of the decade if something is not done? With the water regulator now beginning his work on preparing the charging formula for July's announcement, does my hon. Friend accept the urgency of getting agreement in Brussels on slowing down the implementation of the EC directive?

Mr. Atkins: I am aware of the concern, largely because many of my hon. Friends have expressed it to me and the Secretary of State. On the directive on urban waste water treatment, we are doing exactly what he asks and seeking to persuade the Commission and our colleagues within the Union that that matter will cost far more than they expected. They are beginning to understand that. As a result, it may be recognised that it can be spread over a longer period.

EC Directives

9. **Ms Quin:** To ask the Secretary of State for the Environment when he next expects to meet his European Union counterparts to discuss the implementing of EC environmental directives.

Mr. Gummer: The next formal Environment Council will be on 8 and 9 June. The agenda has yet to be determined.

Ms Quin: Will the Secretary of State be discussing the implementation of EC water quality directives? Will he confirm that it was the Conservative Government who signed the drinking water directive in 1980? Will he give an estimate of the number of jobs that would have been created if the Government had honoured their commitment and improved water quality as they said they would? Will the Government also confirm that a green dowry was given to the water companies at the time of privatisation specifically to bring our water quality up to EC standards?

Mr. Gummer: The hon. Lady is right to draw attention to the importance of those standards. I am concerned that we should reach those standards in the most sensible, cost-effective way. There is no doubt that many of the costs associated with reaching those standards are considerable. Some of the legislative measures—not only in the directive, but others—are prescriptive. We want to achieve the standards sensibly. In the post-Maastricht period, it might be more sensible to regard drinking water standards as matters of subsidiarity to a greater extent than they were viewed in the past. It is reasonable to treat them in that way. I do not see why the subject should divide the House.

Mr. Steen: Does my right hon. Friend agree that there is no point in being part of Europe if the other European countries do not play by the rules? Will he ensure that, for every European environmental directive, each country embarks on a compliance-cost assessment? That would ensure that every country knew how much the directive would cost before it embarked on it and how much it would cost to enforce it. Britain should not go it alone and follow the directive until every other country has done the same, and there must be cross-border enforcement.

Mr. Gummer: The manifest advantages of our membership of the European Union are enhanced if we ensure that EU countries undertake a cost-benefit analysis before decisions are made. I want to go one stage further than my hon. Friend suggests—I want the Commission to produce figures in advance of making the proposition in the first place. That would be sensible government—it is what we would expect in this country and certainly what we would expect in the European Union.

Mr. Kilfoyle: When the Secretary of State meets his European Union counterparts, will he discuss objective 1 funding, which partly covers environmental needs and designates Merseyside as one of the poorest areas in Europe? Will he explain to them why the Government choose to pump millions into rich, Tory-controlled boroughs in the south of England at the expense of areas in the north which, by the Government's own definition, are deprived?

Mr. Gummer: I will certainly explain to them that the system by which we provide money to different parts of the country is based on an objective system worked out by the largely Labour-controlled council associations. They may have misread a statement by the hon. Member for Blackburn (Mr. Straw), who was special adviser in the Department of the Environment when Labour found that Westminster's need per head was £486.47 and Liverpool's was £326.95. The difference was 49 per cent. in Westminster's favour. While the Conservative Government have been in power, it has been 33 per cent. We can see the truth of the hon. Gentleman's slurs.

Mrs. Gorman: Will my right hon. Friend take time when he next meets the European Environment Commissioner to discuss the latest directive proposing to phase out chlorine from industrial activity? Is he aware that chlorine is a basic component of bleach, which every housewife needs to clean the loo and to bleach shirts and

sheets? Is he aware that chlorine is a basic component of PVC and clingfilm, which every housewife needs to wrap up scraps before putting them in the fridge? Is he aware that Britain has the two largest PVC manufacturers in the world that provide thousands of jobs, which will go if the directive is implemented? There are at least 250 manufacturers of packaging material based on PVC. The directive will create an enormous vacuum and many job losses.

Mr. Gummer: I find it difficult to agree with my hon. Friend's suggestion that those jobs are done only by housewives. I hope that they are done by both sexes in the home. For environmental reasons, we need to look extremely carefully at the use of chlorine. Although it is a most useful chemical, it should be used in a way that is not detrimental to the environment. The Department is determined to ensure that our children's future is put first. Therefore, if it is possible beneficially to restrain the use of chlorine, that is what we shall do.

Mr. Dafis: Has the right hon. Gentleman discussed with the EU Environment Commissioner chapter 10 of the White Paper on competitiveness and growth? If he has, does he agree that it shows a new understanding of economic policy and the fact that economic success and job creation are both compatible with and strengthened by environmental sustainability? Will the Government support the principle of that chapter, which is to shift the burden of taxation away from jobs and people on to the overuse of resources and pollution?

Mr. Gummer: I am sure that it is right to accept that environmental protection is a spur to competitiveness and to industrial success, rather than the opposite. Therefore, I hope that the hon. Gentleman will join us in supporting a major example of putting taxes on the overuse of energy —I refer, of course, to my right hon. Friend the Chancellor's imposition of 17.5 per cent. VAT on fuel.

I note that the hon. Gentleman's party, like the Liberal Democrats—not to the same extent, but in the same direction—speaks in generalities about these matters, but is never prepared to put its name to the cost of delivering green policies. The Conservative party is prepared to pay the cost and deliver the policies.

European Policy

10. **Mr. Loyden:** To ask the Secretary of State for the Environment what items of environmental policy he has raised in the past month with the European Commissioner.

Mr. Atkins: I have discussed a wide range of environmental policy issues with Commissioner Paleokrassas in the past month.

Mr. Loyden: Next month, the Government will have the opportunity to ban toxic waste from EU countries. Will the Minister assure the House that he will take immediate steps to impose that ban in this country and in all developed countries from next month?

Mr. Atkins: We have signed the convention, which takes effect on 6 May. Therefore, the answer to the hon. Gentleman's question must be yes.

Mr. Clifton-Brown: Does my hon. Friend agree that EU environment directives should be better framed and should always be based on the latest scientific evidence? Does he further agree that the policy of the Labour and Liberal Democrat parties of environment directives being scrutinised—

Madam Speaker: Order. We are here not to discuss Labour and Liberal Democrat policies, but to question the Executive. Would the hon. Gentleman like to rephrase his question?

Mr. Clifton-Brown: Thank you for that stricture, Madam Speaker. Does my hon. Friend agree that Labour and Liberal Democrat policies—

Madam Speaker: Order. I shall move on unless the hon. Gentleman asks a proper parliamentary question. I shall give him another chance.

Mr. Clifton-Brown: Thank you, Madam Speaker—third time lucky. Does my hon. Friend agree that the Labour and Liberal Democrat parties—*[Interruption.]*

Madam Speaker: Order. We shall move on.

Mr. Barnes: The Court of Auditors is one of the more effective organs of the European Union. It has produced a number of devastating reports, including one showing that most EU expenditure happens to be counterproductive to environmental matters. The Government's view was defeated in the European Legislation Committee because the Government had dragged their feet over discussing the report. Is the matter now being taken seriously by the Government and the Commission?

Mr. Atkins: Yes.

Supermarkets

11. **Mr. Ian Taylor:** To ask the Secretary of State for the Environment what proportion of planning applications for new supermarkets are for in-town sites.

Mr. Gummer: We do not hold the information in that form.

Mr. Taylor: My right hon. Friend probably holds some information in some form. Does he recognise that my normally tranquil and serene constituency of Esher is at present up in arms about the villains from Tesco and Sainsbury, who are attempting to put superstores on the edges of communities in my constituency in Thames Ditton and Long Ditton? They would not be out-of-town shopping centres, but shopping centres on the edge of communities which would rip the hearts out of those communities. He has received thousands of letters opposing those developments; will he consider carefully the damage that superstores cause to communities in semi-urban areas?

Mr. Gummer: My hon. Friend would not want me to comment specifically about decisions which I may have to take from a quasi-judicial position, but, in general terms, my view is that we need to take those decisions in the light of the viability of the shopping centres in high streets of small towns and large towns and also in some less urban areas. That is the purpose of PPG 6—the planning guidance on town centres and retail development—and the joint planning guidance on transport—PPG 13—with the Secretary of State for Transport. Putting the two together,

my hon. Friend should have confidence that we are determined to protect the viability and life of our traditional high-street shopping centres.

Mr. Hardy: While I do not disagree with the Secretary of State, will he look into the question recently drawn to my notice of applications for developments that are described as warehouses or buildings for leisure pursuits, when the real intention is to develop retail outlets of the sort that he apparently deplores?

Mr. Gummer: I am determined to ensure that the same planning rules shall be laid upon all comparable developments, and merely calling them something different will not exclude the full planning procedures. The hon. Gentleman is right to say that there are some who seek to do that; I will seek to make sure that they fail.

Mr. Brandreth: Is my right hon. Friend aware how welcome his recent proposals on out-of-town shopping centres have been in constituencies such as mine, where thriving inner-city, city-centre shopping is of paramount importance to the economy and quality of life of the community? Is he aware that the balance that he is introducing in his proposals is widely welcomed in Chester?

Mr. Gummer: It is important not only to get the balance corrected, but to raise the standard of the design of the shops when they come back into city centres and the centres of our small towns. That is why I turned down a particular proposal in Ludlow, where the design was not up to the quality of the town centre it sought to enhance.

Mr. Vaz: May I congratulate the Secretary of State for finally acknowledging that the Labour party policy on out-of-town developments, on which we have been campaigning for years, is the right one? Will he now apologise to the councils that have had their decisions overturned and the developers that now face hundreds of extant planning permissions which, on current completion times, will take years to finish? How does he propose to compensate local communities that have had their green belts ruined, and the local authorities that have seen the destruction of their town centres because of the myopic policies of this Government?

Mr. Gummer: It is very often the local Labour council that has given the planning permission. That was a pretty rich comment, even for the Labour party. It would be nice if the hon. Gentleman at least could say that after a perfectly reasonable period where the retail revolution was allowed to continue, providing a considerable number of jobs and choices for the people of Britain, we are now saying that the balance should be reverted—in a different direction. That is perfectly reasonable. We are not in any sense resiling from the view that there ought to be a mix, but we need vibrant city centres. We are encouraging that, not only through the planning process, but through the enormous sums of money that we are putting into our city centres in such excellent policies as city challenge and similar ones which were opposed virulently by the Opposition.

Flora and Fauna

12. **Mr. Fabricant:** To ask the Secretary of State for the Environment what steps his Department is taking to protect endangered flora and fauna indigenous to the British Isles from extinction.

Mr. Atkins: The Wildlife and Countryside Act 1981 provides comprehensive statutory protection for endangered wild species of flora and fauna and their habitat in Great Britain. Further measures will be introduced shortly to meet legal objectives under the EC habitats directive.

Mr. Fabricant: Does my hon. Friend agree with me that the biodiversity action plan steering group will provide a major opportunity to protect in the United Kingdom endangered species such as the dormouse, red squirrels, otters, pine martens, the lady's slipper orchid and, indeed, strapwort? Will my hon. Friend also confirm that he intends to protect the habitat and species named in the UK Red Data book?

Mr. Atkins: Yes.

Mr. Foulkes: Does the Minister accept that two of the most endangered species in Britain are Tory councillors and Tory MPs, and that no amount of grant gerrymandering by the Government will save them from near extinction on 5 May and 9 June?

Mr. Atkins: I wish that there were protection for the loud-voiced bamboozler which is obviously represented by the hon. Gentleman.

Mr. Kenneth Carlisle: Does my hon. Friend agree that the only enduring way to protect wildlife is to conserve and create habitat? Will he therefore work with my right hon. Friend the Minister of Agriculture, Fisheries and Food to ensure that the habitat scheme is made effective under the new set-aside arrangements?

Mr. Atkins: As I think the House knows, my hon. Friend has a distinguished record in, and knowledge and understanding of, these matters through his own personal experience. I will certainly give detailed consideration—indeed, I am doing so—to the points that he raises.

MPG3

13. **Mr. Gunnell:** To ask the Secretary of State for the Environment how many appeals by private mining companies against refusal to agree opencasting by local authorities he has (a) allowed and (b) rejected since the introduction of the present mineral planning guidance note 3.

15. **Dr. Wright:** To ask the Secretary of State for the Environment if he will make a statement on the environmental impact of opencast coal mining.

17. **Mr. Bill Michie:** To ask the Secretary of State for the Environment what representations he has received from local authorities on the issue of the draft mineral planning guidance note 3 on coal mining and colliery spoil disposal; and if he will make a statement.

20. **Mr. Mike O'Brien:** To ask the Secretary of State for the Environment if he will make a statement on mineral planning guidance on opencast.

Mr. Baldry: My Department's records show that the Secretary of State has allowed 30 appeals and dismissed 17. Opencast coal mining can have a serious environmental impact. That is why we have revised the planning guidelines for coal extraction to ensure that they set tough environmental tests for the industry. The consultation period for MPG3 has only just expired. I will place a list of those who responded to the consultation exercise together with a summary of their comments in the Library of the House in due course.

Mr. Gunnell: Does the Minister agree that the data that he has given to me about the results of appeals show that the present mineral planning guidance very much favours mining companies above the interests of local authorities and local communities? In considering the revision that is going on at the moment, will he examine the needs of areas such as Morley—one half of my constituency—which faces six planning applications: three of which have been granted, one of which is pending, and two in which mining companies have shown an interest? Will he accept that there is a cumulative effect upon communities to which they should have a right to object? Does he understand that when the last planning application was given, local people did not want to see it accepted or the appeal granted by the Minister?

Mr. Baldry: If the hon. Gentleman had looked at the draft new mineral planning guidance, he would have seen that the strong presumption in favour of opencast coal development in MPG3 which did exist is being withdrawn and replaced with a test of environmental acceptability. I should have thought that Opposition Members would welcome that.

Dr. Wright: Is the Minister aware that one of the largest opencast sites in the country is located in my constituency? In making the planning application, British Coal said that it was necessary in order to mix the coal from this site with the coal from Lea Hall colliery, and then Lea Hall colliery was closed. British Coal then said, "We need the coal to mix it with the coal from Littleton colliery" and then Littleton colliery was closed down. Is the Minister therefore aware that all that my constituents have left is a big environmentally unacceptable hole in the ground?

Mr. Baldry: The planning guidelines aim to strike a balance between the economic importance of opencast coal —we should not underestimate the fact that it does have an economic value—and protection of the environment in a way that is fully compatible with the principles of sustainable development. In all these matters, balance is important.

Mr. Michie: I do not think that any of my colleagues are happy with the replies. The planning guidelines contain a loophole so large that one could put an earthmover through it. There is more than planning at stake. Will the Minister make it clear whether the demise of planning control over opencast mining has something to do with the closure of deep-mined pits?

Mr. Baldry: The hon. Gentleman has clearly not listened to either of the answers that I have given. In my role as Minister responsible for planning, I am determined to ensure that the acceptability or otherwise of individual proposals for opencast coal mining depends on the balance between environmental impact and economic gain. That balance has to be struck, irrespective of the ownership of the coal or who is involved.

Mr. O'Brien: Why, having made a decision on the Birch Coppice opencast application on 2 August 1993, did the Minister set it aside on 25 February 1994, thereby blighting thousands of homes in north Warwickshire? When will a further decision be made? Will he now offer an apology to the people of north Warwickshire for the long delay? Is it not the case that, if he had displayed such manifest incompetence in a proper job in the private or public sector, he would long ago have been dismissed?

Mr. Baldry: That question shows manifest ignorance of the whole planning system. The hon. Gentleman must surely appreciate the fact that all planning decisions are subject to the review of the High Court. Ultimately, it is the High Court which determines whether a planning decision is valid. Although I appreciate the concerns felt by the hon. Gentleman's constituents, he knows, but did not seek to make it clear to the House, that the High Court has still to determine the planning application in the matter to which he referred. I am sure that he will appreciate that I am unable to comment further at the moment.

Points of Order

3.31 pm

Mr. Dafydd Wigley (Caernarfon): On a point of order, Madam Speaker.

Madam Speaker: Before I hear the point of order, may I say that I am very disappointed that the House did not make the progress that it should have made at Question Time. Questions have been too long and, although there have been one or two very brisk answers from a particular Minister—for which I award him an accolade—answers, too, have often been too long. I hope that things will improve tomorrow and in the coming days.

Mr. Wigley: You may be aware, Madam Speaker, that following reports in the press in Wales today under the headline "Redwood Plan in Tatters", referring to what is called

"the humiliating defeat of the Secretary of State's plan which blew a hole through his blueprint for counties in Wales",

comments have been made by the Welsh Office about the future of the Local Government (Wales) Bill which have not been made in the House. The position is exacerbated by virtue of the fact that the Secretary of State for Wales is not a member of the Standing Committee dealing with the Bill. In these circumstances, would it be possible for the Secretary of State for Wales to make a statement in the Chamber on what is going to happen to the Bill, in view of the uncertainty that it is causing for local authorities in Wales?

Madam Speaker: I have not seen the report to which the hon. Gentleman refers, but he is clearly referring to decisions, activities and debates that took place in the Standing Committee. I have not so far been informed by the Secretary of State that he is seeking to make a statement to the House.

Mr. Andrew Faulds (Warley, East): Further to what you said, Madam Speaker, about the prolongation of Question Time, would it not be better were we to revert to

the old custom—and only very few of us here remember it—that nobody bothered to thank you for allowing them to catch your eye? This is a new development. The new calibre, lower-quality Members now think that somehow or other they play to your favour by saying "Thank you." Will you tell them that there is no need for that; you are simply doing your job?

Madam Speaker: I wish that all hon. Members were as courteous to each other as the hon. Gentleman seems to think that they are to me. They are not always very courteous to me, and I value a little "Thank you" sometimes. I now call Mr. Hain.

Regulators of Privatised Utilities

3.33 pm

Mr. Peter Hain (Neath): A big thank you, Madam Speaker.

I beg to move,

That leave be given to bring in a Bill to reform the accountability and other objectives of the privatised utility regulators.

Without any serious debate, the regulation of the privatised utilities has been hived off to autocratic unaccountable directors general. The invisible hand of Ofman the regulator now guides policy for every light switched on, every bath run and every telephone call made. Regulators are independent and all-powerful, and they have extensive discretion, which has often been exercised in a highly personalised fashion.

Oftel, Ofgas, Ofwat and OFFER cover vital services. Telecommunications, gas, water and electricity affect major areas of public policy and every citizen in the land.

However, the regulators were largely afterthoughts. Regulation has evolved in an ad hoc fashion, becoming complex, over-technical, rambling and fundamentally flawed. The main beneficiaries are shareholders, whose dividends have soared—dividends had increased by 85 per cent. for water by 1992, and by a massive 63 per cent. in the first year of electricity privatisation. Industry chiefs have also enjoyed a pay and shares bonanza.

By contrast, job losses in the privatised utilities will soon total a staggering 200,000. The National Consumer Council reports at best a mixed record on prices, with anomalies such as a £9,000 charge for a 4 ft water connection to a residential home in my constituency of Neath.

The right-wing assumption that individual shareholder interest necessarily equates with the public interest is nonsense. Individual shareholder or consumer interests, compartmentalised from each other, do not inevitably aggregate into the general public interest. Indeed, selfishly pursued with the support of the regulator, they often thwart achievement of the general interest in such matters as the ability of strategic national companies to compete in world markets, environmental protection and the preservation of precious natural resources.

In 1993 the electricity regulator—a public servant, not an elected representative—insisted that forcing the electricity generators to maintain existing coal volumes would infringe competition rules. He thereby vetoed an alternative energy policy, which led to the closing of dozens of pits. That public servant's encouragement of the dash for gas for electricity power station base load is depleting North sea oil reserves by more than 15 years' usage, and causing a most inefficient use of a critical fuel. Coal is sentenced to death, while coal imports soar and nuclear power has a £1 billion-plus subsidy.

The driving objective of the regulators to promote competition almost at all costs invites foreign companies to enter the United Kingdom market on advantageous terms, while British companies are barred from reciprocal rights abroad. That is most striking in gas and telecommunications, where American-owned television companies are capturing important local markets. British Telecom cannot enter the United States market on equivalent terms, and is further penalised by being barred from offering broadcast services, such as cable television, over its lines.

Britain's industrial interests in that vital area of information technology are being undermined, as BT is forced to concentrate on pigmy competition in its backyard at the expense of international competition, where we are now threatened with an American takeover.

Competition dogma is also tending to force the privatised utilities to concentrate on the most lucrative, fastest growing markets, where competition from new entrants is fiercest, at the expense of low-income communities. That so-called "cherry picking" means that the most profitable users get the cheapest and most sophisticated services. Telecommunications in the City of London is a good example. By contrast, there is social dumping of rural areas and poor inner city areas, where competition is limited or non-existent. Installation charges for telephones are high, well beyond the reach of many people on low incomes.

Water disconnections trebled after privatisation, and charges soared almost as high as executive salaries and perks in the water industry. Low-income households face discrimination, with higher deposits and pre-payment systems.

Privatised British Gas is refusing to extend the main supply an extra few miles to supply villagers—in Neath's Dulais and Swansea valleys, for example. The new competition regime will also increase gas charges for the poor and reduce charges, relatively, for the rich, while gas showrooms are closed.

Competition is not value free, nor is regulation a value-free, non-political exercise carried out in an objective, technical fashion. Each regulator has enormous discretion to determine public policy as he sees fit for his own industry without regard to the knock-on effect. We need to put democratic politics back in charge. The Government should take a small stake in each industry and should appoint a Government director, thus securing considerable influence at minimal cost.

New regulators should be appointed with different objectives to ensure that policies to advance strategic national and social interests always take precedence over promoting domestic competition or shareholders' profits. The regulators should have new performance targets, such as universal tariffs, protection of supplies to the elderly and the disabled, research and development, levels of investment and international competition. Those, rather than competition for its own sake, should be the driving objectives of the regulators.

Democratic accountability could also be improved by establishing a parliamentary Select Committee to scrutinise the utilities, with annual debates on the Floor of the House. A utilities commission should be established to bring the regulators under one roof. That would promote policy consistency between the different regulators housed within it. We do not see that at the moment, especially in gas and electricity.

The commission would be a quasi-judicial body, akin to the Monopolies and Mergers Commission, but with powers of scrutiny and subpoena similar to those of a Select Committee. It could be governed by a board of representatives from all sectors—from consumers, senior managers, trade unions, shareholders and academics appointed by the Secretary of State.

Enabling the different regulators to share common resources would also bring economies. Each regulator would still be proactive and would still have considerable operational autonomy, but each would be supervised by the

[Mr. Peter Hain]

commission's board. It would have an advisory role for Government on policy and strategy, and it would help to resolve disputes between the regulators in industries. Such disputes have sometimes dragged on for months.

There must be transparency in the regulators' decisions and the regulators' right to silence should be abolished. They should be required to explain the reasons for their decisions, either publicly or at least privately to the industries concerned. It would also make sense for the regulators to be merged and reorganised so that we had one regulator covering communications; telecommunications and broadcasting are increasingly converging. There should be one regulator for energy, including coal, one regulator for transport and one regulator for water.

The customer is crying out for change and the companies themselves want consistency. Opinion-formers and utilities experts, and even some of the regulators themselves, are casting around for alternatives. The Bill would introduce regulation for the common good.

Question put and agreed to.

Bill ordered to be brought in by Mr. Peter Hain, Mr. Nick Ainger, Mr. Roger Berry, Mrs. Anne Campbell, Mr. Michael Connarty, Ms Jean Corston, Mr. John Denham, Mr. Neil Gerrard, Ms Kate Hoey, Mr. Jon Owen Jones, Mr. Rhodri Morgan and Mr. Ken Purchase.

REGULATORS OF PRIVATISED UTILITIES

Mr. Peter Hain accordingly presented a Bill to reform the accountability and other objectives of the privatised utility regulators: And the same was read the First time; and ordered to be read a Second time upon Friday 17 June, and to be printed. [Bill 95.]

Orders of the Day

Finance Bill

[2ND ALLOTTED DAY]

Not amended (in the Committee) and as amended (in the Standing Committee), further considered.

Schedule 4

PENALTIES FOR STATUTORY CONTRAVENTIONS

3.43 pm

The Paymaster General (Sir John Cope): I beg to move amendment No. 27, in page 236, line 22, leave out '(1)'.

Madam Speaker: With this it will be convenient also to discuss Government amendment No. 26.

Sir John Cope: Of the two amendments, amendment No. 26 is the important one. It takes up a point that arose in Committee which is to do with reasonable excuse. The amendment does not go quite as far as amendment No. 58 sought to do in Committee, but it takes up the main point in that it allows a second or subsequent reasonable excuse to count for the purposes of clause 10 and the schedule. Amendment No. 27 is a consequential amendment.

Mr. Andrew Smith (Oxford, East): We welcome the Government's acceptance, in the words of the Paymaster General—at least, almost total acceptance—of the arguments by myself and my hon. Friends in Committee. In Committee, my hon. Friend the Member for Cambridge (Mrs. Campbell) ably moved the amendment, which the Government have partly accepted after a tied vote in Committee.

The Bill as it stands would have eliminated the opportunity for appellants to plead after one reasonable excuse had expired with a new, second reasonable excuse for the conduct on which they were appealing to commissioners. It seems fully in accordance with natural justice that appellants should have the opportunity to plead a further reasonable excuse in cases of illness and other examples, which were explored in Committee. It makes good sense for appellants and we therefore welcome the Government amendment—if only they took as much notice of all the arguments that we put in Committee.

Amendment agreed to.

Clause 10

EXCEPTIONS TO LIABILITY UNDER SECTION 9

Amendment made: No. 26, in page 7, line 30, leave out from 'continuation' to end of line 33.—*[Sir John Cope.]*

Clause 22

RECORDS AND RULES OF EVIDENCE

Amendments made: No. 31, in page 18, line 26, leave out from 'sections' to end of line 27 and insert

'5 and 6 of the Civil Evidence (Scotland) Act 1988;'.

No. 32, in page 18, line 28, leave out from 'with' to end of line 31 and insert

'Schedule 3 to the Prisoners and Criminal Proceedings (Scotland) Act 1993;'.

No. 33, in page 18, line 39, leave out subsection (3). —*[Sir John Cope.]*

Clause 30

THE RATE OF DUTY

Sir John Cope: I beg to move amendment No. 28, in page 23, line 44, leave out '61 degrees' and insert '81 degrees'.

In Committee, we had a discussion about the application of the lower rate of air passenger duty, which applies, if I may express it in shorthand, to the European Community. The House will be aware that the hope is that the European Community will have more members at the end of year. The amendment alters the lines of latitude in the Bill and hence, automatically, when the expected new members join the Community, flights to those countries will at that point, though not before, become entitled to the lower rate applicable to the Community.

The capitals of the three countries concerned, Norway, Sweden and Finland—Austria is not affected by the amendment as it is already within the lines of latitude and longitude laid down—are all within the existing area. However, some northerly latitudes of areas in those countries do not fall within the lines but will be automatically included as a result of the amendment.

Mr. Andrew Smith: Will the right hon. Gentleman describe to the House the area which will be delineated by the new line of 81 deg north?

Sir John Cope: To all intents and purposes, the new line goes right up to the Arctic. If the hon. Gentleman looks at a map, he will see that it goes very far north and therefore takes in all the northerly parts of the three countries that I mentioned.

We had some discussion as result of an intervention in Committee by the right hon. Member for Berwick-upon-Tweed (Mr. Beith) about the Faeroe Islands. It would also come into the definition because it falls within the new lines of latitude, as it would have done if we had accepted the right hon. Gentleman's amendment in Committee.

Mr. James Wallace (Orkney and Shetland): The amendment is welcome, and its significance should not be lost. In Committee, my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) tabled an amendment, which in retrospect seems modest, to increase the latitude from 61 deg to 63 deg. Instead of an increase of 2 deg, we have had a tenfold improvement. It is a concession that I do not think that the Government have ever given the Liberal Democrats before. I hope that it is a harbinger of good for the future.

Looking at a limited map, the new line takes us into the realms of Franz Josef Land. It would be interesting if the Paymaster General would tell us how many flights there are from the United Kingdom to Franz Josef Land, to which the new concession will apply.

Mr. Geoffrey Hoon (Ashfield): Would it not be more sensible to confine these areas in terms of the status of the countries concerned rather than the rather difficult geographical approach that the Government have adopted? One of the four applicants to the European Union may well decide not to join. If that happens, we shall be left with this curious geographical description instead of referring to countries according to whether they are members of the European Union, or perhaps the European economic area. The provision would be clearer and far more sensible if it were defined in those terms.

Mr. Nigel Forman (Carshalton and Wallington): I shall make a brief intervention in the form of a question. Does the definition include the whole of Norwegian territory up to and beyond the Arctic circle? We very much hope that Norway and the other countries that my right hon. Friend mentioned will come into the European Union. Does the definition include such exotic places as Spitzbergen and Svalbard?

Mr. Andrew Smith: I echo what was said by my hon. Friend the Member for Ashfield (Mr. Hoon). It would be more sensible if the Government had defined these areas in terms of the status of the states rather than by lines of longitude and latitude. Apart from anything else, such a definition would have given us great scope for successive amendments in Committee had the circumstances been such that we felt that we needed to engage in prolonged discussion. Serious points were made, however, about the status of parts of the European Community. As the hon. Member for Carshalton and Wallington (Mr. Forman) said, it is pertinent to ask whether the whole of Spitzbergen falls within the defined area.

The Paymaster General claims that all becomes clear when we study an atlas. I made several forays to the Library to find an atlas that was not distorted—it must be remembered that the area in question is at the top of most projections—to find exactly where the line fell. The definition appears to include Spitzbergen. It would be helpful to have the right hon. Gentleman's confirmation that that is so.

I cannot help feeling that it would have been more sensible, as my hon. Friend the Member for Ashfield said, to define in terms of the status of the relevant states, not least because in due course, as the European Union expands, it will be necessary for the Government at some stage further to amend the provision. When that happens, they may wish that they had adopted a more sensible course at this stage. As has been said, however, the extension is in itself welcome.

Sir John Cope: The hon. Member for Ashfield (Mr. Hoon) said that we should have defined by status. In fact, the primary distinction is by status. Latitude and longitude is a subsidiary or secondary delineation. I am sure that the hon. Gentleman recalls our discussions in Committee. It was explained at that stage that some of the French overseas territories, without the definition that we have adopted, would be included in the status decision. They are a long way away from the area we are discussing and in anyone's book long-haul flights are needed to reach them. We thought it right, therefore, that they should not fall within the reduced rate.

I think I am right in saying that all the places mentioned during the debate fall between the latitude and longitude described in the amendment.

Mr. Hoon: The right hon. Gentleman referred to French overseas territories. As I understand French constitutional law, France regards such territories as integral parts of what they define as France. In effect, are not the Government seeking to determine for the French what will

[Mr. Hoon]

be within the European Union and what will be without it? If the same argument were advanced by a French Government in respect of what the United Kingdom was defined as constitutionally, would not the Paymaster General and his colleagues object to such an approach?

Sir John Cope: To a degree, we had this discussion in Committee. My answer has not changed. I cannot speculate about what a French Government's attitude would be in such a highly hypothetical situation. There are not any such departments, if that is the right word. We have been told that constitutionally we are entirely in order in bringing in the definition. The definition seems to be wise from the point of view of this particular duty.

Amendment agreed to.

Clause 38

ACCOUNTING FOR AND PAYMENT OF DUTY

Sir John Cope: I beg to move amendment No. 29, in page 28, line 28, leave out from beginning to 'at' in line 29 and insert—

'to make returns in respect of duty—

(i) by reference to such periods as may be prescribed or as may be allowed by the Commissioners, in relation to a particular operator, in accordance with regulations, and

(ii) '.

Madam Speaker: With this, it will be convenient also to discuss Government amendment No. 30.

Sir John Cope: The amendment relates to returns under the air passenger duty, and has two purposes. It removes doubt about the original wording of the Bill, and allows the Commissioners of Customs and Excise to make regulations to require aircraft operators to make returns for accounting periods where no duty is due. There is only a doubt but, nevertheless, it is wise to remove it.

The point about a nil return is that it can be less trouble both to the airline operator—if it happens to have a period in which there is no duty—and to Customs and Excise because it will be saved the trouble of wondering where a return has got to, which it was otherwise expecting. It will save Customs and Excise from having to chase the airline operator, and the airline operator having then to confirm back again. It will be more convenient if nil returns are provided for. There was always the intention to do that but, as I said, there has been some doubt about the original wording of the Bill which the amendment clears up.

The second aim of the amendment is to allow Customs and Excise to have flexibility over the accounting periods for returns in order to help the airline industry. The standard accounting period ends on the last day of each month, and that will be prescribed in the regulations. Undoubtedly, there will be some aircraft operators who run an accounting system that ends on a different day of the month. It would be convenient to allow Customs and Excise to accept a different accounting period of that sort and, indeed, that is what the second part of the amendment does.

Mr. Wallace: We certainly have no intention of opposing the amendment, but we shall make some observations about it. The amendment has been presented to the House on the justification that it will be convenient for aircraft operators, and especially Her Majesty's Customs and Excise.

It is a matter for comment that, while the Government are going out of their way to provide for the convenience of Customs and Excise and airline operators, no concession has been given at any stage for the convenience of those who live in remote island communities and who will be penalised by the measure. I shall not rehearse all the arguments that were made in Committee—they were made in Committee on the Floor of the House and upstairs—and to the Minister.

With regard to the convenience of airline operators, the Minister introduced a new clause to facilitate, as it were, not a guess but a detailed passenger-by-passenger calculation as a means of calculating the rough sum which would be allowed. I know that the hon. Member for Western Isles (Mr. Macdonald) asked whether that might take account of journeys that either begin or end in our island communities.

The Minister is well aware of the importance of the issue to many communities where an airline is an essential service, rather than a form of convenience or a luxury. I therefore hope, even at this late stage, that the Minister is prepared to say something which might give reassurance. He suggested in Committee that the matter might be better dealt with by a subsidy through the Scottish Office than by making further exemptions to the tax which we are now debating. As that subsidy, under the Highlands and Islands Air Services (Scotland) Act 1980, requires the consent of the Treasury, perhaps the right hon. Gentleman will state what level of consent the Treasury is prepared to make in this case.

4 pm

Sir Peter Fry (Wellingborough): The amendment, and the clause to which it relates, is concerned with the accounting for and payment of the air passenger duty. I find the amendment insufficient and inadequate because it expects the aircraft operators—in other words, the airlines—to enter into the expense of keeping accounts and making returns which most other companies do not have to do.

This part of the Bill imposes upon airlines a duty which they cannot avoid, yet it takes no account whatsoever of the special position of airlines. I understand that the duty is intended entirely to be extra revenue for the Treasury, yet it does not in any way take into account the peculiar position of airlines, particularly with regard to the additional expenses for security which they have at the moment.

I will not go into great detail, you will be delighted to know, Madam Speaker. It is estimated that the six main airports in this country will have to pay about £134 million to improve the searching of hold baggage. If we add to that the necessary research and development, the figure comes to about £200 million a year.

It may be of interest to my right hon. Friend that in 1989, when the Transport Select Committee looked at whether there should be a special duty on airlines, the airline operators asked for a special security tax so that they would be assisted in the essential job of protecting people who fly within and from this country. The Select Committee agreed entirely with the airline operators. The

Committee pointed out that previously there had been a tax similar to the one which the Government are now proposing, but it was related purely to security purposes.

At that time, the Department of Transport disagreed. It said, first, that there was no shortage of money to cover the problem of airport security and, secondly, that it would be far too expensive to collect such a charge. That view seems hollow today. We now appear to be expecting airlines to pay for security without any assistance from the new duty at a time when most airlines have been losing money throughout the world. Yet we are expecting them to invest more and more in the means of protecting the travelling public. The objection that it would be impossible or too expensive to collect such a tax has now been totally blown away by the Government's proposals in the Bill.

The Government have lost a great opportunity. They could have brought about a situation whereby part of the tax or duty, or a slight addition to it, could have covered the enormous cost of protecting our citizens and those of other countries who fly to and from the United Kingdom. It is estimated that only £2 would cover that.

I believe that the duty would have been better accepted by the travelling public if they felt that some of the money was going to protect them as they fly around the world. It is a lost opportunity, but I hope that the Government will not close their minds totally to looking at the increased cost of security in airports and on aircraft which fly from here. They should not just regard the duty as another way of squeezing more taxation out of the British public. If they did consider the costs, they would find that the measure would be far more acceptable than it has been until now.

Mr. Andrew Smith: The hon. Member for Wellingborough (Mr. Fry) made some forceful and relevant points, but I fear that he will be disappointed if he expects the Government to do other than simply squeeze every penny that they can out of this measure to make up the massive fiscal deficit—albeit a deficit of £46 billion now, rather than the £50 billion that they forecast—that has resulted directly from their own economic incompetence.

We, too, will pay close attention to what the Government say and do in the future about airline and airport security. We remain very concerned about the impact of the duty on ordinary travellers—especially those travelling to the islands, to whom the hon. Member for Orkney and Shetland (Mr. Wallace) referred. As he acknowledged, my hon. Friends—notably the hon. Member for Western Isles (Mr. Macdonald)—have fought long and hard alongside him for the interests of islanders in this context. The Government's response, however, has been wholly inadequate and insensitive to the needs of, in particular, communities that depend on air services and the lifeline that they provide.

I understand that it is convenient for Customs and Excise for operators to be required to submit nil returns, perhaps year after year; but it is stretching the truth to suggest that it would be convenient for operators as well. The Government keep on about deregulation and the action that they are taking to remove burdens from business, but requiring firms to submit a succession of nil returns does not strike me as winning the battle against unnecessary bureaucracy.

There is some benefit in making accounting periods flexible. It clearly makes sense to ensure the closest possible correspondence between the periods used for firms' own accounting purposes and those that are acceptable for the purposes of Customs and Excise. None the less, this is still a bad tax that has been badly introduced, and we fear that it will have damaging effects, especially in the islands.

Sir John Cope: It is not a question of nil returns year after year, as the hon. Member for Oxford, East (Mr. Smith) suggested. Our amendment is intended to deal only with cases in which there are occasional nil returns from an airline which would normally provide ordinary returns and, indeed, pay the duty.

Mr. Andrew Smith: Is the Paymaster General saying that, after a certain number of nil returns, an operator would no longer be obliged to make returns?

Sir John Cope: If the operator is not liable for the duty, he will fall out of the registration requirements altogether, under clause 33.

Some airlines operate for only part of the year. The amendment would enable Customs and Excise to make a regulation allowing operators which did not expect to pay duty for a number of successive months, on request, to submit a single return covering the period concerned.

The hon. Member for Orkney and Shetland (Mr. Wallace) ingeniously used the amendment to refer to discussions that we have had before about the highlands and islands, and in particular to the question of subsidies, which we have also mentioned before. As he is doubtless aware, my right hon. Friend the Secretary of State for Scotland has announced increased funds for Western Isles council, so that it can increase the subsidy to the airline that operates on the inter-island route within the Western Isles. He would not have been able to do that without Treasury approval. It will mean that prices can be reduced, so that the passenger will pay no more as a result of the air passenger duty. As for the future, I can only say that we shall consider any suggestions that are made.

My hon. Friend the Member for Wellingborough (Mr. Fry) referred to the expenses involved in airport and airline security. I understand his views, but, as my right hon. and learned Friend the Chancellor of the Exchequer made clear in his Budget speech, we are engaged in what is essentially a revenue-raising operation. As he knows, we have always done our best to avoid hypothecation of revenue to particular items of expenditure. While I have some sympathy for what he said, I cannot go along with his suggestion. As has been made clear from the start, it is a revenue-raising duty and that is the basis on which we recommend it.

Mr. Wallace: What the Minister says about the Western Isles covers only internal flights and brings them into line with Orkney and Shetland, where internal flights are already covered by the exemption related to aircraft size. In Committee, the Minister raised the issue of subsidy and returned with that as a possible solution, but that was in the context of flights from the Scottish mainland to the islands. Is the Treasury willing to grant consent to the Secretary of State for Scotland to allow subsidy under the Act to which I have referred for mainland-island flights?

Sir John Cope: I am happy to repeat that we will look at suggestions. However, I will not commit myself or the Government in advance to suggestions that have not, as far as I am aware, yet been put to us—or not to me at any rate.

Amendment agreed to.

Clause 43

INTERPRETATION

Amendment made: No. 30, in page 30, line 42, after 'prescribed', insert 'or allowed'.

Clause 54

ACCOUNTING FOR TAX AND TIME FOR PAYMENT

Sir John Cope: I beg to move amendment No. 36, in page 35, line 14, leave out

'account for tax by making'

and insert 'make'.

We now move to the insurance premium tax and to a point that is similar to what was covered in one of the amendments in the previous group. It covers the point about nil returns. As I said about the previous amendment, we believe that nil returns for a month or occasional periods could result in time being wasted not only by Customs and Excise in checking whether a return should have been submitted, but by the insurers involved who might receive requests from Customs and Excise and control visits to verify the reason for the absence of a return even though it would have been a nil return. It makes it clear that Customs and Excise regulations can require a nil return from an insurance company which in a particular period has nothing to return.

Mr. Alistair Darling (Edinburgh, Central): I understand the Paymaster General's point. It is ironic that, although the Government claim that they want to reduce red tape imposed on industry, the requirement for a nil return will be expensive if only because companies have to check whether such a return is appropriate. Obviously, we do not oppose the amendment, but, as we said in Committee, the cost of collecting and implementing the tax will be substantial and the tax will have to be met by the people who pay the premiums—members of the public. The Government should not try to give the impression that the cost of implementing the tax will be minimal because it will be substantial. In time, it may bear quite heavily on the industry itself.

Sir John Cope: As I think the hon. Gentleman is aware, we have done our best to design the mechanics of the tax and its operation in such a way as to minimise the burdens as far as possible.

There is another aspect to the amendment which I should have mentioned earlier. Some insurers are likely to have accounting periods in which no tax is due, but some are likely to have occasional accounting periods in which their tax credit claimed in respect of refunded premiums exceeds their tax liabilities in that period. Without an amendment of this kind, they would be unable to claim the balance of the money due to them. That is a further recommendation for the amendment.

Amendment agreed to.

Clause 59

REVIEW OF COMMISSIONERS' DECISIONS

Sir John Cope: I beg to move amendment No. 37, in page 41, line 23, at end insert—

'(da) any refusal of an application under section 63 below;'.

In Committee we tabled an amendment to permit the group registration of insurance companies that were in groups. The amendment allows review or appeal of decisions by Customs and Excise on group registration. I commend it to the House.

Amendment agreed to.

Schedule 7

INSURANCE PREMIUM TAX

Amendment made: No. 34, in page 260, line 5, leave out sub-paragraph (7).—*[Sir John Cope.]*

Clause 68

SPECIAL ACCOUNTING SCHEMES

4.15 pm

Sir John Cope: I beg to move amendment No. 38, in page 52, line 9, at end insert—

'( ) The reference in subsection (3)(a) above to a premium under a taxable insurance contract includes a reference to anything that, although not actually received by or on behalf of the insurer, would be such a premium if it were so received.'.

Those hon. Members who served on the Committee and those people who have read the Committee proceedings will recall that we have introduced an arrangement for a special accounting scheme which allows the insurance premium tax to be accounted for when the premium is written rather than when the premium is received by the insurer or by an agent on his behalf. The amendment enables the date of the writing of a premium to be the tax point if that happens before the premium is received.

In the explanation that I gave in Committee of what was then new clause 15, about the advantages and disadvantages to an insurance company of having a premium written arrangement, that was assumed, but the amendment confirms that it will be possible for the regulations to make such an arrangement. It would be confusing to an insurance company to have a written premium or cash, whichever was the later, in the case of a specific transaction. It is obviously better for the company to go wholly on to the written premium basis from every point of view. Without the amendment, that might not be possible. It clears up a doubt.

Mr. Darling: This is technical stuff, but it is important. I understand the Paymaster General's argument. Of course all members of the Committee welcomed the Government's agreement to allow the tax to be discharged on the basis of the date on which premiums were written.

However, if I read amendment No. 38 correctly, it could also cover a situation in which tax would be payable whether or not the premium was ever received. I simply want to check with the Paymaster General whether that is intended. As I understand it, the tax point is the date on which the premium is written, but the phrasing of the amendment suggests that if the premium is written but no cash is ever received, none the less tax would be payable on the unpaid premium. Am I right in assuming that?

Sir John Cope: No; I am glad to be able to reassure the hon. Gentleman. If tax is accounted for on a premium written basis and premium is not received by the insurer or on his behalf, the insurer can claim credit for the tax when he makes the adjusting entry to cancel the premium from his books, and it then comes off his insurance premium tax,

for that accounting period. It may be a later accounting period; in some cases it will be in the same accounting period; but he does not eventually suffer the tax.

Mr. Darling: Just to be sure, it means that the tax is payable at the tax point, if at a later stage, rather similar to the case in which VAT is not recovered—a credit can then be claimed by the company if it turns out that it has to write off the premium.

Sir John Cope: That is correct.

Amendment agreed to.

Clause 70

INTERPRETATION: TAXABLE INSURANCE CONTRACTS

Mr. Darling: I beg to move amendment No. 43, in page 52, line 35, leave out from beginning to end of line 44 on page 53 and insert

'A taxable insurance contract is any insurance contract that may be prescribed.'.

Madam Speaker: I understand that with this it will be convenient to discuss the following amendments: No. 40, in page 52, line 44, at end insert—

'(ba) the contract relates only to a motor vehicle where the conditions mentioned in subsection (2A) below are satisfied;'.

No. 41, in page 53, line 22, at end insert—

'(2A) The conditions referred to in subsection (2)(ba) above are that—

(a) the vehicle is used, or intended for use, by a handicapped person in receipt of a disability living allowance by virtue of entitlement to the mobility component or of a mobility supplement,

(b) the insured lets such vehicles on hire to such persons in the course of a business consisting predominantly of the provision of motor vehicles to such persons, and

(c) the insured does not in the course of the business let such vehicles on hire to such persons on terms other than qualifying terms.

(2B) For the purposes of subsection (2A)(c) above a vehicle is let on qualifying terms to a person (the lessee) if the consideration for the letting consists wholly or partly of sums paid to the insured by—

(a) the Department of Social Security,

(b) the Department of Health and Social Services for Northern Ireland, or

(c) the Ministry of Defence,

on behalf of the lessee in respect of the disability living allowance or mobility supplement to which the lessee is entitled.'.

No. 48, in page 53, line 22, at end insert—

'(l) the contract is Creditor Insurance, being a contract which provides specified benefits to protect income or financial commitments in the event of persons becoming incapacitated in consequence of sustaining injury as a result of an accident or sickness or infirmity or becoming unemployed.'.

No. 42, in page 53, line 41, at end insert—

'(7A) For the purposes of this section—

(a) "handicapped" means chronically sick or disabled;

(b) "disability living allowance" means a disability living allowance within the meaning of section 71 of the Social Security Contributions and Benefits Act 1992 or section 71 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

(c) "mobility supplement" means a mobility supplement within the meaning of article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983, article 25A of the Personal Injuries (Civilians) Scheme 1983, article 3 of the Motor Vehicles (Exemption from Vehicles Excise Duty) Order 1985 or article 3 of the Motor Vehicles (Exemption from Vehicles Excise Duty) (Northern Ireland) Order 1985.'.

Mr. Darling: In Committee, we had quite a long debate on what constituted a taxable insurance contract, and it was the Opposition's view, and I think the view of one or two Conservative Members, that the Government should specify what an insurance contract was. The Paymaster General will recall that we cited the example of an Automobile Association or Royal Automobile Club premium, where the premium payable covered not only insurance services but the receipt of maps and other benefits. Equally, we discussed the case of someone buying a car who might receive a warranty on certain parts of that car, if not the car itself, and the question arose whether a warranty was a contract of insurance.

The Government's position, as I understand it, is that, although they could not describe an insurance contract, rather like an elephant, they knew one when they saw one. I do not want to misrepresent the Government's position, but, as I understand it, that is what it is. The Paymaster General said a number of times that, although a contract of insurance was defined nowhere, it was well settled. He said that he wanted to rely

"on definitions that are tried and trusted"—[*Official Report, Standing Committee A*, 8 March 1994; c. 570.]

Given that the tax is being levied at 2.5 per cent., I am prepared to accept that at this stage there is unlikely to be widespread avoidance or evasion of it. But many people believe that 2.5 per cent. is simply the start and that successive Chancellors may seek to increase it. Many people may then try to avoid the tax by the granting of warranties rather than contracts of insurance.

As I said in Committee, we could rely on clause 51, which makes it clear that the only person who can charge insurance is the insurer, and an insurer is defined in the Insurance Companies Act 1982. So the Government may be able to meet our objection by saying that the problem would not arise because insurance premium tax is payable by an insurer under clause 51.

I do not expect the Government to accept the amendment, which has been tabled simply to put down a marker for the future that the Government should define a contract of insurance. It is not just us who say that. Various professional bodies as well as people in the industry have suggested that it might be useful if, in a future Finance Bill, the Government were to spell out the meaning of a contract of insurance. It is not fanciful to think that, in future, individuals may want to get round paying motor insurance —for example, by covering through warranty certain parts of a car and even, ultimately, the theft of a car.

This probing amendment simply puts down a marker for the future. If, as I suspect, the Minister urges the House to reject it, I hope that he will undertake to consider the matter and table an amendment in a future Finance Bill or some other appropriate Bill.

It may be appropriate to say a word about the amendments tabled by the hon. Member for Exeter (Sir J. Hannam). I understand his intention to exempt certain vehicles used by handicapped people. His interest in the matter is well known and I appreciate what he is trying to do. I imagine that he, too, suspects that insurance premium tax will not remain at 2.5 per cent. and is concerned that disabled people, who are already hard pressed, will face increasing bills as a result of insurance premium tax. I doubt whether he will have much joy with the Government, although he may know something that I do not know, but we wish him all the best in moving his amendments.

Sir John Hannam (Exeter): Amendments Nos. 40, 41 and 42 in my name and that of my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) seek to exempt from the new insurance premium tax a specific and important group of disabled drivers who lease their adapted vehicles through the excellent charity, Motability.

I need not remind hon. Members of the importance of the Motability organisation. Most of us have, at some time, taken part in ceremonies to hand over the keys of vehicles provided by Motability to happy disabled recipients.

Originally, the Government provided the much-criticised invalid trike to disabled drivers. That was withdrawn in 1976 and the mobility allowance was introduced. Motability was set up as a charitable organisation—it is now a royal charity—to help those in receipt of mobility allowance to obtain vehicles of their own to replace the trikes.

Four group schemes are run by Motability: first, for those who lease a new car from Motability; secondly, for those who buy a new vehicle on hire purchase; thirdly, for those who buy a used car on hire purchase; and, fourthly, for those who buy a wheelchair on hire purchase. Those with hire purchase agreements make their own insurance arrangements for their vehicles. But about 160,000 disabled drivers who lease cars are covered by Motability's block insurance policy.

The cost of the leasing and the vehicle insurance is covered by the mobility component of the allowance paid by the Government—the disability living allowance. It would be extremely hard for that group of disabled drivers to pay for new insurance taxes. Therefore, Motability is seeking to work out with my right hon. Friend the Paymaster General some way of exempting that group from the tax. The amendment will achieve that.

In addition to that group of 160,000, there is a small category of 1,500 severely disabled drivers who, although they purchase their vehicles through the Motability hire purchase scheme, are so severely handicapped that their cars need substantial and expensive adaptations. Their vehicles are often larger and non-standard. We often see the vans and trucks that are adapted for them.

The distinct group of about 1,500 severely disabled drivers is catered for by Motability, through a special Motability equipment fund, which provides special grants to assist with the high cost of adaptation. Motability is desperately anxious that the needs of that small group should be exempted from the tax. It has every hope that my right hon. Friend can find a way of achieving that. Special Treasury arrangements would be needed to ring-fence the group. Motability intend to assist by rearranging that category of insurance under its own banner to help facilitate the ring-fence provision.

I thank Lord Sterling and Treasury Ministers for the help that they have given Motability over this serious problem. I hope that the amendments will be accepted by my right hon. Friend.

Mr. Dafydd Wigley (Caernarfon): I am pleased to support the amendments of the hon. Member for Exeter (Sir J. Hannam). We all come across numerous constituents who depend on vehicles that have been provided under the Motability scheme. Over the past week I have been dealing with the case of a considerably disabled constituent. The significant costs of adaptation involved in that case are relevant to the comments of the hon. Member for Exeter.

Often the cost of a disability is compounded by the disabled person's mobility requirements. Any increase in charges that might arise as a result of the provisions in this year's Finance Bill and which had an adverse effect on that group of people would be highly regrettable. It would hit people who cannot afford to pay. The Government would be under significant pressure to increase the level of mobility allowance payable under the disability living allowance scheme to compensate. If they did so, they would encounter problems about where to draw the line.

It would be simpler and more straightforward for the Government to accept the amendments or table amendments of their own exempting people who would be hit by the tax. We could all give examples that would graphically bring home the needs of people for mobility and their dependence on the Motability scheme. Motability faces increasing costs, and those who depend on the scheme may be unable to obtain everything that they want due to the cost. Every additional £1 of pressure is unwanted and should be avoided.

No doubt the Minister will have sympathy with that category of people, and I hope that he will find it possible to help them. The measure will have only a limited effect on the revenue raised by the Treasury. I imagine that it will be a relatively small amount relative to the global sums that the Treasury wants to raise through the tax changes. I hope that the Minister will be able to find a way of accepting the amendments or come forward with another positive proposal that has the same objective. I am pleased to support the amendments of the hon. Member for Exeter.

4.30 pm

Mr. Edward Leigh (Gainsborough and Horncastle): I declare an interest as I am a consultant to Pinnacle Insurance plc. My amendment is tabled to clause 70(2), which lists the types of insurance cover that are exempt from insurance premium tax. I wish to add a further exemption to the list—creditor insurance.

Creditor insurance is designed to protect income and repayment commitments such as mortgages, loans and credit cards against death, disability and unemployment. For example, if an individual purchased a car using a loan, the credit insurance policy would make the monthly loan repayments for him if he became unemployed or was disabled as a result of an accident or sickness. In the event of death, the loan would be repaid. Similarly, under a mortgage creditor policy the mortgage payments would be made by the policy if the borrower became unemployed or disabled.

The benefit of that sort of insurance is that it prevents people from falling into arrears on mortgages, loans and other financial commitments, thus protecting a family's income stream. That has a knock-on effect in reducing the need to repossess houses or property as people with creditor insurance are less likely to default on their payments. It also reduces reliance on the state to pay the mortgage for them. The safety net of creditor insurance allows consumers to embark upon major purchases with confidence because, if they are unlucky enough to be made redundant or to have a serious accident or illness, the creditor policy will ensure that they can carry on making their payments.

Following the consumer boom and the recession, creditor insurance will help consumers to overcome their reluctance to make a major purchase. It will also boost the

housing market and will be generally helpful to the economy. Consumers who do not take out such insurance will have to rely on their savings or fall back on the state if they become unemployed or disabled. Creditor insurance allows purchasers to maintain their savings and investment programmes and not to have to draw on them in unfortunate circumstances.

Why do I believe that creditor insurance should be exempt from insurance premium tax? IPT is a tax on general insurance policies, but life insurance policies are exempt. My right hon. Friend the Paymaster General has said that IPT should apply at a low rate over a wide base, with few exemptions. To exempt creditor insurance would not set a precedent for other exemptions, as this is a unique situation. The exemption would clarify, not confuse.

There are a number of social and economic reasons for exempting creditor insurance from IPT. First, it should be exempt because it is really life business. Before the first EC insurance directive, most creditor business in the United Kingdom was classified as life business. It was transferred to general insurance only because of the need to comply with the directive. My right hon. and learned Friend the Chancellor has already exempted life insurance from IPT. It is just a quirk—nothing less—of insurance classification that creditor insurance is not already exempt.

Unlike other general insurances of possessions and property, creditor insurance is insurance of the person. It can include a combination of life, accident, sickness and unemployment cover. The life element is already exempt from IPT. Furthermore, some of the accident and sickness cover will be written in the long-term fund—for example, policies in excess of five years—and is then cover classified as permanent health insurance. The remaining accident, sickness and unemployment cover is classified as general business and therefore subject to IPT.

As creditor insurance is a composite product, it is ridiculous to have to split the various elements. I appreciate my right hon. and learned Friend's concern that special exemptions produce borderline cases and confusion. I know that the Treasury always wishes to avoid that. However, I understand that creditor insurance is the only significant insurance product that spans both life and general classes. It is the only wholly UK product where premiums will need to be apportioned between exempt and non-exempt risks.

The Government have been concerned with the practical issues arising from the implementation of IPT and they have tabled various useful amendments to deal with practical problems. However, the anomaly to which I refer still exists. Making creditor insurance exempt will be clear cut and rather than create confusion it will alleviate it.

Secondly, creditor insurance should be exempt from insurance premium tax because the playing field will not be level throughout the union. Other European Union countries treat accident and sickness cover as life business for premium tax purposes. In Belgium, for example, that element of general cover would be treated as complementary cover if written with an associated life contract, and would not be subject to premium tax. Hence, what is treated as life business for premium tax purposes differs from country to country, despite the harmonisation rules. That could create major problems in future.

Thirdly, creditor insurance should be exempt from IPT because the policy benefits are already taxed. Accident and sickness benefits can be captured for taxation under the rules relating to permanent health insurance.

Fourthly, creditor insurance should be exempt from IPT because the playing field will not be level between banks, building societies and insurance companies, and the cover offered could well become self-insured by credit institutions such as banks and building societies.

The cost of providing a waiver of payments in the event of the disability or redundancy of a customer could be met by increasing the interest rate charged to the customer. For example, a typical creditor product providing disability and redundancy cover could be offered by adding an extra 1 per cent. to the interest rate charged to the customer, so a bank normally charging 8 per cent. could provide a payment waiver by charging 9 per cent. instead. As it is a waiver of payments and not an insurance contract, IPT would not be payable, so banks providing such cover would have a price advantage over insurance companies of, currently, 2.5 per cent. of the gross cost. The advantage may appear to be small, but it is roughly equivalent to the profit margin operated by insurers under creditor business.

If the tax rate increases in future—everyone suspects that that is almost certain—the advantage will become more significant, so an unfair advantage is now being given to banks and building societies over insurance companies.

A similar position applies to surety bonds, which when offered by banks and building societies are not insurance. Ministerial confirmation has been given that surety bonds and similar contracts of guarantee written under general class 15(b) are not insurance contracts for the purposes of IPT.

It could be argued that there is an easier way of correcting the anomaly for creditor insurance. The IPT legislation could be changed so that banks offering such a waiver have to pay IPT. That may attract the Treasury in terms of extra revenue. However, it would require new legislation to include those contracts within the IPT net. It effectively extends IPT beyond insurance and it would be difficult to define in practice, thus the only practical way of correcting the anomaly to which I have alluded, and I hope explained, is to exempt creditor insurance from IPT.

Charging tax on creditor business will distort the market, but will not bring revenue to the Exchequer because the way of providing cover will change. The Government will have nothing to gain by taxing creditor business.

Fifthly, creditor insurance should be exempt from IPT because the development of insurance products to complement state benefits will be hindered if IPT is charged on such products. This is a more political point. From 6 April, employers have to meet the costs of statutory sickness pay. One way of meeting that cost is via an insurance contract, so the prudent employer who takes out an insurance contract to cover statutory sick pay liabilities will not only have to meet the expected cost of sick pay, but will have to pay tax on it.

We have seen Government interest in encouraging the private sector to assume a greater role in providing what are currently state insurance benefits for accident, sickness and unemployment.

My right hon. Friend the Chief Secretary to the Treasury is on the Front Bench; I know that this problem will be of interest to him and to my right hon. Friend the Secretary of State for Social Services.

A range of creditor schemes could be offered by insurers to replace state benefits such as unemployment benefit, statutory sick pay, state invalidity benefits and income support. They could cover mortgage repayments,

[Mr. Edward Leigh]

loan commitments, household bills and many others. Such schemes, if taken up, could greatly reduce the Government's expenditure on current state benefits. Such savings will far exceed the annual revenue expected from IPT on creditor insurance, which will represent only about 3 per cent. of the annual IPT income to the Exchequer. The imposition of the new tax, with a prospect of rate increases in future years, could make such creditor schemes less attractive to the private sector.

A new business is on the point of getting up and running and taking a huge load off the Government. It will deliver precisely what the Government believe is of utmost importance: it will involve the private sector in social insurance which is proving immensely damaging to Government finances. But at the very point when private insurance companies are prepared to provide this scheme and solve enormous problems for the Government, the Treasury slaps down a new tax. Hence it may not be worth while for private companies to become involved in this area in the future.

Even if the Government do not accept my more technical points about harmonisation between building societies and insurance companies, or my points about a level playing field in Europe and our insurance companies being disadvantaged, I hope that, in their general review of the social security system, they will take stock and consider whether they are doing the right thing or whether they are throwing out the baby with the bath water. I hope that, in my brief remarks, I have given a comprehensive account of why I believe that the Government should rethink their decision. I very much hope that they will do so.

Mrs. Diana Maddock (Christchurch): I welcome the opportunity to support the amendments proposed by the hon. Member for Exeter (Sir J. Hannam). Insurance premium tax will hit us all, but I think that it will hit vulnerable groups, such as those with disabilities, particularly hard. My hon. Friends in the Liberal Democratic party and I oppose the whole idea of tax on insurance. But if it cannot be stopped in its entirety, we believe that we should try to help those who will be hit hardest.

I have already spoken at some length in the House against insurance premium tax. It is a very unfair tax. Not only does it tax something that we want people to do, both for their own benefit and for that of the state, but it taxes those who need insurance most, such as people who are unfortunate enough to live in crime black spots, and the elderly and disabled.

People with disabilities who can drive usually own specially made or adapted vehicles, and they need vehicles more than most. It is already expensive for them to buy a suitable vehicle and many of them have special mobility needs which are recognised in the mobility component of the disabled living allowance. People in receipt of that component are exempt from road tax and those who receive higher rates of mobility allowance can also nominate others for that exemption. That is a welcome recognition by the Government of the importance of mobility to people with disabilities.

The cost of adapting vehicles is very high. It is also difficult for many disabled people to purchase cheap cars. They often have to buy at the top of the range because they need cars with automatic gearboxes. It is estimated that 60 per cent. of disabled drivers need cars with automatic gearboxes.

The mobility organisation which was set up at the instigation of the Government helps people with disabilities to use their higher mobility allowance to buy or hire cars. But the organisation admits that it will have to pass on additional insurance costs to customers. I have been told by at least one organisation which helps disabled drivers—the Mobility Information Service—that the mobility allowance currently does not cover the cost of hiring, let alone buying, cars. Disabled people who can drive need their cars more than the average person, so how can we possibly put extra obstacles in their path?

The Mobility Information Service estimates unofficially that people suffering from epilepsy commonly pay 15 per cent. to 20 per cent. extra insurance because they are considered to be a high-risk group. The cost goes much higher for people with other illnesses and disabilities. In addition, modified vehicles may attract higher insurance premiums.

Liberal Democrats believe that insurance premium tax should not be imposed at all because it is a tax on something that we should encourage, and we are very disappointed that the Government do not agree. But when it comes to disabled people, for large numbers of whom cars or electric wheelchairs are absolutely essential for an active and fulfilling life, taxing vehicle insurance is very much more than disappointing. I hope that the Government will find some way to support the amendments proposed today.

4.45 pm

Sir John Cope: The leading amendment in this group is No. 43, which was moved by the hon. Member for Edinburgh, Central (Mr. Darling). I must admit that the amendment rather surprised me, because it would delete a whole range of exceptions offered by the Bill. I accept that the hon. Gentleman moved it in a different spirit; he described it as a "marker for the future". He said that he still thinks—although we have discussed the matter before—that the legislation should define what a contract of insurance is.

I have told him in the past—I am still of that view—that the common law lays down what insurance is and hence what is taxable. I think that that definition is understood fairly well and I do not foresee any particular difficulty in interpretation. The hon. Gentleman asked, very fairly, that we keep the position under review, and I am happy to say that we will do that. I think that it is the correct thing to do, particularly when new taxes—such as this one and the airline passenger duty—are being introduced. I do not think that we shall need to change the legislation, but we shall keep it under review.

My hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) and others said that, throughout the discussions in preparing the tax, we have believed in the principle of low rate and wide coverage. I think that that is the correct principle. For that reason, I am reluctant to go down the road that he suggests with regard to creditor insurance. I do not say for a moment that creditor insurance is not a worthwhile and prudent, and every other complimentary adjective that he can think of, form of insurance, and he made some interesting points about it. As

I have said to the hon. Member for Edinburgh, Central and the House, we shall keep the details of the tax under careful consideration.

The hon. Gentleman made some points which my colleagues—he referred to several of them—and I will consider very carefully. At one stage,, he said that banks and insurance companies should be treated in an even-handed way. I am very keen for banks and insurance companies to be treated in that way and we have discussed the matter before, in Committee. Indeed, we are having useful discussions with the British Bankers Association and others about the borderline between taxable insurance and guarantees and other financial circumstances that are outside the scope of the legislation.

It is already clear that few of the financial services provided by the banks will carry any insurance premium tax liability, but banks and insurance companies must be treated in an even-handed way. When an insurance company provides a guarantee or a service which is identical to that provided by banks, it will also be exempt under the legislation. Similarly, when banks provide true insurance services in the same way as insurances companies, they will be liable to insurance premium tax.

I am sensitive to what my hon. Friend the Member for Gainsborough and Horncastle said about the comparison between banks and insurance companies. However, I do not think that it would be right for me to recommend that the House support his amendment at this stage, although I promise that we shall examine it in the light of his remarks.

Mr. Leigh: That is extremely helpful. I believe that my right hon. Friend is saying that, if I were to provide evidence of how insurance companies were being put in an unfair competitive position in relation to banks and building societies or foreign competitors, he would consider it sympathetically. I am grateful for that.

Sir John Cope: I do not want to make any promises to my hon. Friend or to increase his hopes more than is justified, but I am certainly willing to listen to the new points that he has raised and to any further ones that he might add.

In our discussions on this tax, as in those on the airport duty, it has been my job to expose the hard face of tax collectors. I stand by the general position that we have adopted of a low rate and wide coverage. It is perhaps therefore not inappropriate, in the closing minutes of this part of the debate, if I display to my hon. Friend the Member for Exeter something that is seen more rarely—the Treasury's heart.

My hon. Friend has been supported by all the hon. Members who have referred to Motability. Motability itself and my hon. Friend the Member for Exeter have made forceful representations to us. Because of its unique position, Motability already has a number of special arrangements in taxation matters, and we think that it is right to extend them to the insurance premium tax. Therefore, I recommend that the House support the amendment moved by my hon. Friend the Member for Exeter.

Mr. Darling: All hon. Members will welcome the concession that the Government have made in respect of the amendment moved by the hon. Member for Exeter (Sir J. Hannam). People with disabilities already face formidable additional expense, and an exemption from insurance premium tax will be welcomed by everyone.

As the Paymaster General said, amendment No. 43 is a probing amendment. It was not intended to be anything more but, in some ways, the right hon. Gentleman made my point when replying to those made by the hon. Member for Gainsborough and Horncastle (Mr. Leigh). The right hon. Gentleman said that the Government were engaged in discussions with the British Bankers Association about certain bank guarantees and the difficulties that might arise vis-a-vis them and certain insurance contracts. I shall not repeat the arguments made in Committee, but he must recollect that, in our exchanges on 6 March, the right hon. Gentleman had to reply to a number of instances where it was not clear whether something was insurance, a warranty or a guarantee. I still believe that at some point it would be useful for the Government to reconsider that matter.

Another reason that we should return to that point was highlighted by the hon. Member for Gainsborough and Horncastle, who went to the heart of the discussions that took place on Second Reading and in Committee. He mentioned the philosophical approach that we should adopt to insurance. I can understand why the Government, in their present state, looked around for something to tax in order to raise revenue, and realised that insurance, which, generally speaking, is taxed in the rest of the European Union, has not been taxed in this country until now. What the hon. Member for Gainsborough and Horncastle said about creditor insurance could equally be said about motor and household insurance.

Insurance is a social and economic necessity, and it is something that we should encourage. The hon. Member for Gainsborough and Horncastle made some good points about creditor insurance. He referred to prudent employers insuring against the sickness or illness of their employees. In Committee, we mentioned instances where the principal of a business might ensure against a long and debilitating illness because the business might collapse if that person was off sick.

They are good points, but the difficulty is that, if the Government allow exemption after exemption, the tax base shrinks. I fully accept that, and it is perhaps something with which the Government should have dealt before they sought to impose the tax. It seems that the Government looked for something to tax, found that insurance was exempt and decided to impose IPT. It might have been useful if, before they had done so, we had debated the philosophical approach to insurance.

Mr. Leigh: The hon. Gentleman is making a good point. I am sure that the House accepts that the Government are in an impossible position: whatever arguments are advanced, they do not want more exemptions, which complicate the system. Does the hon. Gentleman accept my point that creditor insurance is unique because it is a mixture of life and general policy? Trying to take it out of life policy and put it under general policy is unfair and merely confuses the issue. Would it not simplify the issue if creditor insurance was exempted?

Mr. Darling: I appreciate the hon. Gentleman's argument, but my recollection is that there is provision in this part of the Bill for hybrid insurance, where there is a mix of short-term and long-term insurance contracts. I see that the Paymaster General, who has probably read this part of the Bill more recently than I have, appears to be nodding in assent. There is provision for exemption, but I readily accept that a case can be made for creditor insurance.

[Mr. Darling]

Indeed, we tabled probing amendments in Committee which made similar points to those made by the hon. Member for Gainsborough and Horncastle.

However, as I said, the same arguments can be advanced for motor insurance, because it is not in society's interest for people to drive around without paying their insurance. Nearly 40 per cent. of people in London do not have household insurance. Some people cannot get it, which is another issue that we have not discussed. We all agree that people should take out insurance. Many people want to do so but cannot get cover, because companies will not give a quotation or will quote a price that people cannot afford. The problem has been mentioned in the newspapers and the Government should have regard to it.

However, the central point raised by the hon. Member for Exeter, which can be canvassed under amendment No. 43, is that the House tends to legislate first and think about the consequences later. In this case, it might have been useful to have examined the consequences and the approach that we should take to insurance before imposing tax. Taxation has consequences, a notion with which the Government have not dealt.

I understand the Government's problem. They still have to deal with the highest public sector borrowing requirement that this country has ever had and, of course, their past mistakes have to be paid for. People who pay premiums on insurance contracts have to contribute. I understand the Government's desperate plight in trying to raise money but their actions will have consequences that the Government have either not realised or on which they are not prepared to focus.

The Paymaster General can indeed say with some force that, at the moment, the rate is only 2.5 per cent., but how many of us believe that the rate will stay the same? The Government are committed to indirect taxation. If there is a choice between direct and indirect taxation, they will return to insurance premium tax. We did not call insurance premium tax "VAT on insurance" for nothing. If it had not been for a European directive, I am sure that VAT would have been imposed on insurance. The proposed tax will have a damaging effect on many people who have to pay insurance. Amendment No. 43 would have allowed the House to focus on the effects of the tax because we could have dealt with the philosophical approach to be adopted.

Clearly, the Government decided to exempt long-term or life insurance for very good reasons, and no one would argue that it should be taxed. Nor would anyone argue that pensions, which are a form of insurance, should be taxed. Private pension provision and state provision are complementary; they go hand in hand and should be encouraged. However, general insurance is important and has social and economic effects, which is why we opposed the introduction of the new tax on Second Reading and in Committee. I understand why Conservative Members are raising such matters. Although the Government can make exemptions, such as the welcome one made in response to the hon. Member for Exeter (Sir J. Hannam), when wider exemptions such as those for creditor insurance are made, the tax base shrinks.

The Minister said that he wanted a low rate with wide coverage. I guess that in future there will be wider coverage and higher rates. In most people's experience, once a tax is imposed it is not removed. We now have a new tax, about which the Government said nothing at the election, and they will return to it again and again, in their desperate attempt to raise money. That is why many people, not only in the House but outside, are concerned about the measure.

Having acknowledged that our amendment was probing, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 40, in page 52, line 44, at end insert—

'(ba) the contract relates only to a motor vehicle where the conditions mentioned in subsection (2A) below are satisfied;'.

No. 41, in page 53, line 22, at end insert—

'(2A) The conditions referred to in subsection (2)(ba) above are that—

(a) the vehicle is used, or intended for use, by a handicapped person in receipt of a disability living allowance by virtue of entitlement to the mobility component or of a mobility supplement,

(b) the insured lets such vehicles on hire to such persons in the course of a business consisting predominantly of the provision of motor vehicles to such persons, and

(c) the insured does not in the course of the business let such vehicles on hire to such persons on terms other than qualifying terms.

(2B) For the purposes of subsection (2A)(c) above a vehicle is let on qualifying terms to a person (the lessee) if the consideration for the letting consists wholly or partly of sums paid to the insured by—

(a) the Department of Social Security,

(b) the Department of Health and Social Services for Northern Ireland, or

(c) the Ministry of Defence,

on behalf of the lessee in respect of the disability living allowance or mobility supplement to which the lessee is entitled.'.

No. 42, in page 53, line 41, at end insert—

'(7A) For the purposes of this section—

(a) "handicapped" means chronically sick or disabled;

(b) "disability living allowance" means a disability living allowance within the meaning of section 71 of the Social Security Contributions and Benefits Act 1992 or section 71 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

(c) "mobility supplement" means a mobility supplement within the meaning of article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983, article 25A of the Personal Injuries (Civilians) Scheme 1983, article 3 of the Motor Vehicles (Exemption from Vehicles Excise Duty) Order 1985 or article 3 of the Motor Vehicles (Exemption from Vehicles Excise Duty) (Northern Ireland) Order 1985.'.

—[Sir John Hannam.]

Clause 88

BENEFICIAL LOAN ARRANGEMENTS

5 pm

The Financial Secretary to the Treasury (Mr. Stephen Dorrell): I beg to move amendment No. 2, in page 68, line 45, at end insert—

'( ) In determining for the purposes of section 161(1A) and (1B) of that Act (inserted by this section) whether any loans made by any person before 1st June 1994 are made or held on the same terms or conditions, there shall be left out of account any amounts, by way of fees, commission or other incidental expenses, incurred for the purpose of obtaining any of those loans by the persons to whom they are made.'

This is a minor extension to the provision that we introduced to stop employees having to pay income tax on loans from their employers where employers make loans to the public on the same terms. For loans made before 1 June

1994, the amendment disregards differences between loans to employees and loans to the public caused by the incidental cost of obtaining the loans. That is a small change, but I believe that it will be welcomed by the employees and employers affected, and also by the Inland Revenue, because it will simplify the system.

Mr. Nicholas Brown (Newcastle upon Tyne, East): As I understand it, the purpose of the amendment is simply to deal with the administrative costs involved in the making of the loan, so it is intended to be an even smaller alteration than the Financial Secretary to the Treasury suggested, because typically those costs are about £100 per transaction. I should welcome an assurance from the Minister that, in the Government's view, the amendment represents simply a tidying up of the original proposition that we discussed in Committee, and that there is no scope for rejigging the arrangements that could allow any unwanted and unwelcome avoidance.

Mr. Dorrell: This is indeed a tidying-up measure. It is slightly more important for the employees concerned than the hon. Gentleman suggests, because under the law as originally written, the fact that an employee had not had to pay a £100 management charge would mean not only that he would not receive the tax concession on the £100 but that he would not receive it at all. That would come about because the public would have to pay the administration charge, so technically the loan would not have been made available on the same terms as loans made to a wider public.

The purpose of the amendment is to tidy up the effects of the clause in that specific set of circumstances. It applies only to loans made before 1 June 1994, because it seems reasonable that, after that date, employers should ensure that if employees are to benefit from the terms of the provision, they must make available to them loans on precisely the same terms as those available to a wider public.

Amendment agreed to.

Clause 93

INDEXATION LOSSES

Amendment made: No. 44, in page 74, line 13, at end insert

'and Schedule [*Indexation losses: transitional relief*] to this Act (which gives transitional relief) shall have effect for the years 1993-94 and 1994-95.'.—*[Mr. Portillo.]*

Clause 122

SALE AND REPURCHASE OF SECURITIES: DEEMED MANUFACTURED PAYMENTS

Mr. Nigel Forman (Carshalton and Wallington): I beg to move amendment No. 1, in page 115, line 48, at end insert—

'(10) Before the Treasury appoints a day under subsection (9) above:—

(a) the Treasury and the Board of Inland Revenue will consult such organisations as appear to them to be representative of interests substantially affected by sections 737A to 737C; and

(b) the consultation required by (a) above shall take into account the matters specified in subsection (11) below.

(11) The matters specified for the purposes of subsection (10) above are:—

(a) the amount of taxation that would not be recoverable were no day to be appointed under subsection (9) above; and

(b) the burden (including compliance) for taxpayers and other affected by sections 737A to 737C.'.

The amendment stands in my name and in that of my hon. Friend the Member for Fulham (Mr. Carrington), and I believe that my hon. Friend hopes to catch your eye later in this short debate, Mr. Deputy Speaker.

I begin by declaring my interests, which appear on the Register of Members' Interests, and which are relevant to the subject. I also record my thanks to the British Merchant Banking and Security Houses Association, one of the organisations that has been most prominent in drawing the subject to the attention not only of the Standing Committee but of Ministers—I believe quite effectively.

By inserting the proposed words at the end of what is now clause 122, my hon. Friend and I hope to achieve several simple but worthwhile purposes. First, we hope to bring about or encourage—indeed, to require—the fullest possible consultation of practitioners by the Treasury and the relevant officials in the Inland Revenue. Our second aim, which is just as important, is to ensure that the consultation takes place before the new rules are implemented. In other words, to be truly effective from the practitioners' point of view, consultation must take place before the event.

Thirdly, we hope that there will be sufficient time sensibly to address all the practical problems of implementation. The Financial Secretary to the Treasury will know from his experience of tax matters that the area is potentially extremely complicated, so sufficient time is necessary to obtain a sensible tax regime. Fourthly, we want the consultation process to take full account of the potential compliance burdens. If those burdens were too great, adverse consequences for this country could follow.

I hope that the Financial Secretary will be able to confirm that the Government have no intention of discouraging normal commercial repo transactions from being undertaken in the United Kingdom, and that his objective will be to establish a workable regime that strikes an appropriate balance between the need to protect the Exchequer and the need to minimise the extent to which compliance requirements have to be imposed on the market. If my hon. Friend can achieve that balance, many of the objectives to which I have subscribed my name will have been achieved.

Of course clause 122 is necessary to protect the Exchequer, and to ensure a reasonable flow of revenue for this country from the sale and repurchase of securities conducted within this tax jurisdiction. That is understood. But equally, Ministers for their part should understand that, if the tax or the regulatory arrangements under the clause were allowed to become too complicated or burdensome, firms could switch that highly mobile form of business to other financial centres. Then the expected revenue and other wealth-generating benefits of those growing activities could be lost to this country.

I have often said in earlier debates on the Bill that we now live in a world of global capital flows, mobile financial services and increasing competition between national tax authorities. In that context, the consultation that the amendment recommends is all the more important. We must take full account of the new global realities if we are to do what is best for Britain, as well as for the financial services industry located here.

[Mr. Nigel Forman]

I welcome the letter sent to me on 12 April by the Economic Secretary to the Treasury, which said:

"The Government wishes to ensure that adequate consultation takes place before the new rules are implemented, and indeed it is for that reason that they are to come into force from a future appointed day. The legislation is necessary to protect the Exchequer and implementation cannot be delayed indefinitely but I confirm that a reasonable time will be allowed for practical problems to be addressed and that the consultative process will take account of the compliance burden involved."

That was a good statement from the Economic Secretary, and I hope that my hon. Friend the Financial Secretary will be able to go at least as far as that today, if not further.

In conclusion, naturally I hope that my hon. Friend will be able to accept my modest but necessary amendment. If, for some reason, he cannot do that, I hope that he will at any rate make it crystal clear to me and to the House, on the record, that he and the Chancellor share its spirit and intentions and that they will insist that Inland Revenue officials, in their consultations with the practitioners, act in that light.

Mr. Matthew Carrington (Fulham): I support my hon. Friend the Member for Carshalton and Wallington (Mr. Forman), because the derivatives industry and trading in derivatives are of increasing importance to the City of London as a financial centre. It would be disastrous if anything happened that gave rise to a decrease in confidence in that industry and which resulted in that market moving away from London to somewhere in Europe or elsewhere in the world.

The purpose of the amendment is to get a public statement from the Government that they do not intend to penalise that industry, but to achieve an equitable taxation regime, which both the industry and the Government need, which would allow the industry to develop and to prosper in London while producing the revenues which, quite legitimately, the Government require.

We look for confidence-building rather than for action. We look for the reassurance that nothing will be imposed on the industry until all the foreseen problems are resolved, with the understanding, of course, that the problems have to be resolved within a reasonable period. The clause imposes a time limit of its own accord. I urge my hon. Friend the Financial Secretary to make a statement that will reassure the industry.

Mr. Darling: The trouble with the amendment is that it could equally well be tabled to every other clause in the Bill. All taxpayers could say that they too should be consulted before the Government change the tax regime. However, I very much understand and appreciate the point made by the hon. Members for Carshalton and Wallington (Mr. Forman) and for Fulham (Mr. Carrington) with regard to this industry. Most of us are well aware of the importance of the industry to London, and therefore to the United Kingdom.

Equally, all of us are becoming aware of tax competition, not just in the European Union, but throughout the world. Many people inside and outside the House will have to wake up to the fact that there will be tax competition, and every Government must pay regard to that. Having said that, I believe that there are times when the industry relies rather too much on the excuse that, if it is taxed, business will go elsewhere. The Exchequer must be fair to taxpayers in general, as well as being mindful of the effect on the industry.

The central point is that, in some ways, the amendment is a fitting conclusion to the Report stage. Many Committee members, especially those who follow proceedings outside the House, felt that the taxes management provisions of this year's Finance Bill might have been dealt with separately from other provisions that were more politically contentious. When this part of the Bill was being discussed, we were told that it was being taken first under the guillotine because there had already been widespread consultation. That point was open to discussion, to put it no higher than that.

It would be useful for the Financial Secretary to tell us whether the Government intend to adopt the practice of introducing a taxes management Bill in addition to the Finance Bill, so that some of the technical matters, which are not as controversial as others, can be debated in greater depth. There were occasions in Committee when we did not do justice to many of the provisions because we did not have the time. If taxes management is mixed up with politically contentious issues, we tend to concentrate on the latter. As a matter of good Government practice, greater attention should be given to the administration of the tax regime.

I have no objection to the Government consulting; I should be interested to hear what the Government have to say on that. My difficulty with the amendment, which I do not suppose for one minute will be pressed to a Division, is that it would be wrong for the Government to agree to consult in respect of one provision in the Bill and not to make the same concession everywhere else. Having said that, I understand why the hon. Members for Carshalton and Wallington and for Fulham made their point. Indeed, the hon. Member for Carshalton and Wallington very fairly said that there was concern in the industry.

It would not be right for the House not to acknowledge the fact that millions of people would like to be consulted, not least the millions of people who were led to believe in April 1992 that, if they elected a Conservative Government, there would be reductions in tax. No one consulted them about the Government's policy to tax them again and again, with the result that we have the largest tax hike in peacetime history, without a word of consultation, let alone a word of apology from the Government.

5.15 pm

Mr. Dorrell: The last point made by the hon. Member for Edinburgh, Central (Mr. Darling) may be more fully addressed on Third Reading. On his narrower point about a proposed taxes management Bill, I tell him that the Government's view has not changed. We have said several times that we do not believe that a separate taxes management Bill is a sensible way for the House to go and that the Government's approach of ensuring that there is the maximum possible consultation, especially on issues that are not the stuff of intense party political interest or, indeed, of wider political interest, but are more narrowly technical in terms of their application to the tax system, is more sensible.

The Government have sought to consult widely on those issues before introducing proposals in the House. The contents of this year's Bill included several proposals that were the subject of extensive prior consultation. All the

proposals on self-assessment were the subject of extensive consultation before the Bill was presented, and the proposals in chapter II on interest rate and currency contracts were consulted on widely, as were a number of other proposals. That is a better way to deliver detailed, in-depth discussion on the operation of legislation than introducing a specific Bill and expecting that our Standing Committee procedures can be refined to produce line-by-line consideration of such technical matters. I am bound to say that those who believe that our procedures could be thus refined suspend belief.

I now turn to the point of the amendment. It will come as no surprise to the House that I do not propose that we accept it. However, I am happy to accept the basic argument advanced by my hon. Friend the Member for Carshalton and Wallington: that we should ensure that we consult the industry to maximise the opportunity for agreement before the clause is brought into effect. I fully accept that further consultation is appropriate to establish precisely how the procedures should operate in relation to the repurchase of securities. It is for that reason that the legislation comes into effect from an appointed day rather than immediately after Royal Assent. The intention is to allow reasonable time to enable any potential compliance problem to be identified and addressed before the rules are extended to cover repos.

The consultation process has already begun, and I can assure the House that the objective is to establish a workable regime which does not impose on taxpayers a compliance burden that is more onerous than is absolutely necessary to protect the United Kingdom Exchequer. It is accepted on both sides that the Exchequer interest is an important interest. The intention of the clause is to safeguard that interest. We intend for that reason to ensure that the clause is implemented. There is no question of the clause not being implemented or of implementation being delayed indefinitely. The purpose of the clause is to protect the Exchequer from the real risk of tax being lost from repos being used to switch tax credits from persons who cannot use them to persons who can.

In discussing the procedural issues with market representatives, the Inland Revenue will attempt to arrive —this is the point about which my hon. Friend the Member for Carshalton and Wallington was concerned—at an agreed solution, if that is possible, which strikes an appropriate balance between the need to protect the Exchequer and the need to minimise the extent to which compliance requirements have to be imposed on markets.

I can give my hon. Friends the Members for Carshalton and Wallington and for Fulham the clear assurance that the Government have no intention of discouraging the legitimate repo market. It is a form of derivative which has a clear function to perform in financial markets, and I have no difficulty whatever with that. The use of repos to avoid tax in the way I have described is, however, not legitimate and it is that point that we wish to address. That focus was the reason for introducing the clause in the first place and the reason why the clause will ultimately be implemented. However, we shall try to do it by agreement.

Mr. Forman: May I briefly impose on the House a few more words? There are two points on which I want to touch in relation to the comments by the hon. M for Edinburgh, Central (Mr. Darling). First, he suggested at one stage that the industry may be making an empty threat to move elsewhere. I am sure that he does not really believe that. In fact, many of the firms that are most concerned with those activities and which are growing most successfully are already multinational and already have offices established in other financial centres to which they can switch the business with a few phone calls. It would be as quick and as easy as that, so the matter is of real concern to the industry.

Secondly, the argument that all branches of society that are affected by tax could argue that they should have more time to consult with the Government does not hold as much water as the hon. Gentleman thinks. We are discussing an especially complicated area of tax and regulations, as I am sure that he appreciates. We are all pretty low on the learning curve with regard to derivatives and it is an area which is so arcane in the eyes of legislators and tax authorities that the need for consultation is underlined rather than diminished. That is all I shall say to the hon. Gentleman, and in a friendly spirit.

In his welcome remarks, my hon. Friend the Financial Secretary gave assurances for which I am grateful. I know that the industry will be grateful to have those assurances on the record. In the light of that, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 125

PAYMENT BY INTERMEDIARY

Amendments made: No. 3, in page 119, line 11, leave out 'of the payment made by the intermediary' and insert

'determined in accordance with subsection (2A) below.'.

No. 4, in page 119, line 17, at end insert—

'(2A) The amount referred to is—

(a) if the amount of the payment made by the intermediary is an amount to which the recipient is entitled after deduction of any income tax, the aggregate of the amount of that payment and the amount of any income tax due; and

(b) in any other case, the amount of the payment made by the intermediary.'

No. 4, in page 119, line 17, at end insert—

'(2A) The amount referred to is—

(a) if the amount of the payment made by the intermediary is an amount to which the recipient is entitled after deduction of any income tax, the aggregate of the amount of that payment and the amount of any income tax due; and

(b) in any other case, the amount of the payment made by the intermediary.'

No. 5, in page 119, line 18, leave out 'is made to an employee' and insert

'of, or on account of, assessable income of an employee is made.'.

No. 6, in page 119, line 24, after 'persons' insert 'who include'.—*[Mr. Dorrell.]*

Clause 126

TRADEABLE ASSETS

Amendments made: No. 7, in page 119, line 28 leave out '203B' and insert '203BD'.

No. 8, in page 119, line 29, leave out '125' and insert

'*(Employees working for persons other than their employers, etc.).*'.—*[Mr. Dorrell.]*

Clause 130

SUPPLEMENTARY

Amendments made: No. 9, in page 122, line 10, after 'section,' insert '(a)'.

No. 10, in page 122, line 12, leave out '203B to 203F' and insert

'203B, 203BB and 203C to 203F, other than a payment whose amount is determined in accordance with section 203B(2A)(a) or 203BB(3)(a); and

(b) any reference to an employer includes a reference to a person who is treated as making a payment by virtue of section 203BB(2).'.

No. 11, in page 123, line 32, after 'and' insert '(subject to section 203G(2)(b))'.—*[Mr. Dorrell.]*

Clause 131

PAYMENTS ETC. RECEIVED FREE OF TAX

Amendment made: No. 12, in page 124, line 14, at end insert—

'(2) In this section any reference to an employer includes a reference to a person who is treated as making a payment by virtue of section 203BB(2).".'—*[Mr. Dorrell.]*

Clause 176

PERSONAL AND TRUSTEE'S RETURNS

Mr. Dorrell: I beg to move amendment No. 14, in page 161, line 35, after 'may', insert 'reasonably'.

Mr. Deputy Speaker (Mr. Michael Morris): I understand that with this it will be convenient to discuss Government amendments Nos. 15 to 23.

Mr. Dorrell: In the course of debate in Committee on the self-assessment provisions of the Finance Bill, the Government accepted amendments to the clause relating to personal and trustee's returns which were tabled by the Opposition. That was an example of the listening Government in action—the Government who are ever prepared to be flexible in response to sensible proposals from the Opposition. The amendments ensured that documents and other accompanying material required with a tax return issued to an individual or trustee would be limited to those which could be reasonably so required. It was a case that was pressed on us articulately and persuasively by the hon. Member for Newcastle upon Tyne, East (Mr. Brown) and I am happy to commend the resulting amendments to the House.

Mr. Nicholas Brown: It is not the Opposition's intention to oppose the amendments. Their purpose was to insert a test of reasonableness. The Financial Secretary, being a reasonable man, accepted our arguments and has been good enough to bring back the amendments on Report. I rise solely to thank him for it.

Amendment agreed to.

Amendments made: No. 15, in page 161, line 39, leave out 'required in pursuance of the notice' and insert 'so required'.

No. 16, in page 162, line 19, after 'may', insert 'reasonably'.

No. 17, in page 162, line 23, leave out 'required in pursuance of the notice' and insert 'so required'.—*[Mr. Dorrell.]*

Clause 179

RETURN OF PROFITS

Amendments made: No. 18, in page 164, line 16, at beginning insert—

'-( ) In subsection (1) of section 11 of the Management Act (return of profits), after the words "as may", in both places where they occur, there shall be inserted the word "reasonably".

( ) In subsection (1A) of that section, after the words "a company may", in both places where they occur, there shall be inserted the word "reasonably".'.

No. 19, in page 164, line 16, leave out from 'subsection (2) of' to

'there' in line 17 and insert 'that section'.—*[Mr. Dorrell.]*

Clause 182

PARTNERSHIP RETURN

Amendments made: No. 20, in page 166, line 11, after 'may', insert 'reasonably'.

No. 21, in page 166, line 14, leave out 'be required in pursuance of the notice' and insert 'reasonably be so required'.

No. 22, in page 166, line 21, after 'may', insert 'reasonably'.

No. 23, in page 166, line 24, leave out 'be required in pursuance of the notice' and insert 'reasonably be so required'.—*[Mr. Dorrell.]*

Clause 187

AMENDMENT OF PARTNERSHIP STATEMENT

Mr. Dorrell: I beg to move amendment No. 24, in page 173, line 35, leave out from 'notice' to 'under' in line 36 and insert

'to each of the partners so amend his self-assessment'.

The amendment clarifies the Government's intention that, where a partnership statement is amended, the Inland Revenue will notify each of the partners of the consequential amendment to their individual self-assessments.

Mr. Nicholas Brown: That was another of the Opposition's rare victories in Committee. Again, may I thank the Financial Secretary for returning to the matter on Report. It seems fair to us and clearly also strikes the Financial Secretary so, that the choice of partner should not be left to the taxing authorities. It should be clear that, if a notice is to be issued, each partner should be informed and that we should not rely only on the notice going to one partner who may not be the relevant partner for taxation purposes. That was the thrust of the debate in Committee, and the Government have accepted the reasonableness of the Opposition's point of view. I thank the Financial Secretary for it.

Amendment agreed to.

Schedule 18

MANAGEMENT: OTHER AMENDMENTS

Mr. Dorrell: I beg to move amendment No. 25, in page 385, line 30, at end insert—

'CLASS 4 CONTRIBUTIONS

44A. In subsection (1) of section 16 of the Social Security Contributions and Benefits Act 1992 (application of Income Tax Acts to class 4 contributions), for paragraph (b) there shall be substituted the following paragraph—

"(b) the provisions of Part VA (payment of tax) and Part X (penalties) of the Taxes Management Act 1970,".'.

The provision concerns the extension to class 4 national insurance contributions of the administrative machinery rules that apply to income tax. In general, those rules are automatically applied through the operation of section 16 of the Social Security Contributions and Benefits Act 1992 and no specific provision is needed for class 4 national insurance contributions to take account of the introduction of self-assessment.

However, self-assessment contains one new element: a surcharge for the late payment of tax introduced by clause 192. I am advised that it is not entirely free from doubt that surcharge could be imposed on unpaid class 4 contributions. The amendment makes it clear that the rules for surcharge in relation to income tax, contained in the Taxes Management Act 1970, are equally applied to unpaid class 4 national insurance contributions.

Mr. Nicholas Brown: I am afraid that we cannot take responsibility for this amendment. It deals with an oversight in the Government's drafting of the regulations for their surcharge regime. Nevertheless, I am sure that it is reasonable.

Amendment agreed to.

Clause 253

CALLING FOR DOCUMENTS OF TAXPAYERS AND OTHERS

Mr. Dorrell: I beg to move amendment No. 13, in page 222, line 39, leave out

'or assist in the evasion or avoidance of tax'.

Clause 253 requires a tax inspector to give the taxpayer his reasons for applying for consent to issue an information notice in respect of that person's tax liability. One of the exceptions to that requirement in the clause as currently drafted is where a general or special Commissioner is satisfied that there are grounds for believing that the disclosure of the reasons would prejudice the assessment or the collection of tax or assist in the evasion or avoidance of tax.

In Committee, concerns were expressed that the use of the term "avoidance" could lead to an inspector's reasons being withheld in cases of straightforward tax planning. That was never intended. In view of those concerns, we have decided to remove the reference to evasion and avoidance of tax from the clause. That should allay the fears of hon. Members and also bring the new provision into line with similar references elsewhere in the statute book.

Mr. Nicholas Brown: I welcome what the Government are doing, for which I think that the Opposition may claim some credit. It is quite an important matter. Clause 253, as it is harmlessly described now, was the much more controversial clause 240 in Committee, and was followed by the even more controversial clause 241, which the Financial Secretary withdrew, to approval from hon. Members from all parties.

The debate in Committee was heated. Points made by Labour and Conservative Members were critical of the Government's wording of their legislation. Although, I accept, as the Financial Secretary told us at the time, that the purpose of clause 253 was to grant a concession rather than to place a burden on the taxpayer, exception was rightly taken to the choice of "avoidance and evasion" as a phrase.

It was not only the phrase that the Financial Secretary used in the debate, but the wording in the Bill, and it was clear to Opposition Members and, indeed, to the Financial Secretary's hon. Friends that "avoidance" in some circumstances is open to a wide interpretation and could be construed to refer to the perfectly lawful arrangements that a taxpayer makes. I am glad that the Financial Secretary has decided to think again, and the proposed outcome is for the best.

5.30 pm

It is right to put on record the considerable disquiet that was felt on the Opposition Benches at the way in which the debate was handled in Committee. The timetable motion was set out in such a way that the debate—an important one—was the final debate on a Thursday. The Committee's sitting hours on a Thursday were shorter than those on a Tuesday under the guillotine. It was unfortunate that such an important debate was the final debate on the Thursday when it took place, a day on which other controversial matters were discussed.

I felt at the time that it might not be possible to discuss the issue in Committee because of the terms of the guillotine motion. Indeed, we almost lost the opportunity to debate it. It would have been extremely serious if there had been a straight vote for or against the clause and the following clause, without pertinent matters having been explained and explored and without the Government having the chance to change their mind.

There are two lessons for us. First, debate in Committee can be of some importance. Secondly, guillotine motions or timetable agreements, which I hope we shall have in future, should be drawn with much more care and, dare I say it, with much more consultation.

Mr. A. J. Beith (Berwick-upon-Tweed): I welcome the change that is set out in the Government's amendment. The change, together with the abandonment of former clause 241, reflects the strong feelings that were expressed in Committee. The Minister and the Revenue should recognise that it was felt in Committee that, in a combination of clauses, the Revenue were trying it on a bit. When it reached the point at which the Revenue sought to have power over the papers of taxpayers who were guilty of no misdemeanour, merely because there was a suspicion that their accountant in his dealing with another taxpayer may have assisted improperly in withholding information from the Revenue, the Committee felt that it was too much of a try-on.

The Revenue is expected seriously to chase tax evasion and to do so thoroughly. There is a difficult line to be drawn. The Minister may take some lesson from the general feeling of the members of the Committee that the two clauses taken together seemed to go too far. The Minister has obviously recognised that.

Mr. Dorrell: I intervene briefly, but not to have a re-run of the debate that took place in Committee. I shall content myself by thanking the House for its welcome for the outturn of our debates.

I shall take up the closing comments of the hon. Member for Newcastle upon Tyne, East (Mr. Brown). I

[Mr. Dorrell]

shall not repeat old arguments about the degree of consultation on the operation of the guillotine. I wish only to observe that the hon. Gentleman did not say that we should never have a timetable motion again. Instead, he recommended the way in which a timetable motion might be better administered. I assure him that my right hon. Friend the Chief Secretary and I, and perhaps more importantly for this purpose my right hon. Friend the Leader of the House, heard and noted his remarks.

Mr. Nicholas Brown: For the avoidance of any doubt, it has always been my view that the sensible timetabling of the taxes management part of the Finance Bill should be encouraged and welcomed. In the past, we entered into arrangements with the Government which effectively did exactly that.

Amendment agreed to.

Schedule 25

REPEALS

Amendment made: No. 35, in page 452, line 46, at end insert—

'(3) Assigned matters: minor corrections

Chapter	Short title	Extent of repeal
1979 c. 2.	The Customs and Excise Management Act 1979.	In section 118A, subsection (7).
1983 c. 55.	The Value Added Tax Act 1983.	In Schedule 7, in paragraph 7, sub-paragraph (6).'

— [Mr. Portillo.]

Order for Third Reading read.

5.33 pm

The Chief Secretary to the Treasury (Mr. Michael Portillo): I beg to move, That the Bill be now read the Third time.

Life is full of surprises. Here we are, shortly after 5.30 in the afternoon, turning to the Third Reading of a Bill which has proceeded under a guillotine. I make the point not to create any tension or upset between the occupants of the Front Benches but merely to remark that a Bill which has proceeded under a timetable motion has been given sufficient time for hon. Members to consider the important matters that have been placed before them.

I think that many hon. Members on both sides of the House have found the timetabling of the Bill to their convenience. I think also that that goes for many people outside the House. It has been a matter of convenience for them. It has been much clearer to outside interests that have a legitimate point of view to put to the House when the matters in which they were interested would come before the Standing Committee for consideration. As a consequence, they have been able to make their recommendations in a timely way.

I say nothing about what future proposals might be for the handling of these matters. It is worth putting on record, however, that the timetabling of the Bill has not led to any shortage of debate or shortage of opportunity to make representations. I think that in general the process has proceeded smoothly.

Ms Angela Eagle (Wallasey): As this was my first Finance Bill, I am in a slightly odd position because I do not know what a Finance Bill without a guillotine is like. Is the Chief Secretary saying that the Conservative party will be happy to have future Labour Governments' Finance Bills guillotined at the beginning of the parliamentary process so that they, too, can be speedily dispatched?

Mr. Portillo: No. I have restricted myself to making comments about the past and not about the future. It is important to get the past straight. I wanted to do that. I think that the only way that things might be done differently, were this process ever to take place again, would be that the Opposition would want to attend the Business Committee, at which the phasing of this Bill was first discussed.

The guillotining of the Bill was only one of several novelties this year. We found ourselves debating a Finance Bill at a time of year to which we were not accustomed. We debated the Bill at the beginning of the year. We found ourselves also taking time out of the Committee to run to various television and radio studios to debate some of the tax measures that were to come into force at the beginning of April. The paradox was that most of the tax measures that we found ourselves debating in various studios were not measures contained in the Bill. Instead, they were measures that were introduced by the previous Budget of my right hon. Friend the Member for Kingston upon Thames (Mr. Lamont).

Mr. Beith: Before the Chief Secretary gets fully into this especially interesting part of the past, I hope that he will not fail to notice that among the novelties of the Bill were two new taxes, neither of which had been the subject of any prior consultation—one on airports and one on insurance. Another novelty was that the Bill was printed in two volumes, being of greater length than any previous Finance Bill.

Mr. Portillo: Yes, the Bill was of greater length than its predecessors. As the right hon. Gentleman says, it was the first time that the Bill was printed in two volumes. For that reason, I thank all members of the Standing Committee for their diligence in paying attention to the Bill. It was for the reason of length that the guillotine motion provided for rather more hours of debate than those which were expended on the previous Finance Bill, which was not subject to a timetable motion.

Mr. John Townend (Bridlington): Does my right hon. Friend agree that having Finance Bills as large as the one that is before us is not satisfactory? Will the Government consider in future separating the main Budget proposals and having a relatively shorter Bill, and having a technical Bill dealing with anti-avoidance measures, which the Inland Revenue introduces every year? Would not that be a much more satisfactory approach?

Mr. Portillo: That very question had been raised only shortly before my hon. Friend entered the Chamber, during consideration of one of the amendments. My hon. Friend the Financial Secretary explained that it was not the Government's wish to operate in that way.

Bearing in mind what has happened during consideration of the Bill, I think that my hon. Friend the Member for Bridlington (Mr. Townend) will find that the matters considered technical were not matters on which the Committee found itself wishing to spend a long time. Taking all matters together—the technical and the more political—did not inhibit the smooth discussion of the Bill. I would be in some difficulty to find instances in which not

separating out technical and political matters caused difficulties for the Committee. In practice, I do not think that the Committee found itself in those difficulties.

My right hon. Friend the Member for Kingston upon Thames brought in an extremely brave Budget at the beginning of 1993. It was one which took seriously the problem of the public sector borrowing requirement and demonstrated beyond doubt that the Government would ensure that that borrowing requirement was tackled. My right hon. Friend was proceeding at a time when it was not at all evident that the recovery was under way. He therefore had to be cautious about introducing taxes in the early part of 1993. What he established was a wedge of increasing revenue for the years ahead, and it is some of that wedge that came into play in April 1994.

The effect of my right hon. Friend's Budget in March 1993 was to convince the markets that the Government were entirely in earnest about tackling the public sector borrowing requirement. As a consequence, through 1993, even though we were borrowing at a rate of about £1,000 million a week, we saw short-term interest rates fall, and we saw long-term interest rates also fall. The impact of that on the recovery is important. If the opposite had happened —if interest rates had been rising—the recovery would have been put in jeopardy.

What the Government did was to ensure, even at a time when it was unwise to introduce the tax increases, that the markets were reassured that we would take action. They set out the precise course and the exact taxes that would be increased. In the process, they took a number of political risks. But taking those political risks was worth while, because it showed the markets that we meant business.

In the March 1993 Budget, my right hon. Friend also had to take some decisions on indirect taxes which would have an impact on the retail prices index. That required considerable courage at that time. It is interesting to reflect now on how much lower inflation is today than we were predicting one year ago. Inflation has stayed very low. The retail prices index, excluding mortgage interest payments, is at the lowest level since 1967, and the headline rate has been below the European Community average since August 1991.

Today, we see that the underlying inflationary pressures are very weak: factory gate inflation is at the lowest level since 1973 and businesses are keeping their costs under control. The recent underlying earnings growth is the lowest that it has been in 25 years.

Mr. Ian Taylor (Esher): Is not the point about taxation that, if the two Chancellors of the Exchequer had not wisely raised taxation in 1993, the debate now would be about how much taxation we would be forced to raise this year? In other words, we cannot avoid the problem. Indeed, if the taxation rates had not been increased in 1993, we would not have had interest rates down to the present level, because the markets simply would not have accepted that the Government were serious about borrowing, and there would therefore be other pressures in the interest rate market.

Mr. Portillo: My hon. Friend is absolutely right. When the Government make wise decisions, the difficulty is to prove the existence of the dog that did not bark. There was no funding crisis in 1993. Interest rates were not rising; they were falling, despite the pressures that the Government were imposing on the market through their level of borrowing. I simply remind my hon. Friend that the Government have taken action to solve the public sector borrowing requirement problem not only by increasing taxes but, more importantly, by decreasing public spending.

Ms Eagle: I thank the Chief Secretary for giving way again; he is very courteous. I listened to what he said about the political courage demonstrated by his Government in raising the massive tax revenues in 1993. Surely the economic situation that the Government would face was obvious before the 1992 election. Would it not have been much more courageous therefore for the Government to take these difficult decisions before the general election rather than after it?

Mr. Portillo: What was evident in the early part of 1992 was that there was a substantial public sector borrowing requirement, but it was not evident that it would be anything like the £50 billion which was subsequently predicted. In the early part of 1992, we believed that the recovery would begin strongly and proceed apace.

It was not only the Government who had those views; they were shared by independent forecasters and by the Labour party. If they were not shared by the Labour party, it is inexplicable that the Labour party was planning massive increases in public spending. If it knew all the time what no one else knew—that the public sector borrowing requirement would be larger—how on earth could it have been responsibly proposing that public spending should be massively increased?

I should like to know from the hon. Member for Wallasey (Ms Eagle) or the Opposition spokesman whether the reason was that the Labour party was all-knowing. Was it that it had knowledge that no one else had, and yet it persisted with its irresponsible plans to raise public spending, or was it that it shared the views of all the experts and the Government, which was that the recovery would shortly begin and that it would be strong, and that the public sector borrowing requirement would not reach anything like the heights that it has subsequently reached?

Dame Elaine Kellett-Bowman (Lancaster): Is not my right hon. Friend being unduly modest in his sunshine list, because he did not add the excellent unemployment figures which were released today? Those figures show that unemployment is down 0.2 per cent. nationally and—we usually lead the way—down 0.3 per cent. in Lancaster. My right hon. Friend also did not give the superb figures, to which he referred obliquely, for the public sector borrowing requirement. Such figures were unheard of one year ago; he could not possibly have forecast them.

Mr. Portillo: My hon. Friend is absolutely right. It may not seem like it, but I am still on paragraph one, and I intend to reach some of those points in a moment.

It is worth dwelling on the importance of our success with inflation. It is worth reminding people that keeping inflation down is a vital objective for the Government. We are firmly committed to a monetary policy that will maintain downward pressure on inflation. We will not let up on our achievements so far, and we will ensure that we meet our targets in the future.

Mr. Thomas Graham (Renfrew, West and Inverclyde): Is the Minister telling the House that the massive increase in domestic fuel bills will keep inflation down? Is he aware that low-paid workers and the

[Mr. Thomas Graham]

unemployed are suffering dramatically because of the huge indirect taxes that the Government have imposed? How in God's name can he hold his head up and say that the Government are helping ordinary men and women?

Mr. Portillo: Since privatisation of the electricity and gas industries, prices have fallen either in real terms or, in some instances, in cash terms. The hon. Gentleman will remember that, in the Budget, my right hon. and learned Friend the Chancellor announced a package of assistance not only for those on low incomes but for all pensioners, whatever their incomes might be. What has made old people suffer is not the fact that taxes have been increased but the fact that Labour sought to scare them about the scale of the increases. We are talking about increases of about £1 a week. The Government have provided compensation which, in large measure, pays for those extra increases. What Labour have done is to spread an idea that the increases will be vastly greater than they are.

I warn the hon. Member for Renfrew, West and Inverclyde (Mr. Graham) that that will rebound on the Labour party, because, when people discover that they have been misled by the Labour party's black propaganda, they will be angry. To scare old people in the way that the Labour party has done is unforgivable, and they will turn on the party that has perpetrated it.

Mr. Clive Betts (Sheffield, Attercliffe): Can the Chief Secretary respond to a constituent of mine who wrote to me the other day saying that, first, the 70p that he would receive in additional pension would not compensate him for his increased fuel bills and, secondly, because he had a small occupational pension and therefore paid income tax, he would be taxed on that 70p as well? Have the Government taken into account the increase in income tax that they will receive from this process when calculating the compensation that will be paid to people in that situation?

Mr. Portillo: I presume that the hon. Gentleman realises that, if the public sector borrowing requirement is reduced and more revenue is raised, someone must pay for that. The Government have never shied away from saying that taxpayers will have to pay. However, they have ensured that people on low incomes are compensated to help them to meet their extra fuel bills. We have gone much further than that by compensating all pensioners, whatever their incomes may be, to help them with their extra fuel bills.

The hon. Member for Sheffield, Attercliffe (Mr. Betts) is saying that pensioners who are not only not living on income support but who also have an extra income on which they pay tax should also be compensated for the tax that they must pay on the increase. That is not reasonable from the hon. Gentleman's point of view. If he reflects on it, he will see that it is not a sensible proposition. The economy is growing. There now have been seven quarters of growth, and gross domestic product rose by 0.7 per cent. in the last quarter of 1993. It rose by 2·5 per cent. on a year earlier. Many other encouraging figures tell us that the recovery is spreading from one sector to another.

Manufacturing output is up, and exports to countries outside the EC have risen by 11 per cent. Retail sales are at a record level—a level which has never been achieved before—and new car registrations are up significantly. That is important, because it shows that consumers are gradually having the confidence to make longer-term spending commitments, and that can be seen also in the rise in consumer credit.

As my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) said a moment ago, unemployment has fallen by 30,000 in March. It has fallen by 250,000 since the end of 1992, and vacancies are still at a high level. The unemployment rate is below the EC average.

I mention that because the hon. Member for Peckham (Ms Harman) and the hon. Member for Dunfermline, East (Mr. Brown) are keen on saying that they want to solve the problem of unemployment, and that, if they solve that problem, they will solve the problem of the public sector borrowing requirement. Yet the magic socialist formula which they would employ to drive down unemployment and to bring about recovery is not available to the socialist Governments around Europe.

I remind the House that our rate of unemployment is below the EC average and that the Spanish rate of unemployment—when last I looked—was 22 per cent. If there were some magic socialist formula to bring down unemployment and to bring about recovery—rather than to bring about recovery and to bring down unemployment—would it not be likely that the Spanish socialist Government would be using it? If the Labour party has some secret, why is it so mean as not to share it with the socialist Governments in Europe so that they can put it into practice?

Mr. Hoon: The Chief Secretary's case appears to be that there is a massive upturn in consumer confidence in the United Kingdom, and that the Government are taking advantage of that. If that is the Government's position, why did the Chancellor tell the Governor of the Bank of England in January that he was much less sure that the pace of growth had picked up significantly in recent months? In March, the Chancellor told the Governor that anecdotal evidence did not suggest that activity was growing strongly.

Mr. Portillo: The hon. Gentleman has completely misrepresented what I said. I said that new car registrations showed some sign of an increase in confidence among consumers who were willing to commit themselves to long-term decisions. I did not say that there had been a massive resurgence in consumer confidence. We know from surveys that confidence is relatively delicate.

We know that people making business decisions have felt the return of confidence, and that most people in business think that the recovery has now reached their sector. In time, the confidence which is felt by the people who are making decisions in business will ripple out to employees and to consumers, and that will be felt throughout the economy. However, there is absolutely no point in pretending that the recovery has been faster or has progressed further than it has. I am making no such pretence. I do say that all the signs are very good.

We have had another example of the Opposition wishing to talk the recovery down. We know perfectly well that the recovery is on track, but we have never made grandiose claims about its size or pace. This is not a technicolor utopia. We are concerned about having a recovery which is sustainable, and which is compatible with low inflation.

The people who really matter—business men and investors—have confidence in the Government's economic policies, and this Bill is at the very heart of those policies. The themes of the Government's approach are the fixity of our purpose, the clarity of our economic policy and the transparency of the decisions which we make. We want sustainable non-inflationary growth to make the people of this country better off. Growth is not an end in itself—it is worth having only if it enables living standards to rise, and that means keeping inflation well under control.

If inflation returned, it would bring all the old evils with it. There would be an arbitrary redistribution of income within our society, a distortion of investment decisions and all the pain that is inevitably involved in having to cure inflation again by adjusting interest rates and by the recessionary forces which then come about.

Non-inflationary sustainable growth is our aim, and that must be based upon sound public finances. If we do not have sound public finances, we will pile up levels of borrowing, the interest on which must be paid by future generations. It is no part of the Conservative Government's policy to pass a burden of debt down to our children. That debt repayment burden which is now being faced by so many countries diverts resources from productive investment and threatens recovery by undermining confidence.

The Conservative principle of sound public finance is embodied in the Budget and in the Bill. We have projected to reduce the PSBR to zero by the end of the decade.

We also place emphasis on making our economy perform better and making reforms to the supply side of the economy. Free markets allocate the resources best to where they should be used, and where they can produce the best result. Interventionist policies, on the other hand, are a sure recipe for economic sclerosis. The Government are proud to be taking further measures to improve the way in which the economy works.

We are privatising British Coal and British Rail. We are making sure that incentives operate well within the economy by the changes and reforms which we are making to invalidity benefit with the introduction of a new benefit called incapacity benefit. We will also introduce in due course a job seeker's allowance to make sure that there are clear incentives for people to work when they are able so to do.

We have a clear destination in terms of where we wish to lead public finances, and we have set ourselves a series of milestones along the way. We have announced clear public inflation targets, and we are willing to be judged on the basis of those. We have set out firm public spending ceilings. It is our aim to make sure that the rate at which the new control total for public spending rises is kept below the trend growth rate in the economy. We took £10 billion off of our earlier public spending plans by the decisions made in the Budget, and the new control total of public spending is set to grow by an average of 0·25 per cent. in real terms per year for each of the years between now and 1996-97.

We are open in discussing our economic policy, and we have set it out clearly. The Chancellor has taken further steps to make sure that his monetary policy is transparent. We have now published—as has been mentioned in the House—the minutes of the monthly monetary meeting. We have established an independent panel of forecasters to display a range of views about future inflation and economic conditions.

We have already set about publishing the monthly monetary report, and we have made the Bank of England independent to the point that it is able to decide the timing of interest rate changes. We have made clear to the world the indicators which we will take into account before we make decisions on monetary policy. In making the changes, the Chancellor has tried to make it absolutely clear to everyone that our interest rate decisions are to be taken for the only good reasons there are—that is, economic reasons—and not for political reasons. He will take decisions about interest rates based on features of the British economy, and not of any other economy.

The Government's economic policy has a clear pattern. It is based on fixity of purpose, clarity and transparency. We have established in the economic field a rhythm of good decision-making which has led to a resurgence of confidence. The Bill is vital to that process. It protects non-inflationary growth by helping to sustain sound public finances in a way which does the minimum of harm to incentives and to the operation of the markets. That is essential if the Government are to meet the Budget objective of lowering the PSBR by £6 billion in the current year, 1994-95, in comparison with the projection that we made before the Budget. We will do that without affecting marginal income tax rates and without raising the rate of taxation on business.

I remind the House that the Bill is not just a catalogue of tax increases; it carries forward the process of building a tax system that fosters wealth creation. The new enterprise investment scheme—which encourages "business angels" to put their management skills as well as their money into the new small companies that are the basis of future economic development—won considerable praise from all parties in the Standing Committee.

We have introduced some new taxes, to which the right hon. Member for Berwick-upon-Tweed (Mr. Beith) referred: the insurance premium tax and the air passenger duty. We have introduced them, however, in areas that —in comparison with practice in other countries—have arguably been under-taxed in the past. We are therefore ensuring that the tax burden is spread as widely as possible. Let me also remind the House that we have introduced rules allowing and promoting self-assessment in regard to tax.

The measures in the Bill are fair: the extra burden of tax that it has been necessary to raise has been spread evenly across the pattern of income distribution. That has been backed up by one independent survey after another. We are confident, therefore, that these measures will not damage the progress of recovery.

We have been careful to phase the tax increases to ensure that. Some of the impact of extra taxes was felt some time ago: excise duties were increased around Christmas. Other tax changes were introduced this month, and the two new taxes that I just mentioned will not come into force until the autumn. As I have said, we have spread the impact. My guess is that press expectations about the tax changes currently coming into effect greatly overplayed the impact that those changes will actually have on people's spending patterns, wage packets and salary slips. The recent impact on consumer confidence has been based not on actual experience of what tax rises are likely to bring, but on press reports and media speculation.

Mr. Beith: The Chief Secretary has just made a very significant point. He suggests that the largest collection of

[Mr. Beith]

tax rises to occur in modern times has been spread in such a way that its impact on individuals will be much less than they have been led to fear, and that any disincentive effect on their willingness to work harder will therefore be very slight. Is he not opening the way to more tax rises generally, on the ground that they are never as bad as they are expected to be?

Mr. Portillo: The right hon. Gentleman knows perfectly well that Conservative Members believe in reducing taxes when that is prudent. Conservative Members do not attempt to advance any general argument in favour of raising taxes. But, when driven by fiscal prudence to introduce higher taxes in order to reduce public borrowing, our party takes care to ensure that the impact on incentives is minimal, and that phasing is sensible, so that the minimum damage is done to the process of recovery.

The Bill confirms the policies that I have described. It adds to the credibility of those policies, and will therefore increase confidence. Today, we have seen new figures showing that in 1993-94 the public sector borrowing requirement—at about £46 billion—was some £4 billion lower than the level that we predicted. That, clearly, is in itself good news, but I am the first to add that the PSBR is still the highest that we have ever had, in cash terms.

In the single month of March, the Government had to borrow £11 billion, the largest amount that has ever been borrowed in any single month. Total borrowing for the year still amounts to £900 for every man, woman and child in the country. That does not lead me to alter our earlier forecast for the PSBR in the current year—about £38 billion. It is right to celebrate good news when it comes, but I do not believe that the figures suggest that any change in Government policy would be appropriate.

The most significant factor in the achievement of that lower figure is not higher than expected tax receipts, but greater discipline in central Government spending and increased debt repayment by local authorities. Those factors cannot necessarily be repeated, and I therefore have no reason to believe that Government policy is in any way inappropriate at present. I believe that our current stance, and our determination to lower public sector borrowing on the course that we have set, should remain unchanged.

Mr. John Townend: I agree that the undershoot of £4 billion in the PSBR is very good news, but is not my right hon. Friend rather worried about the size of the increase in March—£11 billion, as he has just told us? That is by far the highest increase in any month. Is not one of the problems the fact that, in national government—I found the same in local government—in the last month of the financial year each Department tries to spend every penny that it has so that it is fully spent up to its budget? If we could control that, could we not lower the PSBR by even more?

Mr. Portillo: As my hon. Friend knows, the PSBR is the difference between two large amounts—receipts on the one hand, and spending on the other. The pattern is fairly well established, February and March generally being the largest months in terms of the PSBR.

My hon. Friend has a point: there is an element of "spending up" at the end of the year. I deprecate that, and intend to bring the greatest possible pressure to bear on it. My hon. Friend will, however, appreciate that other factors are involved. There is nothing unusual about seeing a dip in the earlier part of the financial year, and the largest amounts towards the end.

If the policies that I have described make the Government's economic strategy perfectly clear—along with the fact that we are now seeing the benefits of recovery and of sustained low inflation—let me ask the House to consider what alternative has been presented by the Opposition. How have they measured up to the test of clarity and decisiveness that I have set this afternoon?

It may be news to the House that the hon. Member for Peckham is responsible, on behalf of the Opposition, for the control of public spending pledges. How has she done in that regard? As far as I am aware, there is not a single instance of the hon. Lady's overruling any of her hon. Friends in connection with any of their promises, pledges and proposed schemes, whatever the expense involved.

Sound public finances are what we demand from the hon. Lady; what we have had is the sound of public flannelling. The hon. Lady aspires to be the guardian of the nation's coffers, but the amendments that she tabled demonstrate that she is as committed as any other member of the Labour party to higher public spending and borrowing.

That is especially notable, given that the hon. Lady was not a great contributor to our debates in the Standing Committee. *[Interruption.]* I showed a strong sense of delegation, but, even by the high standards that I set, the hon. Lady managed to delegate a considerable amount of the work to others. None the less, she was associated with amendments all of which would have increased public spending and borrowing. For example, her amendment to what was clause 28, on air passenger duty, would have raised the PSBR by £115 million this year and by £330 million next year.

It might be thought that, if the hon. Lady did that in one amendment, she must have balanced it in another. Then, however, she tabled new clauses 1 and 2. Did those clauses offset her proposals for air passenger duty? No: they were designed to postpone the introduction of VAT on fuel and power, and would have raised public sector borrowing by £1 billion.

As the hon. Lady is honest and straightforward, one would have assumed that she would find some other way in our debates to balance her proposed increases in the PSBR. But she tabled amendments to clause 72 to increase tax allowances and restrict the married couple's allowance to 25 per cent. rather than reduce it to 20 per cent. Those amendments would have increased the PSBR by £2 billion this year and by £3 billion next year. She tabled amendments on capital gains tax which would have jeopardised a full £3 billion of revenue from that tax.

Throughout proceedings on the Bill, the Opposition's approach to public finances has been to find ways to reduce the Government's revenue and increase the PSBR.

Mr. Calum Macdonald (Western Isles): If the Chief Secretary is the strict guardian of public finances, will he explain why the Government are this year abolishing sporting rates in Scotland? That measure will exclusively benefit large estates, but it will cost the Exchequer £2 million. In this climate of financial straitjackets, how is it that Scottish landowners can receive a handout of £2 million?

Mr. Portillo: No doubt the hon. Gentleman will want to pursue that matter with my right hon. Friend the Secretary of State for Scotland.

If what I have outlined is the Opposition's approach to public finance, what about their sense of purpose? One would think that Labour had at least clear policies that it would consistently follow in our debates. Writing in the Labour party's London Forum document as recently as September 1993, the hon. Member for Peckham said:

"Mortgage interest tax relief should be phased out for existing borrowers."

We assumed that during the progress of the Bill Labour would table an amendment to put flesh on the bones of that proposal. But the hon. Lady's proposed amendment to clause 74 would have kept mortgage interest relief higher than the Government now intend, and that would have cost £1 billion this year and £2 billion next year. Labour is guilty not only of hopeless incompetence but of hopeless inconsistency.

Ms Harman: Not only do hon. Members and people outside not believe what the Chief Secretary and his Treasury team say about their plans, but they believe that they cannot be trusted to tell the truth about what we have said. The quotes that the right hon. Gentleman attributed to me are certainly not mine. Whatever document he is talking about it was certainly never published. It is a scurrilous attempt to divert attention from the Government's betrayal of election promises.

Mr. Portillo: If the hon. Lady has not heard of the Labour party's London Forum with which her name is associated and which produced the document from which I have quoted, the degree of disorganisation in the Labour party is even greater than I have been led to believe.

Mr. Michael Stern (Bristol, West): My right hon. Friend has listed the amendments that were tabled in Committee by the hon. Lady and her colleagues and the cost of them. Will he look at what it would have cost the Exchequer if the Government clauses to save money and against which the Opposition voted had been lost? Perhaps my right hon. Friend could write to members of the Committee about that.

Mr. Portillo: That will be a most interesting piece of research, and I shall be happy to contribute to it. My hon. Friend is right to add to the examples of—

Dame Elaine Kellett-Bowman: Profligacy.

Mr. Portillo: I thank my hon. Friend—of which Labour was guilty in Committee.

The contrast between the two parties could not be more substantial. We have set out the path by which the public sector borrowing requirement will be steadily reduced towards balance. It will be close to zero in 1998-99. By 1997-98, the public sector current account deficit will have been eliminated. Throughout the period ahead, public spending as a proportion of our national income will be reduced. The net public sector debt to GDP ratio will peak in 1996-97 and reduce thereafter.

The reference values that are set out in the Maastricht treaty requiring that the general Government financial deficit to GDP ratio should be lower than 3 per cent. will be met by 1996-97, and the reference value on debt itself —the proportion of general Government debt to GDP— should be lower than 60 per cent. That reference value will never be breached at any time in the coming year.

Our objectives for the economy, for spending and for borrowing are clearly set out. In Committee, Labour said nothing about what its policy would be. There have been nothing but infantile attempts to drive up the PSBR, and Labour has said nothing about the way in which it would guide the economy. There has been nothing but irresponsibility by contrast with the Government's transparent purpose of bringing our economy forward during a time of recovery and sustained low inflation.

6.15 pm

Ms Harman: The Bill is a milestone. In years to come it will be seen as marking a defining moment in the course of British politics. It is the moment when the truth about taxes has finally caught up with the Conservative party —the truth that the Conservatives have broken their promises; that their party is not the party of low tax but the party of unfair tax; and that their failure to cut taxes is because of their failure on the economy. People now know that on taxes and the economy they can never again trust the Tories.

The Bill also marks failure and betrayal. On the Chief Secretary's own admission, the Conservative Government who before the election offered a successful economy have failed—and the price of that failure is to be paid through the tax increases in the Bill.

Mr. John Townend: The hon. Lady is fulsome in her attacks on the Government for increasing taxation. Does not she agree that if the Government had not increased taxation in the Budget the alternative would have been to cut public spending? But every time the Government try to do that Labour criticises them and offers more and more proposals for increasing public spending. Is not the whole of the hon. Lady's policy hypocrisy?

Ms Harman: It is hard to keep up with the hon. Gentleman. He stood and cheered when the Chancellor sat down after his Budget speech, but a month later he complained about it. Do we understand from his intervention that he is now back in favour of the tax increases? If he is, the Chief Secretary will be glad to have him as an ally once again.

There have been two Budgets since the Tories won the last general election—two Budgets of failure and betrayal. As the economy struggles into recovery—and we hope that it will recover—confidence in the Government slumps. The Chancellor, who replaced the one who was sacked for lack of credibility, now has himself no credibility. Why should anyone believe anything that the Chancellor says? First, the Tories promised to cut taxes. But they put them up, and the Chancellor said that they never actually promised to cut them. Of course they did.

In the Chancellor's personal election address, he told his constituents:

"Only the Conservatives believe in keeping taxation down."

The Chief Secretary to the Treasury told his constituents in Enfield in his election address:

"The Conservatives want to cut your taxes."

How is that for fixity of purpose, Mr. Deputy Speaker? We have had something new. We have had the Conservatives' objectives, not met; their intentions, not achieved; their aims, unfulfilled; and now we have something new on the political agenda—it is never delivery on their promises. Now we are offered a fixity of purpose.

[Ms Harman]

The Chief Secretary to the Treasury demonstrated fixity of purpose when he told constituents at Enfield, when asking for their vote:

"The Conservatives want to cut your taxes".

The Financial Secretary to the Treasury, in his election address, told his constituents, no doubt showing the same fixity of purpose:

"We promise to hold taxes low".

However, the truth has caught up with the Tories on their claim to be the party of low tax. The Conservative party is no such thing. The burden of direct and indirect taxes on a family on average income in 1978-79 was 32.2 per cent. This year, the total tax burden on that family will be 35 per cent. of their income.

Mr. Ian Taylor: The hon. Lady rehearsed by quoting from those election addresses in Committee. Given that the public sector borrowing requirement was nearly £50 billion, what would the hon. Lady have done? *[Interruption.]* Would she have left taxation as it was, or would she have cut public expenditure or increased borrowing? We need to know an answer to that if she is seriously involved in the debate.

Ms Harman: The people in the country and the hon. Gentleman's electors need to know why the Conservatives failed to tell the truth before the last election; why they promised to cut taxes and put them up; why they promised to be the party of sound public finances and achieved record public borrowing.

The Chief Secretary only—

Several hon. Members *rose—*

Ms Harman: I will press on for a few moments.

The Chief Secretary to the Treasury spoke at some length about the effect of the tax increases on the markets. He mentioned the tax increases on business and spoke about them at some length. He mentioned the tax increases and the effect on the incentives for the highest paid people. Yet he hardly spent any time speaking about the big issue of concern throughout the country—the effect of the tax increases on ordinary taxpayers—except to say that £10 a week in extra taxes, £500 a year extra taxes, from a Government that promised to cut taxes, is insignificant.

Mr. Tristan Garel-Jones (Watford): The hon. Lady spoke of this Finance Bill, and of this Budget being a defining moment. Can she recall a single Finance Bill or Budget in the past decade when the Opposition's strength of feeling about that Budget has been so great that they were unable to keep the debate going in the time allotted to it?

Ms Harman: The right hon. Gentleman makes a trivial point, which the—

Mr. Garel-Jones *indicated dissent.*

Ms Harman: Yes; because the issue of concern for many people up and down the country, who feel a real sense of betrayal, is how they will find the extra money they will have to pay in taxes to a Government who were specifically elected on a pledge to cut taxes.

Although the Chancellor of the Exchequer and the Chief Secretary might try to sweep the truth under the carpet, the truth has caught up with the Tories in the newspaper headlines. Let me quote some of them:

"Tories admit: you paid less tax under Labour".

That is from *The Independent on Sunday.*

"Tax burden on families to hit record levels, Treasury warns ministers".

That is from the *Sunday Times.*

"We tax more than Labour, Tories admit".

That is from the *Sunday Telegraph.* From *The Sun* we hear:

"The Chancellor can't deny the Tories are taking a greater slice of your income than Labour did".

The truth has caught up with the Tories, and people see it not only in their newspaper headlines, but in their pay packets. They see it not only in the newspaper headlines, but in their gas and electricity bills, and in their mortgage payments.

Mr. George Walden (Buckingham): The hon. Lady has been the object of brutal—I should have thought rather hurtful—attacks by my hon. Friends about Labour spending pledges, so I should like to come to her defence by giving her an opportunity to endorse the wise, honest and frank reflections of her hon. Friend the shadow Secretary of State for Social Security, the hon. Member for Glasgow, Garscadden (Mr. Dewar), about the future affordability of the old-age pension. I am giving her a chance to endorse his sober and sensible reflections on that subject, and show herself to be realistic about future levels of public spending in this country.

Ms Harman: I endorse the comments of my hon. Friend the shadow Secretary of State for Social Security. He is anxious that we should have an open, honest and straightforward debate, which has at its heart the interests of pensioners now and in the future. That was at the core of his concerns.

The truth is catching up with the Chancellor, as nervous Tory Back Benchers mutter against him behind their hands in the Tea Room. Those who hailed him—*[Interruption.]*—as a hero in November and waved their Order Papers when he sat down at the end of his Budget speech—where are they now? Those who hailed the Chancellor as the next leader—where are they now? The Tory Back Benchers certainly do not support the Chancellor now. The welcome party for the Budget in November has become a wake for the Finance Bill in April.

The hon. Member for Bridlington (Mr. Townend), who intervened earlier, the Chair of the Tory Back-Bench Finance Committee, is one of the hon. Members who stood and waved Order Papers after the Chancellor's Budget. We know that, because he told us. In the Budget debate, he told the House proudly:

"I was one of those hon. Members who cheered at the Budget . . . I congratulate the Chancellor and the Chief Secretary on their efforts".

He looked, misty-eyed, to the future and said:

"I think that the Budget will go down as the most important of this Parliament".—*[Official Report,* 7 December 1993; Vol. 234, c. 171 & 176.]

I agree with him. How right he was, but for rather different reasons than he expected.

Soon the congratulations turned to complaints.

Mr. John Townend *rose—*

Ms Harman: By 23 January 1994, the hon. Member for Bridlington, who is rising to intervene, was complaining loudly and publicly. Gone were the congratulations. Instead he was saying:

"If we lose our claim to be the party of low taxation we lose a critical asset".

The Chancellor who was hailed as a hero is now blamed for failure. I notice that the Chief Secretary praised the previous Chancellor fulsomely; however, he did not praise the current Chancellor—no doubt because he wants to be the next one himself. Although the Tories have lost for ever their claim to be the party of low tax, they remain true to their instinct for unfair tax. No doubt the Chief Secretary is hoping to take advantage of the lack of credibility that the Chancellor now has. As *The Sunday Times* delicately put it, the Chancellor's reputation is

"in the gutter along with the Prime Minister's popularity".

Although the Tories have completely abandoned their fixity of purpose for low tax, they remain true to their instinct for unfair tax.

Mr. Townend: This is an important Budget. It is a Budget that would not have appeared under a Labour Government; a Budget that sets out a strategy to reduce the public sector borrowing requirement to zero. I stand by what I said: if the Conservative party in the long term becomes a party of high taxation, we are finished—but we will not become the party of high taxation. It is our policy to reduce taxation. I forecast that, by the next election, taxes will be down again.

Ms Harman: The hon. Gentleman has failed to ask himself who increased the public sector borrowing requirement in the first place. The Chief Secretary to the Treasury was wrong to say that this Budget and the Government's taxation policies are fair, because the Tories are unfair when it comes to tax. When they gave out tax cuts in the 1980s, they gave most to the richest.

Now that it comes to panicking and taking them back, they take most from middle and low-income families. The top 1 per cent. of earners, with incomes of more than £120,000, had 30 per cent. of the tax cuts, but are paying only 4 per cent. of the tax rises. Only those on £64,000 a year or more are paying less tax than they would have been in 1979. Everyone else is paying more.

The growing burden of taxes on spending hits hardest those who can least afford it. This year, a family on average earnings will pay £1,140 in VAT—nearly 6 per cent. of its income. That is nearly twice as much VAT as it paid under the last Labour Government, and the Chancellor has said that his instinct is to extend VAT still further.

While the Government clobber those on middle and low incomes, they fail to close the tax loopholes that allow the super-rich to get away without paying their fair share of tax. Some £110 million in tax-free executive share options has gone to the directors of privatised electricity and water companies alone. That is just one of the many tax loopholes which the Government have failed to close in the Bill.

Mr. David Willetts (Havant): If the hon. Lady is so keen on closing tax loopholes, why did she vote against the clause that dealt with the abuse whereby people were paid in gold bars? Why did the Labour party oppose ending that abuse?

Ms Harman: The hon. Gentleman could not know about our objections to that clause, because the guillotine prevented debate. Our objection was that the Bill did not go far enough in closing that tax loophole, and we tabled a new clause that went further than the one which the Government finally and reluctantly presented.

The Tories' priorities were clearly demonstrated in Committee. There was not an empty seat on the Tory side when we discussed the rights of accountants, whereas glazed eyes and cynical disinterest greeted the points raised about how tax affects ordinary people. Tories argued heatedly among themselves when we debated the effect on top rate taxpayers of changes in capital gains tax, but they showed indifference when we debated how the lowest earners will suffer from tax rises.

The Tory members of the Finance Bill Committee well represented their party's true interests. They spoke animatedly and at length when they had financial vested interests as directors or consultants to commercial organisations, but were silent as their Government put up taxes and made a mockery of their election addresses.

We did not, however, have silence from the hon. Member for Dover (Mr. Shaw), who, unfortunately, is not here today. The Chair of the Committee had to rebuke him three times for shouting. He was protesting that it was out of order for me to remind the Committee that he had promised to cut the taxes of his Dover constituents.

The truth has finally caught up with the Tories. People are dismayed at the extra taxes they must pay, and angry because the Government are throwing good money after bad. It is not as if the tax increases will fund a transformation of the national health service, the modernisation of our railway system or investment in education. People know that, while the Tories are raising taxes, they are cutting public investment. Since 1979, investment in schools, hospitals and transport has been cut by more than a quarter as a percentage of gross domestic product. Those tax increases are to pay not for investment in the future but for the Tory mistakes of the past.

What the Government have not lacked in the past is public money: £118 billion in North sea oil receipts have been wasted; and £55 billion in privatisation receipts have been squandered to pay for the dole queue. Unemployment now costs every family in the country the equivalent of £20 a week. Every unemployed person costs £9,000 a year in benefits and lost taxes. Since 1979, unemployment has cost the nation £280 billion, and the Government are now taking money out of people's pay packets and taxing pensioners' fuel bills to pay for their borrowing to finance the dole queue.

The Chief Secretary to the Treasury admits that the Conservatives are not the party of low taxes, but says that, first and foremost, they are the party of sound public finance. But they are not, any more than they are the party of low tax. As the Chief Secretary was forced to admit, today's figures show that this year's borrowing has topped £45 billion, which is the highest PSBR in UK history. It is more than was ever borrowed by the last Labour Government. Last year, central Government borrowing amounted to 7.5 per cent. of GDP, compared with only 5 per cent., which was the highest level of borrowing as a percentage of GDP under the last Labour Government.

Moreover, for the first time since records began, the Government have broken the golden rule on Government borrowing—

Mr. Portillo: The hon. Lady's figures do not compare like with like.

Ms Harman: I am comparing like with like. I am not comparing investment in the nationalised industries but looking at central Government borrowing, excluding local council borrowing. That 7.5 per cent. of GDP that the Government are borrowing is entirely accounted for by what they are spending. But they are not investing. For the first time since records began, they have broken the golden rule on Government borrowing, which is not to borrow more than they publicly invest. More than half the PSBR now finances current expenditure. How can that be "fixity of purpose" from "the party of sound public finance"?

The Government have failed on public finances, because they have failed on the economy. People can see with their own eyes what is happening in the economy. I admire the brass neck of the Chief Secretary, who, in one and the same speech, says, "We are entitled to put taxes up and breach our election promises, because we got it entirely wrong about the economy in 1992 and thought that a recovery was coming, but it was not. But, actually, a recovery is coming now." Why should anyone believe anything that the Government say about the economy? People believe what they see with their own eyes.

Mr. David Nicholson (Taunton): The hon. Lady draws attention to the cost of unemployment. I hope that she accepts that Conservative Members want to reduce the cost of unemployment and the unemployment figures. Why does she not refer to the drop of 250,000 in the unemployment figures in the past 15 or 16 months? Why does she not answer the point made by my right hon. Friend the Chief Secretary that, in all the countries of Europe currently or previously under socialist Governments—Spain is currently under a socialist Government, and France had a socialist Government until recently—unemployment is higher? What magic solution does the British Labour party have which those countries have ignored?

Ms Harman: We remember only too well the Government saying that unemployment was a price worth paying. It is simply no good the hon. Gentleman saying that it is worse everywhere else, because people know from their experience that the British economy is falling behind. Comparable figures on growth, employment, manufacturing output, exports and skill levels—all important economic indicators of the underlying strength of the economy—show that the Tories have allowed this country to fall behind.

Since 1979, our growth rate has been lower than that of the US, Japan, Canada, France, Germany and Italy. Those are the countries to which we should compare ourselves, whereas the Chief Secretary compares us only with Spain. While, since 1979, employment has grown in those countries, it has shrunk here. Since 1979, we have had the lowest rate of export growth of any major industrialised country. We have the lowest levels of skills of any major industrialised country.

The Conservative party said that it stood for low taxes, and put taxes up. The Conservative party said that it stood for economic confidence, and devastated our economy. The Conservative party said that it stood for sound public finance, and hit record public borrowing. The Finance Bill has shown the Conservative party to be not the party of low taxes, not the party of economic confidence, not the party of sound public finances—just the party in office but not in power; a party for which the question of competitiveness means competing leadership candidates.

After this Finance Bill, no one will trust the current Chancellor again. He did not tell the truth at the election. He made promises that he could not keep and then denied that he had made those promises. He did not tell the truth about tax increases and would not tell the truth about living standards. He is still not telling the truth about the economy, but the truth has caught up with him, no matter how he has tried to evade it.

People do not want to hear any more fairy tales from the Government—they want to know the truth. They can trust Labour—[*Laughter.*] The Labour party has told them the truth about the economy and taxes, and they know that. They can trust Labour to take action to ensure growth, to tax fairly and to invest wisely. People know that, through the Conservative Budgets, they are paying the price of past Tory failures. They know that, for the future, they can look to Labour.

6.41 pm

Mr. Christopher Gill (Ludlow): I thank you for calling me so early in the debate, Madam Deputy Speaker. Traditionally, I have stood up on Third Reading of the Finance Bill to draw to the attention of Ministers one of the greatest absurdities of our tax system—the means by which we apparently raise far more money than we need.

I shall explain what I mean by quoting from the Red Book and the published analysis of public expenditure. This year I can do so only on the basis of the figures for last year. I have, on several previous occasions, made a similar sort of speech, but the Treasury has now shot my fox and no longer publishes appendix D to the analysis of expenditure from which I gleaned much of my information.

I can talk only about 1992-93, when the outturn of the six inland revenue taxes—income tax, corporation tax, petroleum revenue tax, capital gains tax, inheritance tax and stamp duty—amounted to £76.1 billion. For the same year, according to the public expenditure analysis, Cmnd 2219, published in January 1993, the 47 reliefs and allowances against the same six inland revenue taxes totalled £75.8 billion. The net to the Exchequer was almost the same as the allowances that had been made against those six taxes.

I draw two conclusions from that. The tax system is still being used for the purposes of social engineering. If that were not the case, the standard rate of income tax, instead of being 25p or 20p in the pound, would be half that figure. Having made a similar speech on four successive occasions and never having been challenged on that point, I think that I am entitled to believe that I am right.

Mr. Portillo *indicated assent.*

Mr. Gill: I thank my right hon. Friend.

As we have more time this year than is customary to discuss Third Reading of the Finance Bill, I should first like to say to the right hon. and hon. Members who served on the Finance Bill Committee that the thanks of the House are due to them for all the hard work, effort, time and concentration that they have put into bringing to the House the 453 pages of the current Bill.

I also want to congratulate my right hon. Friend the Chief Secretary to the Treasury on his positive, robust and

lucid exposition of Government economic policy. I also welcome today's news on the public sector borrowing requirement, which my right hon. Friend said was £4 billion better than originally forecast for the 12 months just ended.

To Opposition Members, I say that the economic indicators for the British economy are good. Interest rates are at their lowest since 1972. The inflation rate in the year 1993 was the lowest for 30 years. Exchange rates are competitive, and have therefore stimulated greater export volumes. Unemployment is trending downwards. The housing market is improving, and there are welcome signs of increasing optimism and activity in the manufacturing sector.

I shall concentrate my remarks on the wealth-creating sector of our economy, and the interface which that has with the Treasury. I also have one or two words of advice for the Conservative party. I wish to talk about the role of Government in the context of today's debate on the Finance Bill.

In that context, the role of Government is threefold. First, the Government must resolutely set their face against adding overhead costs to businesses. Secondly, they must work hard at removing the obstacles to wealth creation that have become enshrined in legislation. Thirdly, they must create the conditions in which business can prosper. In order for business to prosper, we need a fiscal policy that stimulates investment and business activity, and gives an incentive to people who invest and work in business.

Mr. Beith: In view of the hon. Gentleman's first point, is he satisfied with what the Government have done on statutory sick pay? Many people in business feel that an unreasonable burden has now been placed on them.

Mr. Gill: I shall turn to that point immediately, and shall not keep the right hon. Gentleman in suspense one moment longer. That was exactly what I was about to talk about—the importance of controlling costs on businesses.

We want to minimise the cost burden on businesses, which is why we set our face against the social charter and rejected it. But later tonight, as the right hon. Gentleman knows, the draft Maternity Allowance and Statutory Maternity Pay Regulations come before the House. Their effect will be to reduce the rate of reimbursement for administering and paying statutory and maternity pay benefits from 104.5 per cent. to 92 per cent. By any reckoning, that adds costs to businesses.

It is necessary to contain the bureaucratic burden on businesses. Without a shadow of a doubt, the Government are committed to deregulation. They are soon to bring a deregulation Bill to the House for Report and Third Reading. Consequent on that, a Committee on deregulation will be established in the House. The public expectation is that there will then be a bonfire of controls. But the Finance Bill before us is 453 pages long. It looks as though we are in the business of telling people to do as we say, not as we do.

I was interested to read a snippet in this morning's edition of *The Daily Telegraph*:

> "Senior Treasury officials are struggling to restore morale after a confidential staff survey uncovered widespread discontent over the way the organisation is run. Staff complained of . . . too much bureaucracy."

My right hon. Friend the Chief Secretary may feel caught in a pincer movement between myself and his officials, who all say that it is vital that we reduce the burdens of bureaucracy.

I invite my hon. Friend to consider just one lesson from the private sector. Any successful business man will know that, to sell a product successfully, one first has to establish a brand image. Opposition Members may say otherwise, but that is the fact of the matter, and you cannot take it away from us. *[Interruption.]* I am talking to you now.

Madam Deputy Speaker (Dame Janet Fookes): Order. I remind the hon. Gentleman that he should be talking to me.

Mr. Gill: You are absolutely right, Madam Deputy Speaker. I would certainly take greater delight in doing that than in addressing my remarks to Opposition Members.

The Conservative party has a very strong brand image. It has the brand image—

Mr. Graham: Will the hon. Gentleman give way?

Mr. Gill: The hon. Gentleman must wait for the punch line before I give way.

We have a brand image as the party of low taxation. No doubt the hon. Gentleman will challenge me on that point, yet my hon. Friend the Member for Bridlington (Mr. Townend) spelled it out to the House: that we are absolutely determined to get taxes down. I share his confidence that we will do so before the next general election.

Mr. Graham: Does the hon. Gentleman realise that, in Scotland, an opinion poll in a respectable newspaper, the *Herald*, stated quite clearly that Tory party support was at a mind-boggling 13 per cent.? Is that the brand image that they are creating for the people of Scotland and the rest of Britain?

Mr. Gill: I am about to make two comments that address that very point.

I am not confining my remarks to the sheer fiscal policy embodied in the Finance Bill: I am trying to draw attention to one important factor which affects the electoral prospects of the Conservative party—the need to be consistent.

Ms Eagle: Will the hon. Gentleman give way?

Mr. Gill: I shall finish my point first. I should not have given way to the hon. Gentleman until I had done so, as I shall now have to start from scratch.

The lesson from the private sector is that, for a company to be successful in selling its products, it first has to establish its brand image. I have explained that the Conservative party has a jolly good brand image. Secondly, it must advertise. It is difficult for us politicians, regardless of which side we are on, to avoid advertising. Many Members of Parliament are on television, in the newspapers or on the radio practically every day. I do not indulge in that, as I am a bit of a shrinking violet.

Thirdly, it is essential to have a consistent product. I am not saying anything about the quality of the product, but simply that it has to be consistent.

Ms Eagle: Will the hon. Gentleman give way?

Mr. Gill: I shall give way in a moment, as I have already told the hon. Lady.

[Mr. Gill]

One of our difficulties in the Conservative party at the moment is that, on the one hand, we have been promising to deliver deregulation and lower taxes, and on the other hand there have been certain inconsistencies. We have to put right that aspect of our sales strategy. We have the brand image and the advertising; let us concentrate on consistency.

Ms Eagle: I thank the hon. Gentleman for giving way. I am listening with interest to what he is saying, particularly about consistency. At the last general election, in his literature to his local electorate, he said that the Conservatives would reduce personal taxation, yet today we are discussing a Budget which increases levels of personal taxation and indirect taxation to the greatest extent since the second world war. How is that consistent, and will he apologise to his constituents for the record of the Government?

Mr. Gill: Surely the hon. Lady does not need reminding that, in 1979, when the Conservative Government came to power, the top rate of personal taxation was potentially 98p in the pound. The only reason why it was no higher was that, if they had taken another tuppence from those people, there would have been absolutely no point in their working at all.

The Conservative party have proved in government, without any shadow of a doubt—*[Interruption.]* The hon. Lady can continue interjecting from a seated position for as long as she likes, but she cannot deny that we have brought the standard rate of tax down from 33 per cent. to 25 per cent., with a commitment to reduce it to 20 per cent. We have brought the top rate of tax down from potentially 98 per cent. to 40 per cent., and everyone in the country knows it.

The hon. Lady knows full well that the Conservative party were re-elected two years ago because the Opposition were offering the opposite. We can flog this horse for much longer, but I shall still cross the finishing line before the Opposition.

The Conservative party is criticised for the level of unemployment and for inadequate levels of investment. We know that there is a balance of payments deficit, and reference has already been made to the public sector borrowing requirement.

There is only one way out; we have to trade ourselves out of trouble. That means that we have to recognise—not that we do not already—that trade, commerce and industry are the engine of our economy. We have to recognise the need to keep that engine fuelled and lubricated, and the good sense of allowing business to reinvest the biggest possible share of the profits it generates. That leads to the virtuous circle of ploughed-back profits leading to greater investment, greater competitiveness, reduced unemployment and an improved balance of payments.

I accept that it is not the way that the Opposition parties would go; their policy has always been to tax and tax again. Our policy is to bring taxes down. On that basis, there is no need to pick winners. There is no need for Ministers or Departments to indulge in the fantasy that politicians can pick winners; the winners pick themselves if they are allowed to plough back the profits they generate.

The dynamic of unquoted companies is refuelled by ploughing back the profits. That is because the entrepreneur, who is invariably ambitious for the continued success of his business, recognises that its growth and development is best served by constantly improving the quality and value of its assets. There is no justification for taxing that seedcorn, which would otherwise be used to grow the business faster, bearing in mind the positive financial benefit to the whole economy of successful businesses making substantial contributions, as they do, to our national coffers by way of national non-domestic rates, pay-as-you-earn, national insurance and social security savings—quite apart from the value of wages and pensions to all those employed in those enterprises.

Conservative Governments since 1979 have demonstrated that lower personal tax rates stimulate higher tax revenues. By the same token, even lower corporate tax rates would stimulate higher levels of business investment and increased competitiveness, to the long-term benefit of employment prospects and import substitution.

Finally, if the engine of our economy stalls, suddenly none of us will be going anywhere. How very much more sensible it is to ensure that the engine is kept not just ticking over, but running at peak revs to generate greater business activity, a more competitive industry and a market for the only product which 55 million people living in these islands have to sell—which is our labour.

7 pm

Mr. Beith: This is an enormous two-volume Finance Bill. We should remember that the Government have had two bites of the cherry because there have been two Finance Bills in the past 12 months, which amounts to five Bills in three years. Presumably the Bill will come in three volumes next time; the growth in the scale of legislation goes on and on.

That raises questions about how we handle finance legislation and this year there has been a change in the way in which it has been handled. For the first time in recent years, a guillotine has been imposed on the Bill. I think that the timetable has worked reasonably successfully. It would have been better if we had been able to make adjustments to the allocation of the time for debate on the clauses as we discovered what was needed. But, broadly speaking, I believe that it has worked reasonably successfully. It has certainly not presented any severe problems and need not have led to a failure to debate important sections of the Bill.

The weakness in scrutiny of the Bill does not result from the timetable; it results from the highly complex and technical character of a large part of the Bill's content. This material does not lend itself to the sort of discussion that we usually have in the Standing Committee. It would be better handled by a Select Committee procedure in which one could question the people who actually know what the Bill is about.

We have a familiar ritual in Finance Bill Committee of hon. Members pressing Ministers about points which neither the Member nor the Minister understands fully. Each is dependent on the notes which are being passed from either civil servants or outside advisers. It is not a sensible way of discussing the most complex parts of the Bill. That is why I support the view that we should have a taxes management Bill which deals with the more complex matters and that that Bill should be handled, at least in part, by Select Committee procedure.

This Finance Bill does not contain only a lot of technical material. It contains tax increases—to which I will refer in a moment—and two new taxes. Neither of the taxes was the subject of consultation. There were no Green Papers about the feasibility of an airport tax and there were no Green Papers about the way in which an insurance tax might be introduced. It was therefore difficult to digest and consider successfully the new taxes while debating the Bill.

The very mechanism by which both taxes will be collected has been changed fundamentally between the Committee and Report stages. In the case of the insurance tax, the rate at which the tax is collected has changed, too. I welcome the fact that such adjustments were made, but they illustrate that this is not a very satisfactory way to deal with completely new taxes.

Neither of these taxes is market-sensitive. People are not able—it would not be a problem if they were—to rush out and take out insurance policies on a grand scale in order to defeat the effects of the Bill. It would have been possible to put out the proposals for consultation before they became taxes. I would have argued, as I did during debate on the Bill, that it was not a good idea to tax insurance and that the airport tax would have damaging consequences for sections of the community.

Mr. Ian Taylor: I share the right hon. Gentleman's view that greater consultation with the insurance industry might have served a purpose. Nevertheless, I would like to correct a small point that the hon. Gentleman made. Pressure from the Association of British Insurers and from Committee members ensured that, by the time we considered the clause in Committee, the Government had already clarified many of the matters to which the right hon. Gentleman referred. The clarification came before discussion in the Committee.

Mr. Beith: That is a fair point. A great deal of effort was made with considerable speed to secure changes. The hon. Gentleman and others were involved in bringing about the changes and I think that we can all claim some credit for having secured improvements in the Bill in Committee. But it does not seem to be a sensible way to introduce new taxes.

The Bill also marks the end of the Lawson reforms. A significant part of the Bill removes the indexation loss provision. It had been hailed by the former Chancellor as not only logical, but a matter of justice, that losses be treated as though inflation had not occurred. Losses were treated symmetrically with gains.

The reform was widely welcomed at the time, but it transpired that the then Chancellor, Lord Lawson, had not appreciated the incredible scale of future losses to Revenue which could result. Those losses amounted to some £3 billion—a much larger figure than anybody outside Government seems prepared to acknowledge. Indeed, so sacred has the £3 billion figure become that it was used in debate today by the Chief Secretary, who accused the Labour party of carving a further £3 billion hole in public finances by criticising the removal of the indexation loss provision.

I do not accept that figure. If such a huge hole can be driven in public finances, the problem should be addressed by more specific measures, not by the total removal of the reform. If, as the Government make out, the major threat of lost revenue comes not from individuals but from companies creating and using shelf companies and subsidiary companies to offload capital gains and thereby evade tax, the problem should be addressed specifically instead of overturning what was generally thought to be an important and valuable reform.

Mr. Stern: I am very interested in the points that the right hon. Gentleman is making, but I wonder whether he will accept that in the past specific anti-avoidance measures have not necessarily proved effective. For example, I draw his attention to Labour's development land tax, which contained numerous anti-avoidance measures, all of which had the effect of simply bending the market rather than stopping the avoidance of tax.

Mr. Beith: That is a fair point, but I do not think that it needs to apply to the logical way of dealing with gains and losses. I am always suspicious of arrangements which allow the Government to benefit from inflation—in which it is to the Government's advantage to see a fairly high rate of inflation. Too many things in our system have encouraged Governments to tolerate and stimulate inflation in the past.

Mr. Gill: Before the right hon. Gentleman moves from the subject of capital gains, I invite him to consider that, potentially, capital gains might this year be worth about £3.3 billion to the Exchequer, but, by the time all the reliefs and allowances are subtracted, capital gains will net £1 billion. That is a quite serious situation. What does the right hon. Gentleman think about the cost to the nation of the accountants, solicitors, consultants and tax experts who have been employed in the process of reducing potential capital gains of £3.3 billion to a net £1 billion? Would not all those brains have been better employed in the productive sector of the economy to boost Britain's productivity and create better and more competitive products to sell on world markets?

Mr. Beith: The hon. Gentleman undoubtedly has my sympathy on that point. But I fear that the same accountants and tax advisers will now be engaged in finding new ways of dealing with this law. What could be more helpful to them than to produce a Finance Bill of these dimensions?

It is impossible for taxpayers to know what to do about their tax positions when they are confronted with complex provisions. I fear that the Government's choice of such complex legislation has added to the huge industry which the hon. Gentleman understandably believes might be more profitably and productively directed elsewhere in the economy. I wish that we could achieve the objective that he sets out.

I turn to what I believe to be the main point of the Bill. The Bill is supposed to deal with the mess which the Government have created. It is supposed to deal with the public sector borrowing requirement which has resulted from the recession being so deep and prolonged. Together with the earlier Finance Bill, the legislation involves the biggest tax increase in modern times. It provides a calendar of tax increases which will carry us through this tax year and into the next.

For example, there is an 8 per cent. and 17·5 per cent. value added tax on fuel. The Government should say now that they will not go to 17·5 per cent. VAT. They will not even help by providing measures which will ease people's problems in confronting fuel bills.

[Mr. Beith]

I have an Energy Conservation Bill which is due to be considered on Friday. Having said initially that they were in favour of the principle of the Bill, the Government have tabled more than 200 amendments in an attempt to block one of the measures which would help people to cut their VAT bills by using less fuel. The hon. Member for Esher (Mr. Taylor) is one of the culprits in this ludicrous attempt to block a very sensible measure.

The calendar of tax increases continues with the extra 1p on national insurance contributions. That is a particularly unfair way of extracting extra taxation because it starts at a lower level of income than income tax and stops at a low level. It imposes no additional taxation on those with higher levels of income and, as a result, it is borne most heavily by those with lower income levels. It is not a fair way of dealing with the Government's financial problems.

The Bill also includes the freezing of personal allowances and the reduction in mortgage interest tax relief and the married couple's allowance. Of course, I have argued for a phasing out of mortgage interest tax relief and have usually been bitterly attacked by the Conservatives for doing so. However, they are now doing the job for us and doing it more drastically than I had proposed because their plans will attack existing mortgage holders and are not being phased in for new mortgage holders.

The insurance tax will bear heavily on people who need to insure, especially because of the impact of crime in the cities. The increasing cost of premiums will mean an especially unwelcome addition to their bills at a time when we should be encouraging people to be insured against risk.

The airport tax will inflict particular hardship in the highlands and islands, where air journeys are often matters of urgency and not the luxury that they are in other parts of the country—they are the only way of getting somewhere quickly. The burden will be unfairly and unevenly distributed.

Where are these taxes going? They are not being used for investment or being spent on education. The Conservatives have not become converts to the view that high taxation is needed to improve public services; their view is that taxes are needed to pay for the mess that they have made. Under the Conservatives, taxes are high, but not because of the provision of better public services—they are high because of the mismanagement of the economy and of the prolonged and deep recession.

Mr. Forman: I cannot let the right hon. Gentleman's last remark pass without making an observation. He asked where the taxes were going and said that they were not being used for education. Spending per pupil is the right measure to use. I believe that education spending is now at the record level of about £30 billion across the United Kingdom, so he cannot sustain his argument.

Mr. Beith: The increase in expenditure arose from commitments made immediately before the election, not from the policy now being pursued by the Government. It is perhaps worth pointing out that state and local authority-run schools are having their budgets squeezed so that the Government's favoured projects—grant-maintained, opted-out schools—get extra assistance. Anyone who works in a school can provide ample evidence that schools are attempting to do a difficult and demanding job without sufficient resources. That is why we believe that it is essential to secure improvements in education spending. We told people during the election campaign that, if necessary, we would increase taxes in order to secure those improvements.

Mr. Clive Betts (Sheffield, Attercliffe): Has not the Liberal party's policy altered slightly? Instead of arguing for 1p on tax for education, the latest suggestion is 1p off income tax. That is very different.

Mr. Beith: The hon. Gentleman is correct. The Conservatives have increased taxes by the equivalent of 7p in the meantime and we have to bear that in mind. If we could possibly secure the additional spending without a further increase in taxation, we would of course do so because I fear that the overall effect of the new taxes will be to put recovery at risk. The Government have increased taxes by much more than we contemplated and, as the Chancellor admitted in his meetings with the Governor of the Bank of England, there is a risk that the increases will stall recovery. I certainly hope that we do not have to retain taxes at this level but that we can make use of some of the taxation to increase expenditure on education.

The Conservative party has become a high tax party for reasons of mismanagement, whereas the Labour party, curiously, appears to want to be seen as the low tax party. It is actively saying that taxes will be lower under Labour. The hon. Member for Blackburn (Mr. Straw) is trying to prove that point with the council tax figures and, at various points in our recent debates, it has seemed that that is what members of Labour's Front Bench wanted to argue.

The Chief Secretary was bitterly criticising Labour Front Benchers for their expensive amendments to the Bill, but I examined the amendments that we discussed yesterday. After a great deal of debate about how much Labour wanted to increase spending and investment in infrastructure, I found that Labour was seeking to afford relief of £100 a year to a company that built a railway. That is a derisory figure. Labour had tabled the amendment in question because it wanted to debate an issue without committing itself to a great deal of expenditure.

The Labour party is entitled to take whatever view it likes, but I believe that many voters who have traditionally voted Labour will tend to think that, if the party is not about getting better public services and, in some cases, having to pay a bit more tax for them, it is not about very much at all. It is very hard to imagine how one is to get people committed to a political cause in opposition to the traditional Conservative view if they are not offered the prospect of better public services and if it is not accepted that it may cost more in taxes to get those improved services. The Labour party may prove to be right, but I beg to differ.

Mr. Nicholas Brown: In fairness to the right hon. Gentleman's case, he should point out that, at the previous election, we offered modest tax increases funded by those most able to pay. We also offered modest improvements in public services, so we have not strayed quite as far from our agenda as the right hon. Gentleman suggests.

Mr. Beith: I endorse what the hon. Gentleman says. Modest improvements were offered, and some increases, which were not terribly well targeted, were also mentioned. As a result of that experience, the Labour party has now

decided that it dare not do the same again; it has decided that one must tell people that taxes will be cut, whatever one anticipates will really happen. The Government have proved that it can be done, but I hope that it cannot be done on a regular basis, that the Conservatives will not get away with it again and that the Labour party, were it to attempt so foolish a course, would not get away with it. One has to be honest with people and tell them that better public services may mean higher taxes.

Mr. Brown: I am not sure that I need to be advised by of all parties—the Liberal party to be honest with people. The great crime that the Labour party committed was to be honest about its tax policies before the general election. The Conservatives told lies about our tax policies and, as we now discover, also told lies about their own. It is a painful issue for me and my party and we do not need to be reminded of it by the right hon. Gentleman. The fact that we are not keeping a running tax and spending total in opposition to the Government's ever-changing tax and spending policies does not mean that we shall not put our case clearly and precisely before the electorate at the next general election, exactly as we did last time.

Mr. Beith: Let us wait and see. There is an interesting argument about how parties position themselves before elections. We certainly intend to go into the next election as we did into the previous one, telling people the truth if we believe that taxes might have to be increased. However, we do not know what the level of taxes will be when the next election campaign starts. We do not know whether the Conservatives will succeed in knocking 1p or 2p off income tax at the last minute, having taken a huge amount in taxation out of people's pockets in the meantime.

The Chief Secretary made much of inflation being low and retail prices holding, but he must recognise that it is in part a consequence of the slowness of recovery. Retailers are holding prices because they have to—they will not stay in business if they increase prices. The phenomenon of the continual sale has been evident in our high streets for a considerable time. In fact, there have been two phenomena in our high streets: the first is the continual sale and the second is the empty shop.

Very few of us represent constituencies in which high streets are not well supplied with empty shops or with shops on short leases to charities and in which the remaining retail premises are having to live by sales. While that is good news for the consumer, it poses the hidden risk that inflation will increase sharply if we ever reach the stage where retailers can start to recoup some profits. Smaller retailers in particular cannot go on indefinitely as they are: they are struggling to stay in business and make a living.

Inflation is a problem that will return and interest rate policy has to take account of that. I counsel those who think that a further 0.5 per cent. cut in interest rates at any moment will get the recovery moving to bear in mind the fact that there is a danger further down the line and that the efficacy of further interest rate reductions can easily be exaggerated. I am not saying that we could not achieve another small change at some point in the coming months, but we have to be careful, and we should not get over-excited about its effects.

Of course, any reduction would be offset by the effect on pensioners and those living on limited capital whose spending power has already been severely cut. Many of them were dependent on the rather high rates of interest that prevailed when they decided to move into a sheltered housing scheme, for example, and assumed a level of income that has not been maintained.

The Chancellor thinks that the Bill has put right public finances once and for all. Nobody believes that. The Treasury Select Committee poured cold water on that somewhat grandiose suggestion. But the Bill has changed once and for all the idea that the Conservatives can be relied on to hold down taxes or to keep their promises. When they promised to cut taxes, they knew that there would be a huge borrowing requirement, estimated at £30 billion, so they cannot have been serious even when they made the promise.

This is the longest Finance Bill ever. For taxpayers, its length is like that of the supermarket till receipt; the longer the piece of paper the bigger the bottom line, and the greater the cost to them. And what are taxpayers getting in return? They are getting years of neglect of the education system, of the transport system, of manufacturing industry and of the energy efficiency of our housing stock. When the Government are eventually bundled out of office they will leave an economy sadly ill-equipped for the future.

7.20 pm

Mr. Forman: As I listened to the Opposition speeches, I was reminded, slightly irreverently, of the parallels between what goes on in the House and what goes on at the opera. One parallel is the fact that it is never over until the fat lady sings.

Mr. Derek Enright (Hemsworth): She is in the other place.

Mr. Forman: We look forward to hearing the less than fat lady, indeed the slim and svelte lady, the hon. Member for Peckham (Ms Harman), singing to the House and to the country fully and frankly about the various commitments of the Labour party—commitments that have already, by implication, mounted up to spend more, to tax more and to borrow more.

The second feature that debates in the House have in common with opera is the fact that one frequently has to suspend one's disbelief. I certainly had to suspend mine somewhat when I listened to the hon. Member for Peckham and I am glad to have the opportunity to say a few pithy words about her speech.

The hon. Lady seemed to clothe Labour in the garb of a party of low taxation. She spent much time berating us for having put taxes up in the previous two Budgets. Yet let us examine the record of the most recent Labour Government—one has to go back a long way to find a Labour Government, but I must tell younger Members that there was one between 1964 and 1970 and another between 1974 and 1979. Older Members of the House—not you, of course, Madam Deputy Speaker—will recall that the burden of taxation was higher when both those Governments left office than it was when they came in.

The hon. Member for Peckham also seemed to say that, if the Labour party came into office it would be the party of low borrowing. She made a specious comparison concerning the public sector borrowing requirement, which the Chief Secretary to the Treasury challenged from a sedentary position. She took a definition of the PSBR that

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was wholly unknown to the Treasury when there was a Labour Government and considered central Government borrowing alone.

That definition of such matters may be used on the continent, but it happens not to be the definition traditionally used in this country. The hon. Lady contrasted it with the equivalent figure for central Government borrowing under the present Government—at least she was comparing like with like—and cast our position in what from her point of view was a favourably unfavourable light.

However, the Treasury works on the assumption that all public borrowing, whether it is done by local authorities—hence all the debate about capital receipts—by the remaining nationalised industries, or sometimes even by what are called quangos, counts towards the total of public borrowing. That is because in a sense a public guarantee stands behind all that borrowing. If the hon. Lady had drawn that comparison, her figures would have come out differently.

Mr. Ian Taylor: Does my hon. Friend conclude, as I do, that the hon. Member for Peckham wished to exclude local government debt because the bulk of it is incurred by Labour authorities that have never lived up to their responsibilities and tried to reduce the debt problem?

Mr. Forman: My hon. Friend is right. Much local authority debt is attributable to the spending policies of Labour-controlled authorities.

Mr. Betts: Is the hon. Gentleman aware that, under the current rules on local authority borrowing, local authorities can borrow only for investment, not for current expenditure, and that all that borrowing has to be approved by central Government, who must therefore share the responsibility? Is he aware that, when the Prime Minister was Chief Secretary to the Treasury, he produced a report on behalf of the Government advocating that certain elements of local authority expenditure, directly connected with their raising of taxation, should not count as part of the PSBR? Such a case is arguable, even by Conservative Members.

Mr. Forman: I take that point, but the hon. Gentleman will appreciate that my argument was about the historical record. I was talking retrospectively rather than prospectively.

The hon. Member for Peckham also sought to cast her party as the party of low and responsible spending. That same refrain has recently been taken up in the context of the local elections by the hon. Member for Blackburn (Mr. Straw). However, I could not help noticing in the newspapers recently that the shadow health spokesman, the hon. Member for Sheffield, Brightside (Mr. Blunkett) had made one vivid commitment—that the Labour party's aim would be to increase tax-financed spending on the health service to 7 per cent. of GNP. That is a nonsensical indicator. The great thing about spending on health is not only that it should increase but that it should be cost-effective, and that we should get the maximum possible patient care for whatever money the nation can afford at the time.

Finally, and rather incredibly—this goes back to my theme of the suspension of disbelief—the Labour party has made a stab at presenting itself as the party of low inflation and responsible management of the economy, were it ever to be in government. Yet again, I could not help noticing a recent commitment to a statutory minimum wage of £4 an hour, which I have not heard officially denied by the hon. Member for Dunfermline, East (Mr. Brown).

Mr. Nicholas Brown: Let me officially deny it now.

Mr. Forman: That shows how helpful Back-Bench speeches can be. They can elicit a little more clarity on the evolution of Labour policies.

The Labour party claims to be the responsible party of low inflation. However, I cannot help noticing that, over the past two years or so, for the duration of this Parliament and slightly longer, every time that it has been prudent and possible for the Chancellor of the Exchequer of the day, on the advice of the Governor of the Bank of England, to cut interest rates—after all, they have fallen substantially, from 15 per cent. to 5.25 per cent.—the Labour party's response, either from the Leader of the Opposition or from the shadow Treasury spokesman, has been, "Not enough; it should have been a point more." As a policy that could be presented credibly to the markets as a policy of low inflation, that beggars belief.

On all those counts—taxation, borrowing, spending and the safeguarding of the nation's finances in terms of controlling inflation—one has to suspend one's disbelief when one listens to Labour party spokesmen, so the experience has a great deal in common with a night at the opera.

To make my second broad point, I again speak as the parliamentary adviser to the Institute of Chartered Accountants in England and Wales. Hon. Members who read the briefing material that the institute supplied to the Standing Committee will know that its main argument this year, on behalf of most people in the profession, did not concern matters of detail. I confess that the institute was somewhat exercised about what was then clause 241, which the Government wisely, and with all-party approval, withdrew. However, the institute's main point concerned the interminable and unacceptable length of the Bill, its opacity and the fact that it is inherently too complicated.

That argument comes from the practitioners, who have earlier been described as cashing in on the benefits of complexity and opacity in financial legislation. If even they make that point, one must admit that it is an altruistic and sensible statement, which the Government should heed.

Mr. Stern: My hon. Friend should not be blinded by the strength of his support for the institute that briefs him. As a practising chartered accountant, I assure him that it is possible to have it both ways.

Mr. Forman: I have no doubt that clever professionals tend to have things both ways. I refer not only to the accountancy profession but to other walks of life; I have no doubt that the same is true of lawyers and doctors. I stand duly corrected by my hon. Friend the Member for Bristol, North-West (Mr. Stern); perhaps I should call him my hon. and learned Friend on such matters.

I have a serious point about fiscal policy in the medium to longer term. It is a point that I made on Second Reading in broad terms and I do not apologise for going back to it because I believe that it bears repetition. In the medium to longer term, by which I mean in the next Parliament, when we shall still be on the Government Benches and the

Opposition will still be over there, we shall need further to broaden the tax base. That is a very important point. At the same time—this is the concomitant point—we shall need to lower our rates of tax, especially in terms of income tax and VAT. Those are the two sectors in which I should like to see lower rates of tax.

In case Opposition Members think that they must suspend disbelief when they hear me say that, I shall explain briefly how those lower rates of tax could be achieved. On income tax, hon. Members will know that the cost of tax allowances, or tax expenditures, is colossal. The Government are to be commended for making a small range of attacks on those tax expenditures in this and previous Budgets. That trend should be continued.

What hon. Members may not know so well is that, were a future Chancellor or, indeed, the present Chancellor, who I hope will do this in a future Budget, to take the bold decision dramatically to extend the base of VAT so that it covered all forms of consumer expenditure—a point that I have argued on the record on previous occasions—it would be perfectly possible, as I shall show when I give hon. Members the figures, to move to a standard rate of VAT of 15 per cent., instead of 17.5 per cent. as it will be from April next year. At the same time, it would be perfectly possible to introduce a starting rate of VAT on the real essentials of 8 per cent., which would be analogous to the multi-rate structures that our partners in the European Union have.

It would be possible to make such a change in such a way by broadening the base and by cutting the rates so that some of the items now covered at 17.5 per cent. would be covered at 8 per cent., which would constitute a cut in the rate of VAT. Other items that are now zero-rated or exempt would come in at 8 per cent. The standard rate would come down from 17.5 to 15 per cent. The net effect of that package, when run through the Treasury model, as she is called, would be a net gain to the Exchequer in the current tax year of between £5 billion and £10 billion. That would be very useful revenue for my right hon. and learned Friend the Chancellor in his efforts further to close the public sector borrowing requirement.

Ms Eagle: Will the hon. Gentleman remind the House why the rate of VAT went up from 15 to 17.5 per cent in the first place? If he does not care to do that, I remind the House that the reason was the gross waste of public money that the poll tax and all the disasters that accompanied it represented in terms of losses to the Exchequer.

Mr. Forman: The hon. Member for Wallasey (Ms Eagle) is being very kind; she is intruding into private Tory grief on this point. I do not wish to rake over the coals, to mix my metaphors. She, I and the House know that the reason for the increase was that the party got into a bit of a mess over what was called the poll tax. It was wise, timely and necessary for the then Chancellor, my right hon. Friend the Member for Kingston upon Thames (Mr. Lamont), to switch the burden to VAT. However, that is not to say that one cannot take a different view of those matters as the years go by.

We have a better alternative in the shape of the council tax, which is an improvement on the poll tax in many respects. What is more, as we manage the nation's finances prudently in future, as we have done in the past, it should be possible to make the rather bold reforming changes to the tax structure that I have just sketched out.

I shall put on record two or three reasons why the changes that I have just recommended for the medium to longer term are necessary and make sense. Those reasons are based on realism rather than on pie in the sky. The first reason, to which other hon. Members have alluded earlier today, is that in the world of global capital movements and instantaneous financial transactions, there is increasing competition, as the hon. Member for Ashfield (Mr. Hoon) said, between national tax authorities.

That is one of the realities of the modern world which has a secular tendency to drive down rates of taxation, especially marginal rates—it may even drive down average rates of taxation as well. That is a healthy development because it means that people have to seek better and better value for whatever public expenditure they can afford to finance through taxation. The more that it can be honestly financed that way rather than on the back of public borrowing, the better.

The first reason, therefore, why it is necessary to make the strategic reform that I recommend is that, with the growing competition between national tax authorities, especially the competition affecting taxes on income and capital, it will be strategically necessary for the present Chancellor and future Chancellors to find a variety of ways in which to make our taxation regime, especially on those two items, as attractive as possible internationally.

More and more of those forms of tax will essentially be voluntary taxation. In other words, in the world of mobile investment, mobile corporate decisions and mobile high net worth individuals, people will be able to decide to situate here rather than there on the basis of the tax regime that applies.

My second reason is topical because something that the Trades Union Congress said about changes in the labour market was reported in the press today. What we see now and shall continue to see—incidentally, a similar point was made in yesterday's debate on child care by Opposition Members—is a gradual erosion of the income tax base because of the relative decline of full-time paid employment. Opposition Members know that better than most people do. There has been a relative growth of part-time and casual employment, and of self-employment.

The figures are interesting. As the hon. Member for Edinburgh, Leith (Mr. Chisholm) did yesterday, I shall pull some figures out of my pocket. Our population is 56 million people. Some 31 million of those 56 million people are not in work for very good reasons; they may be pensioners or below the age of employment. Some 3 million are registered as unemployed—these are round figures—and 1 million people would like a job if they could get one, but have more or less given up the hunt.

Those figures leave 25 million people in work, of whom 3 million are self-employed. Some 6 million are in part-time work, which leaves 16 million people, out of my total of 56 million people, who are in full-time work as employees and who contribute to the Revenue in the classic way that has been the case since 1944 and the days of Sir Paul Chambers. They contribute through PAYE—pay as you earn—with the employers doing the bulk of the tax collection work on behalf of the Revenue.

Those figures mean that fewer than one third of the total population are being required largely to support the rest of the population, whose needs are varying, through the auspices of tax and national insurance. That suggests to me a greater need to consider my third reason for making the change to which I have referred—the move towards the

[Mr. Forman]

kind of expenditure tax system recommended some time ago by Professor Mead. That system takes account of the erosion of the income tax base and is much better tailored to capturing revenue when, increasingly, potential revenue is escaping the tax authorities because of the black economy, the tendency for people to consume and the need generally to maximise the tax take from a shrinking tax base.

Mr. Stern: I cannot let my hon. Friend get away with what he said a couple of minutes ago. It is neither fair nor proper to suggest that the 6 million self-employed people do not provide a significant proportion of the tax and national insurance that the country needs. That was what my hon. Friend, no doubt inadvertently, implied.

Mr. Forman: I did not intend to make that point. I am grateful to my hon. Friend for clarifying the matter. I was saying that the bulk of taxation, especially on income, as my hon. Friend knows better that I do, comes from people who pay income tax, and national insurance of course, at the standard rate. About 95 per cent. of all taxpayers, as my hon. Friend knows, pay only at the standard rate and not at the higher rate, whatever it may be. Therefore, those arrangements, which have grown up since the days of Sir Paul Chambers in 1944, are still the bedrock of the buoyancy of our revenue generated on the income side.

My third argument in favour of moving gradually—the Government have already begun—towards an expenditure tax model for the tax system is that it has an in-built bias in favour of investment and savings as opposed to consumption. Many hon. Members, including, I suspect, some Opposition Members, think that we need more of an investment bias in our economy over the next phase of the recovery. Indeed, there are many signs from the current degree of re-stocking that that investment bias is now taking place and we are glad about it.

In a nutshell, whatever fun we may be able to have at the expense of the Labour party—I am sure that we may have some sport—and whatever may be the shortcomings from a technical point of view of the enormously long and complicated Finance Bill, nonetheless, in the Budget, which is after all the reason for the Finance Bill, the Chancellor took the right and responsible decision to give priority to closing the public sector deficit. That will happen not in one year but over several years. He did it at the right time and in the right way and I pay tribute to the Finance Bill.

7.41 pm

Mr. Enright: During the speech of the Chief Secretary to the Treasury, I was reminded of nobody so much as the Emperor Caligula—not because of his coiffure or his attire, although those indeed rival the appearance of the emperor—

Mr. Hoon: It was because he made his horse a consul.

Mr. Enright: I was not reminded of Caligula because, as my hon. Friend has just said, the Chief Secretary made his horse a consul, although he has a considerable number of asses working for him in the Treasury. Indeed, when the right hon. Gentleman took on the hon. Member for Lancaster (Dame Elaine Kellett-Bowman) as his special adviser, he instantly doubled the IQ of the Treasury.

Where the Chief Secretary reminded me most of the Emperor Caligula was in his fiscal policy, because it was the Emperor Caligula's aim to go forth, to tax and increase taxes and spend them not on the good of the people, but on the good of himself and his friends. That is precisely what has happened. In excusing himself, the Emperor Caligula regularly gave specious reasons why he had to impose the taxes for the grandeur of Rome, and also regularly pointed out how much better he had been than the excellent Emperor Tiberius, which was not at all true.

If one considers the claims of the Government, we discover that they are quite false. We may always take a three-month period or a six-month period or a one-year period and extrapolate from them something which is reasonable, but let us consider a ten-year period and find out how the United Kingdom compares with the leading industrial countries.

The average UK unemployment over 10 years is the highest in comparison. Its growth rate is the lowest. In terms of inflation, only Italy is higher than the United Kingdom. In terms of high interest rates, again only Italy exceeds the United Kingdom. In terms of exports, the UK is the lowest.

There are two areas on which the Government have especially concentrated, and one has been inflation. Therefore, one would expect that Italy had done even worse than the United Kingdom over those ten years, but that is not the case. Italy's employment record, its growth record, its export record and its expenditure record are all better than the United Kingdom's, and Italy is scarcely a model of good government. Yet Italy outstrips us over 10 years, which says something about the depths into which we have fallen.

The hon. Member for Ludlow (Mr. Gill) talked about a brand image. A brand image is what one presents to customers. To objective customers, the Government look cheap and tawdry. They are an imitation of that which they would be like to be; an imitation of honesty, an imitation of looking to the long-term future, and a complete failure in so doing.

The little discussion among accountants on the Conservative Benches was interesting, because one of the great bugbears of British manufacturing industry has been that accountants have taken control of boards, and, simply for short-term financial reasons, have destroyed great swathes of manufacturing industry. They have served the country ill in their commanding position. Accountants are essentially the handmaidens, they are the servants and, too often, they have become the bosses. That fact was mirrored in the speech of the otherwise humane Member for Carshalton and Wallington (Mr. Forman).

Ms Eagle: Does my hon. Friend agree that the startling fact that one quarter of all the accountants in the European Union come from the United Kingdom bears out some of the points that he is making about the deadening effect they have on our manufacturing industry and our ability to compete in the modern world?

Mr. Enright: I am grateful to my hon. Friend for making that point. I must confess that it is not something that I had dwelt on in those terms. However, it is true that service industries can be creative and constructive, but too many of our accountants are precisely the opposite.

Mr. Forman: Will the hon. Gentleman give way?

Mr. Enright: Of course I shall give way to the hon. Gentleman.

Mr. Forman: I rise to intervene in the hon. Gentleman's speech simply because of my known connection with the accountancy profession, to which I do not think that he can attribute the relative decline of our manufacturing industry over a long period. Indeed, the decline in employment in manufacturing goes back to 1964. There are many other reasons for the decline, which are to do with the state of industrial relations and with the growth of competitiveness in other countries. He travesties the position to pretend that it is attributable to the accountancy profession.

Mr. Enright: I hear what the hon. Gentleman says, and I would not wish to say that all accountants are in the same boat. Nevertheless, it is true that certain attitudes of management in British industry have been responsible for its decline.

One only has to work on the continent—one sees it starkly in Africa—to see that the quality, not of all British industry management, but of too much of it, is very poor. That problem has not been addressed by the Government: by the Department of Employment or by the Department of Trade and Industry. It is a matter of serious concern, which should be addressed. We need a whole variety of training, but training in management at all levels is crucial. We do not do it well, as they do on the continent, and it is most certainly not done as well as in the United States and in Japan.

I shall not only consider the cash, the pennies, the awesome sums that are produced, but consider a little the humanity which should be behind our fiscal and financial policy.

Conservative Members regularly say that the whole question of a minimum wage will drag us down as a country. I find that an extraordinary statement. I have believed since my early youth, because I was taught it, that there is such a thing as a just wage, and that it is right in society to fight for a just wage. If a minimum wage is not a just wage, I do not know what is.

It is quite wrong to say that industry cannot manage a minimum wage. Why not? Industry elsewhere does. Industry in Germany does. Every single company that has come into the country manages to produce what would be the equivalent of a just wage.

Mr. Forman: Did not the hon. Gentleman hear the hon. Member for Newcastle upon Tyne, East (Mr. Brown), speaking from the Opposition Front Bench, respond to my observations by saying that what he is saying is not Labour policy?

Mr. Enright: On the contrary, I listened carefully to what my hon. Friend said. I might have jumped on him if he had said something deadly wrong in moral terms. In fact, he did not do so. He said that we, the Labour party, refused to quantify a minimum wage.

Mr. Forman: No.

Mr. Enright: My hon. Friend said that it was not £4. That is extremely important.

It is about time that the Secretary of State for the Environment and the Under-Secretary of State for Employment, the hon. Member for Maidstone (Miss Widdecombe), who have recently joined the Church of which I am a member, stopped choosing a la carte. The teaching of a minimum wage and of consultation of trade unions or appropriate bodies has been the morality, not the policy, of the Catholic Church, going back to Pope Leo XIII and "Rerum Novarum". It was reaffirmed by "Quadragesimo Anno".

I see that the hon. Member for Harrow, West (Mr. Hughes), the Government Whip, is shaking his head. Pope Pius XII, who can scarcely be accused of any leftist, let alone communist, tendencies, attended the foundation of the European Coal and Steel Communities treaties and made a speech in which he said specifically that trade unions were an important part of the consultation process, and that the future development of industry depended on consultation with workers' representatives. That is extremely important.

Pope Pius X11 said that the treaty was not solely about economics, and not simply about the trade of certain commodities, but about bringing justice towards ordinary people, health and safety at work and treating human beings with the dignity they deserve. It is about time we reminded ourselves of those basic moral values. Hon. Members may put them aside if they wish—I most certainly will not do so—but I shall not have them sneered at by Conservative Members.

German industry, a good deal of American industry and Japanese industry are able to observe moral edicts of the sort that I have described and still be profitable. Surely it is common sense that any company that wishes to be successful should take on board its work force, should have it going enthusiastically along with the company, should be consulting it about the future, and should be consulting it about deficiencies.

Mr. Ian Taylor: I am intrigued by the use of papal infallibility to bolster a Labour party policy. In hard terms, however, the reality is that, if we are to have a minimum wage, the state must bear in mind the fact that, ultimately, it may have to subsidise a higher level of unemployment, because entry into work is often barred because companies cannot afford that minimum wage. The alternative is to subsidise companies to take on someone and to pay him the minimum wage. Is that not precisely what France is now experiencing, with all the troubles it faces with high youth unemployment because of a minimum wage?

Mr. Enright: The hon. Gentleman is normally much more intelligent and perceptive than that. First, it is not the policy of the Pope and infallibility. The Labour party came a long time after that. I ask him to cast his mind back—assuming that he was taught religion properly—to the Acts of the Apostles. They held all their goods in common and gave to each according to each as had need. That is a fair principle. I think that it was taken up by Karl Marx, or someone like that. If the hon. Gentleman considers the description of the early Christian community, he will find similar words in his New Testament.

I suggest that the second part of the hon. Gentleman's intervention was even further out of line—his suggestion that a minimum wage would make unemployment much worse. For 15 years, the Government have set their face against a minimum wage. They have asked us to accept that they are wonderful in their deregulating exercises. In fact, they have quadrupled unemployment. I need no lessons in reducing unemployment from Conservative Members. Their approach is an absurdity.

[Mr. Enright]

There is more than one absurdity. A Minister from the Department of Employment talked in European Community Standing Committee B about child labour. That dreadful dragon of a Commission was proposing that we contain the number of hours that children work. He complained about that. He seemed to be saying that children should be allowed to work all hours. In one way or another, he seemed to suggest that they should be open all hours.

The next day the Secretary of State for Education was telling us about the problems of truancy, and how we can solve them. I can say without any doubt that a large proportion of truancy or unauthorised absence from school arises because children are doing milk rounds or paper rounds. They are the same students who often go to school and fall asleep. They do not absorb the basic elements. We must keep a balance, instead of resisting every proposed change.

The Government, by their fiscal and financial policies, are shoving us into a real poverty trap. They cannot complain about the breakdown of the family if their policies are almost deliberately designed to destroy the family.

The hon. Member for Carshalton and Wallington said that, if value added tax was 15 per cent. throughout and we then sliced off income tax, the result would be much fairer, more reasonable and simpler. It is clear that he is not aware of what has happened to families in my constituency.

The pits having been deliberately put out of business by the Government, most of my constituents rely on low-wage jobs. Some of them are paid £80 a week. I have in mind especially an industrial estate. I went to the factories within it to ascertain what they paid for a standard 40-hour week. I found that they were paying £80, £100, £105 or £115. The wages were hovering at those levels.

How do people pay the taxes that are so heinously demanded by the Government if they are on those low wages and bringing up a family of four? No one can do that. The result is destructive. The consequences lead to crime and the cause of crime. It is true that not all kids commit crime, but it does not surprise me that many of them get into criminal situations.

We need an education for skills and ideals. It should not be one that is utilitarian and materialistic. We need education that teaches people to think beyond the 5p, 10p or £2,000 that they claw unto themselves without thinking about the morality of doing so.

We need also an integration of various policies. There appeared today before the Select Committee on European Legislation a note written by the Minister for Energy, a well-known intellectual. He wrote that the European policy on energy is not acceptable to the United Kingdom. What is that policy? The rest of Europe is saying that there is a requirement to integrate social and energy policies. That is clearly true, but that did not happen with the closure of the pits.

We shall be left, because of the short-sighted way in which the Treasury team conduct our country's policy, reliant upon external sources for our energy by the turn of the century. At the turn of the century, when every expert from the United States, Japan, Africa or wherever points out that the main source of energy will once again be coal, the pits have been shut down. Misery has been created, and the public sector borrowing requirement has been created by the Government. People will go cap in hand to get their money from employment exchanges which no longer have the ability to employ.

The Government are absolutely encapsulated by what Ian Byatt said last night. Ian Byatt, who is supposed to protect the customers of water, was asked: "To whom are you responsible?" He did not say the customers; he did not even say the companies; he said the City. That is the sort of morality that is preached by the Government. I was shocked by the reply. It is the reason why, if the Government had any sensitivity, they would sack him at once, and all the people he has appointed.

The country has the skills, the people, the resources, and the resourcefulness to solve its problems. What it needs is leadership. The Government offer none.

8 pm

Mr. Stern: I shall not attempt to follow the hon. Member for Hemsworth (Mr. Enright) in the wide-ranging nature of his speech, except perhaps to say that in view of the fact that he was bandying Christian doctrine across the Floor of the House—I can take a fairly detached view as I come from a somewhat older religion than Christianity—his remarks about accountants were peculiarly un-Christian.

Mr. Enright: Of course, I withdraw, in that like all Christians, I should love sinners more than anyone else.

Mr. Stern: Naturally, I accept that apology.

In some fairly brief remarks, because I know that some of my colleagues also wish to speak, I shall concentrate on one aspect of the Finance Bill which has been the most important to me, namely, the technical changes that have been introduced.

This has been a far-reaching Bill in terms of changing the structure of a number of areas of taxation which go back right to the dawn of income tax and which the Government have rightly and extremely bravely taken on and changed. I am referring both to the preceding year basis of assessment for income tax which has been around as long as anyone can remember and which the Government now propose to bring to an end, and the method of assessment, which will bring us into line with many more successful systems of assessment and collection of tax.

I congratulate my hon. Friend the Financial Secretary on introducing the reforms, despite a barrage of criticism both as to the manner of the reforms and their form. I shall deal briefly with both of those aspects.

The Finance Bill, of which we are now seeing the final stage, has been criticised—and in many respects rightly—for its length. It is the longest Bill that we have seen recently. I only hope that it is not a prelude to a longer Bill next year. As was pointed out in Committee, one of the reasons why it was such a long Bill was that it attempted to rewrite large sections of taxation legislation, rather than simply amend it. In doing so, it incurred a large amount of criticism from professions such as solicitors and accountants not for the fact that it attempts to make changes but for the manner in which those changes are made.

Those criticisms are largely unfair because it seems that, if a root-and-branch reform of a whole system of taxation is being attempted, it is much more helpful to set out the

new law in different terminology and in a completely unified set of precepts than to attempt to pander to those who are used to one set of terminology and language and who wish to see the reform appear to be part of the previous system, rather than something totally new.

I noticed that my hon. Friend was criticised by someone for whom I normally have a great deal of admiration—the president of the Institute of Taxation. He criticised my hon. Friend for the changes in language and the length of the new measures that have been introduced. I should point out to my hon. Friend that the president of the Institute of Taxation is a well known and highly respected solicitor. It is not perhaps surprising that a member of the legal profession should object to changes in terminology which cause changes in the patterns of thinking in that profession.

As someone who was trained more in the use of mathematics than wording, I agree with the principles perhaps first set out by Professor Whitehead in "Principia Mathematica". He pointed out that all words are merely an expression of a different aspect of number. Therefore I find it much less difficult than the president of the Institute of Taxation to accept the new concepts and the new terminology introduced in the Bill in terms of setting out a working system for the impact of income tax on most people for most of the rest of their lives.

Mrs. Anne Campbell (Cambridge): I am grateful to the hon. Gentleman for giving way because I am listening carefully to what he is saying. Does he agree that it is not so much the wording of the legislation that is being objected to as the complexity of the additional taxes being introduced in the system? The previous Chancellor, to give him credit, tried to streamline the system and make it simpler for those who had to administer it. The real problem is that a number of new taxes have been added without any attempt to simplify or streamline the system. That shows that the present Chancellor does not have a grasp of what he is saying.

Mr. Stern: I am grateful to the hon. Lady, but she has misunderstood my point. Of course, she is entitled to make her point in her own way on those parts of the Bill that I was not discussing if she succeeds in catching your eye, Mr. Deputy Speaker. The part of the Bill that I was discussing related to the changes being introduced in terms of self assessment and the current year basis of assessment, to which the hon. Lady's comments do not apply. We are not talking about—this is the point that I was making—the complexity of language; we are talking about an entirely new concept being introduced in new terms. That is what I was congratulating my hon. Friend on, and the provisions in the Bill will be much longer lasting as a result.

Having examined the new system of law, I shall turn to an area which my hon. Friend and I discussed in Committee with regard to the change to the current year basis of assessment of income tax. As I pointed out, and my hon. Friend agreed in Committee, the changes introduced in the Bill were incomplete in one respect in that it was necessary to give an early indication of the new anti-avoidance provisions to complete the new pattern of current year assessment.

In Committee, my hon. Friend gave an undertaking that as new businesses are already subject to the new system of assessment introduced in the Bill, it was necessary to give at least an early indication of the new anti-avoidance provisions. I hesitate to remind my hon. Friend that he gave an undertaking to issue a consultative document before the end of the fiscal year; he missed, but not by much. I am grateful to him for at least making the attempt.

I am a little worried about the consultative document that my hon. Friend has published. The anti-avoidance provisions which have now been published as a consultation document rely rightly on a number of triggers to come into effect. However, they seem to repeat an error, which my hon. Friend admitted in the debate on what was then clause 240 of the Finance Bill—to confuse evasion and avoidance.

I shall briefly remind the House that evasion is illegal and is to be stamped on at every opportunity, but avoidance is perfectly legitimate and has been praised by judges on many occasions. It has always been accepted that it should never be a target for penalty by the Inland Revenue, yet in the anti-avoidance provisions which my hon. Friend has now published, it seems that he is proposing to depart from that principle.

One of the triggers which is proposed in the anti-avoidance provisions is the shifting of profits into the year in which only half are effectively assessable. It is proposed under the anti-avoidance provision that the remedy available to the Inland Revenue will effectively be to tax those shifted profits at an effective rate of a maximum of 60 per cent. The profits will be taxed fully in the year in which the Inland Revenue says they should have been, and by 50 per cent. also in the year in which they appear.

This to me is a wholly inappropriate and unsupportable aspect of tax to prevent avoidance. It is a tax determined after the event, and often as a result of disagreement, and is purely to prevent something that is perfectly legal in the first place.

All the other anti-avoidance provisions which my hon. Friend is proposing merely restore the status quo. They restore taxation to what it would have been if the attempt to avoid tax had not taken place. I ask my hon. Friend sincerely to look again at the one area of anti-avoidance which I have highlighted because what is proposed in the document which has been published is a wholly unacceptable penalty for a perfectly legitimate action.

It will take some time for the new proposals to bed down. I have no doubt that, as in so many other areas of major tax reform, there will be changes to be made in future Finance Bills. It would be foolish to accept that that will not happen. I conclude my brief comments as I started, by congratulating the Government and, in particular, my hon. Friend the Financial Secretary, not just on attempting a major reform which has been long overdue, but on carrying it through in this Bill and, so far, apparently carrying it through with great success.

8.13 pm

Mr. Hoon: I will not follow the comments of the hon. Member for Bristol, North-West (Mr. Stern); suffice it to say that I think George Bernard Shaw said:

"All professions are conspiracies against the laity."

I know that that applies to accountants, but I am sure it does not apply to lawyers.

In the course of many interviews which the Chancellor gave in the immediate aftermath of his Budget, he emphasised that he did not want to be one of those Chancellors whose Budgets are rapturously received at the time, only to prove—as the details were examined more carefully—to be a Chancellor whom history would recall

[Mr. Hoon]

got it wrong. He did not say so specifically, but perhaps he was thinking of Lord Lawson's giveaway Budget which helped the Conservatives to win a general election, but for which, arguably, the country has been paying ever since.

It already appears that the Budget embodied in the Bill —when it is examined in detail by the electorate—is proving to be as damaging to the interests of the country as Lord Lawson's Budget. Despite the Chancellor's warnings to himself, he seems to have proved to be a Chancellor of short-term popularity only.

At the time of the Budget, he appeared to be at the height of his popularity, certainly with Government Back Benchers, in what we could describe as the "Who will succeed the Prime Minister?" handicap stakes. Tory Back Benchers waved their Order Papers like successful punters celebrating a visit to the winners' enclosure. Unfortunately, we cannot re-run history, but it is difficult to see that such a rapturous reception would be given to the Budget today if that speech were to be delivered again.

Indeed, most political commentators appear to date the decline in the prospects of the Chancellor succeeding the Prime Minister from the date of the Budget speech—a speech which, of course, led to the biggest series of tax rises in our history. If the support which we have heard from Government Members is reflected in the country, why have the prospects of promotion for the Chancellor of Exchequer been seriously diminished? After all, the electorate which will choose the next leader of the Conservative party is on the Government Benches. If they are so enthusiastic about the Chancellor's Budget, why have they appeared to withdraw their support from the person who is responsible for it?

I shall be grateful if whoever succeeds me in the debate addresses that argument, because there appears to have been a serious loss of confidence in the Chancellor's prospects among the parliamentary Conservative party. Conservative Members will decide whether the Chancellor succeeds the Prime Minister, and they must do so presumably on his record as Chancellor. They appear to support the Budget, but they do not appear to be enthusiastic any longer about the Chancellor becoming the Prime Minister.

Could it be that, up down the country, their constituents are giving them a barrage of criticism about the effect of this Budget on their financial circumstances? Could that be influencing the minds of Conservative Members when they think about who they would like to succeed the Prime Minister?

The Third Reading debate gives us the opportunity of considering whether the fears of my constituents—and, I know, those of other hon. Members across the country—are justified. The House has been able to examine in detail in the period since the Budget speech whether the Chancellor's warning to himself was justified. We have had opportunities since the Budget speech, in Committee and now at Third Reading of determining the precise effect of the Budget. What is our verdict and how has the Budget already affected the country's economy?

I suggest that we begin by looking at the Bank of England's quarterly survey which was published at the beginning of the year. The survey noted that the main force then driving the recovery was consumer spending. It follows that that is dependent upon consumer confidence. The Government's claims for a recovery at that stage were set out in the figures for January which showed that retail sales were up by 0.6 per cent. over December, and indeed were 3.5 per cent. higher than in January 1993.

All the indicators now show, as people have begun to appreciate the impact of the Budget on their personal finances, that consumers are significantly less confident and that the consumer-driven recovery is stalling, if it has not already stalled. We have some up-to-date evidence of the attitude of consumers towards the present state of the economy.

A Gallup survey of consumer confidence which was conducted on behalf of the European Commission in the first two weeks of April was published this week. The poll showed that consumer confidence has fallen close to the second lowest level recorded in the 14 years since the poll was established. The results show that only 15 per cent. of those polled said that they expected their household finances to improve during the next year, with 45 per cent. predicting that they would be worse off. That is a negative balance of some 30 per cent.—similar to the 31 per cent. negative balance in March 1990, just as the economy went into recession. That was the second lowest figure ever recorded by that polling organisation.

Gloom about household finances seems to reflect also gloom about the country's general economic prospects. In the same poll, 43 per cent. of those surveyed were pessimistic about the country's economic prospects, compared with 21 per cent. who were optimistic. That is negative balance of 22 percentage points.

In the context of a Third Reading debate about the impact of the Budget, it is interesting to compare the position in the last two weeks of April—when 22 per cent. of opinion was negative—with that in January, immediately after the Budget and perhaps before its impact had settled in. Then, the number of optimists equalled the number of pessimists. There has clearly been a significant collapse of consumer confidence since the Budget, and that survey suggests, along with other evidence, that the tax increases contained in the Bill are to blame.

Consumer confidence was actually rising in the last quarter of 1993, before the publication of the Chancellor's Budget proposals. As the details of those proposals have sunk in, however, and people have begun to appreciate the consequences for their personal finances, there has been a rapid and significant decline in that confidence.

This week also saw the publication of a CBI survey showing that retail sales growth exactly reflects the loss of consumer confidence. It is likely that in March, for the second month running, sales were broadly level—or only slightly up after a decline in February. The CBI survey has precisely tracked the level of confidence tracked by Gallup in relation to individual consumers.

If Conservative Members are not satisfied with either the evidence of their own constituents or that of the surveys that I have mentioned, particularly the Gallup survey, perhaps we should examine what is arguably the most authoritarian view—I am sorry; I meant authoritative. [*Laughter.*] When hon. Members hear who is involved, they will realise that that may have been a Freudian slip.

The most authoritative view of the state of the economy resulted from a survey of one: the occupant of No. 11 Downing street. We now know what the Chancellor of the Exchequer really thinks about the state of the economy, as a result of the welcome publication of the minutes of his monthly meetings with the governor of the Bank of

England. Those minutes reveal a private view of what is happening in the British economy that is significantly at variance with the Chancellor's public pronouncements.

In January, when the Chancellor was publicly proclaiming the benefits of economic recovery and growth arising from his Budget, he was privately telling the governor of the Bank that

"He himself was much less sure that the pace of growth had picked up significantly in recent months".

He went on to admit that

"In addition, the Budget measures were likely to cause activity to slow".

To be fair to the Chancellor, he has remained consistent: in the March meeting, he indicated that anecdotal evidence did not suggest that activity was growing strongly. However, that too is at variance with what Treasury Ministers have said about the state of the economy during our debates. They have suggested that the recovery is well established, and that the Budget certainly did not contribute to any slowing of activity or anything approaching a stalling of the economy.

The overall message given in private by the Chancellor to the governor of the Bank of England suggests that, in reality, he is not very confident about growth and recovery. Indeed, the general theme of the minutes for January, February and March is the necessity to stimulate recovery by lowering interest rates. The essence of his debate with the governor is this: the Chancellor is not very optimistic about the state of the economy and feels that it is necessary to reduce interest rates, while the governor is concerned about the impact of such a reduction on inflation.

Mr. Willetts: It is a great pity that, when the Government make a significant move towards greater openness in the discussion of economic policy, all that we hear is a selective quotation from minutes in an attempt to make implausible party political points. The main message from those discussions is clear. Let me quote from the minutes of the March meeting:

"there were no signs of a pause in growth."

That was the clear consensus of the Bank of England and the Treasury. It is a shame that the hon. Gentleman, having welcomed the publication of the minutes, should then try to misinterpret them.

Mr. Hoon: I am sorry about that. Inevitably, all quotations from a long document will be selective—the hon. Gentleman would rightly protest if I tried to read out the minutes in full—but I do not accept that I have represented the discussions unfairly. In essence, the Chancellor expressed the view that recovery was not well established and was not developing, and that interest rates should therefore be cut; the governor of the Bank of England replied that, although that might be so, lowering interest rates at that stage would incur the risk of higher inflation. I consider that a fair summary of the debate that took place.

Mr. Dorrell: The hon. Gentleman has referred to the "essence" of the minutes. Surely the essence of the minutes of any meeting is contained in the conclusions, on which both my right hon. and learned Friend the Chancellor and the governor of the Bank of England agreed. The various minutes set out those conclusions, which represent the combined judgments of the two people involved. If the hon. Gentleman wants to arrive at the "essence" of the meeting, let him refer to the conclusions, which were agreed and acted on.

Mr. Hoon: They were acted on to the extent that there was a modest change in interest rates during the period concerned, and there is currently considerable speculation about the possibility of further changes. That precisely tracks the developments in the course of those meetings that I have tried to set out. How we interpret the minutes is a question of judgment; I certainly do not feel that I have misled the House in any way in my representation of what took place.

The evidence that I have cited—the conclusions of the Gallup and CBI surveys and, indeed, the private view of the Chancellor of the Exchequer—suggests that the tax rises announced in the Budget will pose significant problems for any further growth in the economy this year. They are clearly to blame for the collapse of consumer confidence, and that in turn will lead to a slowdown in the recovery. That is why I began by quoting from the Bank of England's quarterly survey, which suggested that the Government's strategy was based on an improvement in consumer confidence.

Such an improvement appeared to be under way in the earlier part of the year, and there were some statistics to support that; now, however, those statistics seem to have disappeared, and consumer confidence—the real test of the Government's strategy—has collapsed. As the figures confirm, that is a direct consequence of the way in which the Government have raised taxes at a critical point in the health of our economy.

8.27 pm

Mr. Ian Taylor: This has been a wide-ranging debate. If I heard him correctly, the hon. Member for Hemsworth (Mr. Enright) called in aid the emperor Caligula and various popes, all of whom occupied Rome —although, I suspect, for slightly different purposes. I began to feel a little worried when he threw all the apostles at me in response to my intervention: he and I often share certain christian democrat instincts—small "c", small "d" —about the way in which policy in the European Community should go.

Mr. Enright *rose—*

Mr. Taylor: If I have in any way traduced the hon. Gentleman's biblical leanings, I shall of course give way to him.

Mr. Enright: May I just point out that the popes inhabited the Vatican, not Rome? There is a considerable distinction.

The hon. Gentleman mentioned christian democrats. Is he prepared to say whether he supports the European People's party manifesto for the European elections, which takes a slightly different view?

Mr. Taylor: The hon. Gentleman is never cheap, so I will not be distracted. Let me say, however, that I certainly support the European People's party, with which we are in alliance in the approaching elections—elections that will, I hope, leave a centre-right majority in the European Parliament.

Mrs. Anne Campbell: Will the hon. Gentleman give way?

Mr. Taylor: Will the hon. Lady's intervention be on the Bill or on the pope?

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. I will answer that question. It will be on the Finance Bill: I do not intend to allow debate on anything else.

Mr. Taylor: I shall stick to the straight and narrow of the Bill. As you were not able to be present in Committee, Mr. Deputy Speaker, I shall tell you that proceedings there were as enjoyable as the past few minutes on Third Reading have been, thanks to the guillotine which enables us to have a proper debate rather than trying to take up time.

As many hon. Members have said, the Bill is a weighty document—too weighty. It has too many clauses and schedules and we should try to make it more digestible in future. However, it contains many interesting clauses, some of which were rather too interesting for the stomachs of some of my hon. Friends in Committee.

I pay tribute to my hon. Friend the Financial Secretary, who rushed us through all the lengthy procedures with great sensitivity. I am pleased that the cogent arguments put by me and by others led to changes in Committee and on Report. I think especially of the changes to capital gains tax on indexation of losses. We expressed strong opinions against the blanket removal of indexation of losses, and I am delighted that, belatedly and in the new tax year, the Government have had second thoughts on that.

There were other difficulties which I shall not mention, but I underline the insurance premium tax because on that the Government clearly listened to the industry, following a hesitant start. We had to move quickly. The industry made representations, and I declare the interest that I declared in Committee, that I advise Commercial Union but do not speak for it. The exercise of a good Committee working with a sensitive Financial Secretary who endeavours to heed outside pressures and Committee pressures has led to a better Bill.

How could I possibly not draw the House's attention to schedule 12, which is all my own work, thanks to the Financial Secretary's encouragement? It includes further measures to encourage employee share ownership, for which I have campaigned for some time. I am delighted that, since the debate in Committee after which my amendments were accepted and broadly embodied in schedule 12, many people in the industry have issued press releases stating that this is a breakthrough and that they look forward to more statutory employee share ownership trusts.

These are distinctive measures and should be taken in the overall context of the Budget judgment which started in November. My principal point is that I am perfectly content that the fiscal judgment in November was right. I do not resile from praising my right hon. and learned Friend the Chancellor for his Budget judgment, which stands up very well. I am not at all put off by the remarks of the hon. Member for Ashfield (Mr. Hoon), who attempted to find devilment in the minutes of the meetings between the Chancellor and the Governor of the Bank of England. As my hon. Friend the Member for Havant (Mr. Willetts) said, as soon as there is open government people try to abuse it.

As I said in an intervention, November's Budget judgment and the judgment in March last year by the former Chancellor have both made sure that we anticipated problems that would otherwise have emerged. If we had not increased taxation in 1993, we would now be talking about what taxes would need to be raised this year, and that would have been a burden still to be faced. However, by failing to tackle the PSBR, we would have ensured that interest rates would have remained higher than they are. That issue is important when dealing with the market, and it could have had a much more negative effect on consumer confidence than the hon. Member for Ashfield alluded to.

Mr. Betts: As a result of that reasoning, would not the hon. Gentleman agree that, if the Government had been bold and honest enough to increase taxes in 1992 rather than in 1993, the whole process would have begun much earlier? I remind him that at that time the Government forecast was for a £30 billion PSBR deficit.

Mr. Taylor: The hon. Gentleman may recall that, in the Buget debate in 1992, I advocated tax increases but through a broadening of the tax base. The 1992 Budget judgment was made on the basis of what we then knew was reasonable. Any Government have to try to adjust to the circumstances of the time. A responsible Government faced with a PSBR deficit forecast of £50 billion have a number of options. In reply to my intervention, the hon. Member for Peckham (Ms Harman) refused to make any judgment about how she would have tackled the problem.

When faced with a PSBR deficit of £50 billion, one can either increase taxation, reduce expenditure or borrow more, or have a combination of all three. One has to make a judgment and then stand by it. I have said that in November the Chancellor got the judgment right. All the indicators show that the rise in private consumption that has been going on for the past three years is continuing and will continue in 1994.

The slight difference, if there was any, between the Governor of the Bank of England and the Chancellor of the Exchequer was whether there were still inflationary pressures in the economy and not the extent to which taxation might damage consumption. There is inevitably some damage to consumption when new taxes, are introduced. The Labour party has always been much more enthusiastic about introducing new taxes, and it should know about the damage to consumer confidence better than we do.

In the light of the continuation of consumption, one must judge at what point inflationary pressures could grow and at what point there would be a too-rapid take up of capacity leading to a possible increase in the trade deficit. Such judgments call for important calculations, and fiscal policy is a way of restraining or at least controlling growth in consumption. Monetary policy—that is to say, interest rates—is another of the calculations.

The judgment is about right, and I would have been greatly concerned if I had seen a much faster reduction in interest rates, bearing in mind that they have come down from 15 to 5.25 per cent. There is now tolerance, given the wider economic situation, for a further small cut in interest rates with the agreement of the Bank of England and the Chancellor. A large cut, which is sometimes advocated by Opposition Members, would be a dangerous injection of monetary laxity and could then lead to interest rates rising much more rapidly than we would wish. Stability is all.

One of the problems in the British economy has always been the volatility caused by over-reactive politicians. Volatility, and not just the level of inflation, has been our biggest bedevilment, so that investors require a higher yield to protect their investments against the prospect of volatile inflation. Short-term interest rates have fallen and

long-term rates fell at the time of the Budget precisely because it was plain from the figures in the Red Book that borrowing was being tackled. Long-term yields fell and the yield curve was shallower.

More recently there have been one or two nervous phases about the long-term yields. That supports my contention that we can never ignore the prospect of inflation returning. We can never be complacent about inflation: it is a constant battle. Opposition Members should bear in mind that taxation rises this year, the restraint on expenditure and the reduction in the PSBR formed the basis for sustained economic growth with low inflation. That is what Britain has wanted for many years but could not achieve.

I strongly believe that, if it is achieved, at the next general election we shall receive great credit for having taken the measures now, and the hon. Member for Peckham will have to start to change her tune. Almost her entire speech this afternoon fought the most recent general election again. It was not about what we should do now, about what will happen in the future. It was about this or that Minister or this or that Back Bencher saying in their election address in 1992 that the Conservative party believed in low taxation.

We do believe in low taxation, but that does not mean that at any given moment we reduce taxation if it is not prudent so to do. We face up honestly to the electorate if we have to make a different Budget judgment. That is precisely what we have done. We do not expect to be popular for it, but it must be confronted.

As the hon. Member for Dagenham (Mr. Gould), who will soon no longer be with us, clearly stated, for any given moment Labour will have a higher taxing policy than that of the Conservatives simply because the Labour party will always spend more money. There is no way of getting round that. The debate at the most recent general election centred on that. It was not about whether we said that taxation would increase. Labour would have increased taxation to accommodate the greater expenditure it proposed at that time.

For any given greater level of Labour expenditure, Labour's taxation will be greater than that which we would have applied, because we would not spend that extra money. The Labour party must face the electorate with the consequences of its decision, and we must face the electorate with the consequences of ours.

Mrs. Anne Campbell: Does the hon. Gentleman accept that the debate has moved on? It is not about higher taxes but about unfair taxes. Does he agree that in the past 14 years there has been a redistribution using the taxation system, so that those people who are on lower incomes are far more heavily taxed now than they were in 1979 under a Labour Government?

Mr. Taylor: Because average incomes have increased, it is true that it takes a lower multiple of average earnings to reach the top level of taxation than it did under the last Labour Government. I realise that. However, top rate taxpayers now contribute a greater percentage of total taxation than they did under the most recent Labour Government. Yet our top tax rate of 40 per cent. compares with 98 per cent under the last Labour Government—and unearned income tax at 15 per cent. and their top rate of tax of 83 per cent. Now, in spite of the fact that we have reduced the top rate of tax, more tax is contributed by the top rate taxpayers.

One has to take human reality into account. If one socks people with a 98 per cent. marginal rate of tax, they will not declare their income for taxation purposes. The biggest growth industry under the last Labour Government was accountancy—so reviled this afternoon by one or two Labour Members. The accountancy profession had its boom period because evasion as well as avoidance was a necessity for people who were otherwise being taxed at marginal rates of 98 per cent. The public still remember that; the hon. Member for Cambridge (Mrs. Campbell) should be very careful when she speaks about top rate taxpayers.

Some interesting figures were quoted in one of the weekend newspapers. If someone on average earnings had a £50,000 variable rate mortgage that was taken out in 1988, that person's post-tax, post-mortgage income would have fallen by 27 per cent. in real terms by mid-1990. However, from mid-1990 to the end of last year, the post-tax, post-mortgage income of that same person, with that same mortgage, would have increased by 78 per cent. That is a startling change, and indicates the gearing effect on the economy, and consequently on consumption, of interest rate movements.

It is bad news for obvious reasons, but, once again, proves my point, in terms of the extent of volatility since 1988. It would have been better to have a much more gradual transition, but it cannot be denied that, since mid-1990, a person with such a mortgage has done extremely well, far outweighing the impact of the tax changes that were made in the last Budget. That has an important effect on consumer confidence, and it is important to take that into account when one considers total consumption and the effect on the economy.

The other side of the fiscal balance to taxation is public expenditure. The Government were very courageous in the settlement that was reached for a new control total, and I suspect that they will have to continue to be careful to stay in the Red Book guidance on new control totals in the next few years. There is always pressure to spend more, and I know that the EDX Committee—the Cabinet Committee on public expenditure—has already started to consider the control total, and the way in which it is reached, for the next Budget.

There will always be a tendency for Government Departments to want to spend more. The reason for that is that any Minister worth his or her salt always thinks in terms of inputs. Sadly, the debate has not changed sufficiently to outputs so that the quality of the services provided by Government, which should be the better criterion, is not often used. It usually comes down to the fact that we have spent more money and therefore the service must be better. The language of how one qualifies or quantifies the quality of the service provided by Government must change.

I nevertheless believe that, if we can stay within the control totals, that will be a better balance for public expenditure as a proportion of gross domestic product than there has been for some time, safeguarding the key expenditures, not only social services, but health and education. I believe that that will be recognised by the electorate by the time of the next general election. However, there is no easy way out.

[Mr. Taylor]

Opposition Members should be careful, because the normal tendency of the Labour party close to an election is to start making promises about the ways in which life will be better under Labour because they will spend a few extra billion pounds. At the moment, the right hon. and learned Member for Monklands, East (Mr. Smith) is telling everyone to keep quiet, but at some point there will be no way of avoiding that problem.

I am not sure what the Labour party has to offer its supporters other than more expenditure and more money spent on the producers of public services. We shall watch with great interest what promises are made and the way in which they vary from the Red Book, because I emphasise that if one gets a variance from the Red Book one must say whether one will pay for it in more borrowing, which means ultimately higher interest rates, or more taxation, which would undermine Labour's entire attack on us.

I have to say to the Labour party that one of the reasons why I am happiest about what the Chancellor did in November was that debt servicing was almost the fastest growing area of public expenditure. Debt servicing accounts for about 7 per cent. of gross Government expenditure. It had to be brought under control, and one understands why the Chancellor took those measures.

Others want to speak and I will finish with a point about employment. One of our difficulties in this country, in spite of the welcome figures today, is that there will not be real employment growth—in other words, a reduction in unemployment—until the economy expands at a rate faster than about 2 per cent. If my judgment is right that the fiscal balance now will not cause too great a cut in consumer expenditure—it will simply ensure that it grows at a more stable level—we must find other ways to reinforce economic growth such as on the capital account for infrastructure projects, involving private finance initiatives on which the Treasury is extremely keen.

To get the economic growth going, we need to consider supply side measures, skill training and so on. It takes time, but it is essential. All those things are necessary to get our economy growing on a stable, non-inflationary basis at a level that will have a significant effect on job creation and employment. Taking the community as a whole, there are many wasted resources through unemployment.

The target for the Government, having got the Budget judgment right last November, is to ensure that they create the type of low-inflation, high-growth economy that will enable us, at the next general election, to face the electorate with a very good prospectus, which I have no doubt they will warmly endorse.

8.49 pm

Mr. Macdonald: It is easy to understand why the hon. Member for Esher (Mr. Taylor) complained about our dwelling on the last election. Despite the fact that it was their fourth election victory in a row, Conservative Members are so embarrassed and ashamed that they blatantly lied to the electorate at that election that, rather than glorying in the result, they object whenever we bring up the memory. Despite their desire to wipe the slate clean and make people forget the promises that they made to the electorate at the last election, the public will not forget. They will register their verdict in the forthcoming local and European elections and their final verdict at the next general election.

My hon. Friend the Member for Hemsworth (Mr. Enright) pointed out how poorly the British economy had done during the 1980s compared with the Italian economy on a range of indicators. One that struck me was the fact that the growth of the Italian economy outstripped that of the British economy. The Italian economy is now larger than the British economy for the first time in 200 or 300 years. That was just one of the dismal milestones which the Government passed during the 1980s.

One of the most dismal milestones of all was the fact that, for the first time since the Elizabethan era, the United Kingdom had a manufacturing trade deficit. That milestone was passed in 1983 and, every year since, our manufacturing position has grown steadily worse.

The hon. Member for Esher touched on the importance of trade and trying to get the balance of payments correct in the future. The balance of payments has not been dealt with in this debate, but was a spectre in previous Finance Bill debates. Three or four years ago, people were predicting a balance of payments deficit approaching the scale of the current public sector borrowing deficit. The recession averted that, but as the economy will inevitably begin to pick up in the next two or three years, I fear that the balance of payments spectre will come back to haunt us, blowing off course all the fine predictions made in the Red Book and by the Chief Secretary at the beginning of Third Reading.

Only one aspect of the Chief Secretary's speech was admirable—its fluency and the skill with which he used language to disguise the seriousness of the economic disasters that have befallen us during the 1980s and into the 1990s. Whenever an event forces a change of policy on the Government, the consequences suddenly become the noblest of virtues. Disasters become triumphs and setbacks become great leaps forward.

That was most noticeable in what the Chief Secretary said about taxation. Previously, the Conservatives were the party of low taxation. Now, it is a virtue that they are increasing taxation and the Chief Secretary takes pride in the fact that the Budget will increase taxes by their greatest level in peacetime history.

In the midst of all those changes of course and twists and turns, it is important to maintain a perspective and not allow the public to forget what has happened in the past four or five years. I wish to do that on just two of the issues raised in the debate so far: public spending and taxation. Public spending featured heavily in the Chief Secretary's speech. Instead of the traditional goal of low taxes, his aim in the next three or four years is to rein back public spending and keep the lid on the spending binge on which the Tories embarked a year or two before the last election.

It is important to put the current spending position into a historical perspective. In the late 19th century, public spending as a proportion of GNP was a little less than 10 per cent. Most of that public spending was incurred as a result of the empire paying off debts from previous empirical wars—the Boer and the Crimea—so it was current expenditure rather than investment in capital projects for the future. With the coming into power of the radical Liberal Governments of the early 20th century, particularly with Lloyd George's people's Budget, there was a marked increase in Government spending, which rose to about 5 per cent. of national wealth.

After the first world war, with the further establishment of basic programmes of social protection and the strains imposed on them by the recession of the 1920s followed by the great depression, public spending as a share of national wealth rose to some 25 per cent. It was maintained at that level because of wartime spending until the election of a Labour Government in 1945.

The Labour Government of 1945 embarked on a major programme of public expenditure, particularly on the welfare state and national health service, which increased the Government's share of national wealth by some 10 percentage points and brought it up to 35 per cent. The Conservative Governments of the 1950s inherited that level of public expenditure and never rolled it back.

Throughout the 1950s and early 1960s, spending stayed at a more or less steady plateau of about 35 per cent. of GNP. With the elections of the Labour Governments of the late 1960s and the mid to late 1970s, public expenditure increased further again, by about 5 per cent. on each occasion.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): While the hon. Gentleman has been making his long historical analysis of GDP as a percentage of our total wealth, I have looked up the figure in the Red Book. Will the hon. Gentleman explain to the House why public expenditure as a proportion of total GDP reached the staggering figure of 49.25 per cent. in 1975?

Mr. Macdonald: If the hon. Gentleman looks at the Red Book at page 23—I think that is the page to which he referred—he will find that the statistics that I am giving are absolutely right. Between 1974 and 1979, public spending as a proportion of GNP averaged about 45 per cent.—at its highest it was 49 per cent. In the early 1980s—at its highest under Lady Thatcher—it was 47.5 per cent. The difference is not that great, which is the point that I am endeavouring to make.

When the hon. Gentleman intervened, I had not reached the mid to late 1970s. I was about to say that, from the plateau of 35 per cent. in the 1950s, under the first Wilson Government in the late 1960s, public spending increased by about 5 percentage points to a new plateau of about 40 per cent. The later Labour Government increased it to a subsequent platform of about 45 per cent.—sometimes higher, sometimes lower. It sometimes went up to as high as 49 per cent. and was sometimes as low as 44 per cent., as when the last Labour Government left office.

Mr. Dorrell: The hon. Gentleman keeps referring to a figure of about 45 per cent. I shall help him to be a bit more accurate. The average for the five years of the last Labour Government was 46.5 per cent. of national income. The peak in this cycle is shown in the same table as 45 per cent. of national income. That is the difference between the parties.

Mr. Macdonald: I am glad that the Financial Secretary has put that on record. That was exactly the point that I was endeavouring to make. We have had 15 years of radical Conservative government and the Financial Secretary tells me that the difference in the figures is about 1.5 per cent.

Mr. Dorrell: I was comparing the average over the cycle of the last Labour Government—46.5 per cent.—and the peak in this cycle, under this Government, of 45 per cent. The plans in the Red Book show how we intend that figure to fall to 41 per cent.—roughly the same as the 40 per cent. figure of the late 1980s.

Mr. Macdonald: The Financial Secretary cannot rely on plans; he must rely on the record. The record shows that the peak under the last Labour Government was 49.25 per cent., and the peak under this Government has been 47.5 per cent. The Labour Government exited with a figure of 44 per cent. Under this Government—committed to 15 years of radical cost-cutting under Lady Thatcher and the current Chief Secretary—the figure is 45 per cent., which is 1 per cent. higher than when the Labour Government left office.

The point that I was trying to make—I think that the Financial Secretary has helped to make it—was that of the simple and obvious failure of all Conservative Governments to roll back the share of state spending as a proportion of national wealth to any serious degree. I know that the Red Book speculates on rolling the figure back to 41 per cent., but the Conservatives have had 15 years of attempts to roll back the share of state spending, which is now higher than when the last Labour Government left office.

When one compares the impact of successive Conservative Governments with the impact of Labour Governments, one sees that in the late 1960s there was an increase of about 5 percentage points and in the late 1970s there was an increase of about 5 percentage points. In 1945 there was an increase of about 10 percentage points. Compared with those considerable impacts on the share of public spending in national wealth, 15 years of Conservative Government have had a negligible impact, as page 23 of the Red Book clearly shows.

I make this journey into the past to try to put into perspective what I regard as empty rhetoric—the high-taxation, high-spending claims of opposing parties. The reality is that Britain, in line with most western European Governments, is probably stuck with a share of public spending as a proportion of national wealth of around 45 per cent. in the medium to long term. Nothing that the Conservative Governments of the past 15 years have done has altered that by any appreciable margin and it is hard to credit that anything they do in future will have any impact.

Mr. Dorrell: The hon. Gentleman is advancing an interesting argument. I certainly do not accept his proposition that under the present Government public expenditure will remain at 45 per cent. of national income, but if that is his assertion and view of what would happen under a Labour Government, perhaps he will tell us how a Labour Government would finance the extra 4 per cent. of national income that he wants to see accounted for by public expenditure. He would not want it to be borrowed indefinitely, so he owes the House an explanation of how the revenue gap of 4 per cent. of national income that he has opened up would be filled.

Mr. Macdonald: I did not say that I wished to see an extra additional 4 per cent.—

Mr. Dorrell: Yes, you did.

Mr. Macdonald: I simply pointed out that the highest figure under the last Labour Government was 49 per cent. and that the highest figure under the Conservative Government is 47.5 per cent.—the difference is very marginal and cannot really sustain the rhetoric that we have heard. I have not said at any time that I wished to see public expenditure increased to 49 per cent.

[Mr. Macdonald]

I was arguing in favour of fixing global levels of public expenditure and that trying to measure the success or failure of a Government by whether they increase or reduce the figure by 3 or 4 per cent. is fatuous and beside the point. That is not what we should be looking at when considering public spending.

Unfortunately, that is the obsession of the Chief Secretary. The whole test of whether his strategy will succeed over the next four or five years is apparently whether it will roll back the share of public expenditure in national wealth.

At the start of the Finance Bill, the Chief Secretary referred to the United States, where the ratio is around 35 per cent.—the Chief Secretary used the figure of 38 per cent. That is certainly significantly lower than the European average and lower than it is in Britain. He implied that that was his long-term target.

Of course, the right hon. Gentleman neglected to point out that the key difference between the United States and the countries of western Europe is that health care in the countries of western Europe is largely socialised. That accounts for much of the difference between the United States and Europe. He will also be aware that the current United States Administration has presented a fairly comprehensive package of health care reforms to Congress and the congressional budget office has judged that the impact of that package would be to increase federal expenditure in the United States by some six or seven points.

Therefore, the Chief Secretary's case that the United States is somehow a model that we should be emulating and that we should be slashing our expenditure back to American levels fails to take into account what is happening now in the United States, and the difference in health care treatment.

Mr. Willetts: May I commiserate with hon. Member and assure him we were looking forward to hearing his remarks and drawing on his experience in the Finance Bill Committee, but these lengthy historical, statistical digressions on public expenditure ratios seem to be detaining him and the House.

Mr. Macdonald: The hon. Gentleman seems to object to the point I am making because he does not like to admit that 15 years of Conservative Governments, by their own objectives and aspirations of cutting spending and taxation as a proportion of national income, have been a complete and utter failure. That is what both tables on page 23 of the Red Book clearly show and that is what Conservative Members are trying to get away from.

The Conservative claim that it is the party of low taxation is disproved by the figures on page 23 of the Red Book, and a number of my hon. Friends have illustrated that fact during their speeches this evening. I made the point by way of intervention that, although the Chief Secretary is increasing taxes across a range of areas, it is not as though there are no tax cuts on offer this year.

The Local Government etc. (Scotland) Bill introduces the abolition of sporting rates. The measure will cost the Exchequer some £2 million and the benefits of that tax cut, in a year when everyone else faces increased taxes, will go exclusively to the proprietors of large estates north of the border. People such as the Duke of Buccleuch, the Countess of Sutherland and the Earl of Thurso will share the £2 million between them.

That hypocrisy illustrates that the real argument between the two sides of the Chamber is not about global increases in the total amount of taxation or total expenditure; rather, it about striking a balance within taxation and expenditure. It is a question of how taxes are raised—whether they are raised fairly from the people who are most capable of bearing the burden of taxation. It is a question of whether money is spent on items which produce growth in the economy in the long term, such as housing and public infrastructure, or whether it is spent on items such as employment benefits which pay for people to be idle.

That is the real difference between the two sides of the House. It is not a question of global totals; it is a question of fair taxation and sensible spending. That is the message that we will be taking to the upcoming European elections and to the next general election.

9.12 pm

Mr. Willetts: We are now coming to the conclusion of many months of deliberation on the Finance Bill, in which we have heard two types of contributions from the Labour Benches. First, we heard nit-picking comment on the detail of particular clauses. In one memorable sitting, a member of the Labour Front-Bench team managed to spot several printing errors in the Bill—that led the Financial Secretary to congratulate him on his skill in proofreading. When Labour Members were not proofreading, they engaged in wide-ranging ritual denunciations of any and all tax increases, but we sadly missed anything in between. There was no meaty and substantial engagement on the real questions of tax policy. We were not offered any enlightenment as to what a Labour Government's approach to taxation would be.

Mr. Nicholas Brown: The hon. Gentleman raises an interesting topic. We get opportunities to discuss the Labour party's approach to taxation, but not while we are scrutinising the Finance Bill in Committee.

Mr. Willetts: The scrutiny of the Bill in Committee was either pernickety or ritual denunciations, but we did not have the substantial debate on some of the major aspects of tax policy for which the clauses provided ample opportunity.

Despite the Labour party's failure to set out its views on tax policy during the many hours spent in Committee, the broad outlines of the difference between the two parties is clear if one reflects on the way in which a party in government responds to the inevitable effects of a recession on the public finances. The real test of a Government's ability to steer the economy comes not when we are enjoying the benefits of the good times, when the economy is recovering and when one is in the benign phase of an economic cycle but when we are in the difficult times and recession drives public finances into deficit.

There is a clear contrast between the approach taken by the Labour Governments in 1974, 1975 and 1976 and that taken by the Conservative Governments in 1980 and 1981. Everything that we have heard in the debate on the response to this recession and its impact on public finances shows that the difference in the response to the two previous recessions still obtains.

In 1974 and 1975, the then Labour Government tried to borrow their way out of the recession and out of the enormous deficit that occurred as a result of a fall in tax revenues and large increases in public expenditure. Their attempt to avoid the difficult decision to increase taxes to bring down the public sector borrowing requirement led, of course, to the notorious intervention by the International Monetary Fund when the City and the international financial markets ran out of tolerance for the Labour party, and a high level of borrowing was required. We ended up with cuts in public expenditure programmes—6 per cent. real reductions in one year—and those cuts were more draconian than any that we had experienced in the post-war period.

The alternative, which was the approach taken by the Conservative Government in 1980-81, was to do the painful but necessary thing and raise taxes to reduce the PSBR so that we did not run out of road and were not still trying to borrow when we had lost the patience of the markets. That was the right decision to take in the recession of 1980-81, and the sustained economic recovery of the 1980s proved just how right it had been—we had the longest peacetime economic recovery that we have ever enjoyed.

It is perfectly clear that, faced with the consequences for public finances of the recent recession which proved to be longer and deeper than forecast, the Government are repeating the step that it was necessary to take in 1981—they are raising taxes. Just as then, despite all the catcalls and jeering at the time, that step laid the basis for a sustained strong economic recovery. We can be confident that getting the public finances in order now will similarly lay the basis for an economic recovery in the 1990s.

The trouble is that the Labour party has made no serious attempt to engage in any debate about those issues. Perhaps I can inform my hon. Friends who are here but who were not members of the Committee that Labour Members instead regularly read to us extracts from the manifestos on which Conservative members of the Committee had fought the election.

There were times during the longueurs of the Committee when I found my mind wandering to the poor Labour researcher who had possibly been tempted into working for a member of the Labour Front-Bench team by the prospect of being able to think about economic or tax policies but who was instead lumbered with the task of reading Conservative Members' election manifestos. Perhaps through you, Mr. Deputy Speaker, and *Hansard* I might speak to this unknown researcher and commiserate with him or her for the appalling level of job satisfaction offered by Labour Front Benchers. I hope that, next time, he or she will be allowed to research some of the meaty questions relating to tax policy that did not detain those on Labour's Front Bench this time.

Mr. Ian Taylor: I must correct the impression given by my hon. Friend. Any offer to work for the Labour party can be enhanced only by including in it the opportunity to read Tory election manifestos rather than being forced to read Labour party documents.

Mr. Willetts: That is a very good point. One is led to wonder whether the job of dealing with such dangerous, subversive literature had to be divided among several Labour researchers in case prolonged exposure to it led to defections to the Conservative party. Who knows what special measures had to be taken to handle that dangerous propaganda?

In the remaining minutes of my speech I shall reflect a little more on the sort of economic recovery to which we can look forward because of the tax measures in the Bill and in the previous Budget in 1993. I am unashamedly optimistic about the prospects both for inflation and for real economic growth. All the evidence suggests that the Government are enjoying considerable success in holding inflation down not just within the 1 to 4 per cent. target range, but down towards the lower end of that range.

The figure for the growth in M4, for example, which is in the middle of its target range, suggests that some of the anxieties which have been apparent in the City over the past few weeks about the future course of inflation do not appear to be well founded. In fact, the problem appears to be that there are still macho managers in British industry who want to plan very high rates of return on their investments because they are making pessimistic assumptions about the future course of inflation, which seem unlikely to be borne out by events.

When firms and senior managers proudly say, "We are looking for a rate of return of 17.5 per cent. on our investment," when the British economy can look forward in the medium term to an inflation rate in the 1 to 4 per cent. range, that is no longer a sensible way of running a business. It shows that the opposite of money illusion—inflation anxiety—is still persistent although, given the Government's monetary and fiscal stance, it is not justified.

The crucial indicator that ties together prospects for inflation and for the real economy is, of course, spare capacity. The hot topic nowadays is: what is the spare capacity of the British economy? If we can get a feel for the spare capacity that is still stretching out before us, we shall be able to get a feel for how rapidly we can expect the British economy to grow without suffering the old problems of high inflation.

All the evidence suggests that we have substantial spare capacity. That is not a matter of taking a snapshot picture and measuring the size of under-used plant and industrial capacity at a particular moment. It is a matter of looking at indicators such as skilled labour. One of the most impressive pieces of evidence is that throughout the recession employers kept investing in training their employees, and now that recovery is under way, there has been no significant increase in the number of firms reporting difficulties in finding skilled labour.

The old problem of skilled labour shortages emerging in the early stage of an economic recovery appears less serious this time than in the past, which lays to rest some of the scares put about by the Opposition about training and the quality of the British work force.

Mr. Alan Duncan (Rutland and Melton): While my hon. Friend is talking about spare capacity, does he accept that one of the major triumphs of economic management over the past two years, which the Budget specifically addresses, has been the rise in fixed-term lending over five, 10, 15 and even 20 years? Does my hon. Friend accept that that significant change in lending arrangements will allow businesses and individuals to plan for the long term without being subject to the strange amplitude of interest rate costs?

Mr. Willetts: I agree with my hon. Friend. One of the curious features of the British system for financing industry, which I know the Financial Secretary to the Treasury is currently reviewing, is the fact that we have equity investment and short-time variable-rate bank lending, but that we have failed to secure something in between—fixed-term, fixed-interest corporate debt.

The reason for that is obvious. When an economy suffers from high and variable rates of inflation, people resort to equity finance, or variable interest rate finance, because they cannot obtain the classic form of debt finance that my hon. Friend described. It should be one of the many advantages that we secure as a result of this economic recovery, with the prospect of sound public finances and continuing low inflation, that the corporate bond market at last revives. That will lay the basis for an increase in business investment.

We have heard a lot today from Labour Members about what will happen to consumption as a result of the tax increases under the Bill and under the 1993 Budget. It is perfectly clear that if there is a significant increase in taxation, there could be some impact on consumption. However, the question is also what will happen to investment. If, over the coming year, business investment improves dramatically, with business gaining confidence as it sees a sustained economic recovery opening up in front of it, and improving prospects in the American economy and, let us hope, in the continental economies, Britain will continue to enjoy an economic recovery.

That recovery will be based on improvements in business investment, improvements in exports to growing economies around the world and less dependence on increases in domestic consumption than there inevitably was in the early stages. As the Bill lays the basis for an economic recovery that will be well balanced and sustained, I am confident that the House will give it a Third Reading tonight.

9.26 pm

Mr. Nicholas Brown: Not for the first time, I have the opportunity to follow the hon. Member for Havant (Mr. Willetts) in debate; it is always a pleasure.

The Conservative manifesto sets the parameters for this debate. The Conservative party promised the British electorate lower taxes and a prudent approach to borrowing. It said that that did not mean that public spending must fall—quite the reverse. That is the context in which this year's Bill should be judged. Taxes have risen. The Government's approach to borrowing could hardly be described as prudent, certainly not by the hon. Member for Havant. The Chief Secretary has set the tightest public spending parameters in recent history, and is boasting about it.

The House will be interested to learn that the first Bill to be called a Finance Bill became law in 1894, so this year is the centenary of Finance Bills. [HON. MEMBERS: "Oh."] It obviously comes as a grave disappointment to the House that the Government have not organised celebrations for this centenary; they seem to have overlooked the anniversary.

No street parties are being organised to celebrate the tax increases, and there is no Victorian re-enactment of the Government's prudent approach to public borrowing. There is no reconstruction of late 19th-century workhouses to underpin the Government's approach to public expenditure. I have to disappoint my hon. Friends by telling them that there is not even a letter from Larry Whitty inviting the Labour party to join in. We all understand why, in spite of the undoubted talent of Sir Tim Bell, the Government have chosen, no doubt in shame and embarrassment, to overlook the Finance Bill centenary celebrations.

In fairness to the Government, I point out that they have celebrated in one way. They have produced a bumper edition, running to two volumes—the longest Finance Bill ever. It has been criticised for its length, for its incoherence, for its opaque drafting and for its complexity. We as a House have been criticised, not unjustly, for the way in which we have dealt with its contents. I do not accept the broad approval given by the right hon. Member for Berwick-upon-Tweed (Mr. Beith) to the way in which we handled the Bill. I point out that his own record of truancy in Committee was exceeded only by that of the Chief Secretary.

Mr. Portillo: Will the hon. Gentleman give way?

Mr. Brown: Of course I shall give way. I shall make more jokes at the right hon. Gentleman's expense later.

Mr. Portillo: I may not have spoken much in Committee, but I was a determined attender.

Mr. Brown: I accept that, when the right hon. Gentleman was in this country, he attended our proceedings. However, he was not fully engaged in the debates. I recall him going through his briefcase and signing coloured photographs of himself with the words, "To Michael, in frank admiration—Michael", with a little kiss at the bottom.

I accept that the Chief Secretary's absence from our proceedings was wholly due to the fact that he was visiting South America. Of course, it is not unknown for politicians with extreme right-wing views to ensure that they keep their connections with South America in case they need an escape route. I make no criticism of the Chief Secretary for that. Indeed, I wish him well if he ever feels the need to flee the country.

The Labour party accepts, and always has accepted, the case for informally timetabling the taxes management part of the Bill, and for taking the main tax changes on the Floor of the House. Labour Members also accept that there is a good case—on that matter, we make common cause with the right hon. Member for Berwick-upon-Tweed—for a less adversarial Select Committee type of proceeding on taxes management issues. What happened in practice, Mr. Lofthouse, is that the Government imposed a guillotine on the whole of the proceedings, day by day, in the most heavy-handed manner.

Dame Elaine Kellett-Bowman: You should address Mr. Deputy Speaker.

Mr. Brown: I always seem to provoke the hon. Member for Lancaster (Dame Elaine Kellett-Bowman) in such exchanges. It is not intentional.

Dame Elaine Kellett-Bowman: I was only saying that the hon. Gentleman was forgetting that he was addressing the Chair.

Mr. Brown: You, Mr. Lofthouse, let it go, but, of course the hon. Lady is quite correct. I should address you, Mr.Lofthouse, as Mr. Deputy Speaker. I am grateful to the

hon. Lady for correcting me on that matter. It is probably the only matter in any such debate on which she has managed to correct me. Nevertheless, let me proceed with my criticism of the way in which we were required to deal with some of the matters.

The Government manipulated the guillotine, which found, Mr. Deputy Speaker, that we had ample time to discuss the consequences of the European Commission's third directive on life insurance. Indeed, we had a surfeit of time to discuss that not especially controversial matter. However, when we came to controversial clauses—the Financial Secretary referred earlier to what was then clause 241, which he eventually, quite rightly, withdrew—we came up against the guillotine and found that the time for Labour and Conservative Members to speak was dramatically restricted. That is a stupid way in which to conduct our affairs. If such matters are to be timetabled in future, there should be much fuller discussion of how the timetabling should be managed in practice.

Mr. Stern: Will the hon. Gentleman give way?

Mr. Brown: I shall give way to the hon. Gentleman later, but I would first like to get through some of my comments.

The Government ordered the debate so that we had to agree to clauses which enacted schedules before we were able to discuss the contents of the schedules themselves. They abused the guillotine by encouraging their own Back Benchers to filibuster, thus avoiding the burden which should rightly be borne by Ministers, of explaining clauses to the Committee.

The Government sulked when we kept them back to vote on those clauses, and drew inferences from the fact that we voted against those clauses that should not have been drawn. They steadfastly refused to let us discuss VAT on domestic fuel, when we all knew that the electorate would have liked us to discuss it and have another vote on it.

They tabled last-minute amendments in the name of Conservative Back Benchers and accepted them, thus smuggling them into the Bill. It was supposed to be the first Finance Bill under the new unified Budget process. In fact, the Government have ensured that there is even less consideration of the wider context, including public expenditure, than usual. The House has not discussed departmental spending plans since May 1991. It was some unified Budget.

We complained about those points during the passage of the Bill. Conservative Members complained about procedural issues as well, and outside bodies that like to make representations to us complained that it was unsatisfactory. Some of those reservations were shared by Conservative Members—*[Interruption.]*—and I shall give way to one that I think shared some of them.

Mr. Stern: Does the hon. Gentleman agree, as a fellow veteran of many Finance Bills, that, for the first time, the effect of the procedure which he is deprecating and in which the Labour party refused as a matter of principle to take part, was to produce an even debate from both sides of the Committee, which we have never had before?

Mr. Brown: I am in favour of an even debate from both sides of the Committee, but that was not what we were treated to in our proceedings. I have said that we would like to agree workable timetable arrangements. I would have liked to refuse to attend the Business Committee on principle, but I was not given my notice until just before it was due to meet. I did not even have the opportunity to refuse on principle to attend.

Many Conservative Members share the Opposition's disquiet about the way in which the arrangements worked in practice. They blamed the Opposition Whips Office, and someone they referred to rather darkly as Don. We, the Opposition, take that to be a reference to Don Portillo, who we feel is largely responsible for imposing what used to be called Spanish practices on the way in which we proceeded. In Committee, Labour Members would try to make progress only to be told, manana, or the day after manana.

The Chief Secretary took a relaxed view. If my hon. Friends feel despondent about the way in which we proceeded in Committee, I should say that it has not all been in vain. When we began our proceedings in Committee, the Finance Bill, if someone wished to purchase the two volumes rather than get them free from the Vote Office, cost £27.30. Its value has now risen to £29.45. I am sure that that is the result of the value that Labour party scrutiny has added to the document. Given the passage of time, however, the increased price may be the result of inflation. The Committee sat for so long that, if I become any older, it may be that I shall not qualify for medical treatment in a Tory trust hospital.

All Chancellors of the Exchequer, like shadow Financial Secretaries, enjoy their little jokes. Last year, the then Chancellor, the right hon. Member for Kingston upon Thames (Mr. Lamont), made special mention of the tax increase on small cigars, the subtext being "as smoked by you know who". This year, "you know who" got his own back by increasing tax on cigarettes and cheap champagne.

The Chancellor was less successful in justifying the impact of this year's Finance Bill on his fellow citizens. In a desperate effort to explain, he grabbed the first analogy that came into his head, just as we have often seen him do during Treasury questions. Predictably enough, it was about beer prices. Equally predictably, it has not really helped to explain the impact of the Government's tax rises. Three pints a week; a week is thus a very short time in politics.

The Opposition had our worst fears confirmed when we learned that the Chancellor drinks in the sort of places where beer costs £4.20 a pint. How much in character it is for the Conservative party to say to the electorate before the election, "We will get the drinks in," only to say after the election, "Oh, we borrowed the money for the last round. It's your round now." That leaves the bemused British taxpayer to get in a £6 billion round—the most expensive round of drinks in British history.

I want to be fair to the Government and, as the Financial Secretary would be the first to acknowledge, helpful as well. That being so, I offer the House an alternative—and, I think, a better—analogy to help explain this year's Finance Bill. I think that the Bill and its background should be restaged as a modern reworking of Macbeth.

The irresolute and over-ambitious Macbeth, steeped in wrongdoing, could be played by the Prime Minister, having achieved high office not by murder but by toothache. Baroness Thatcher would have to be Duncan, but the Chief Secretary could stand in for her—I know that he has always wanted to. The right hon. Gentleman could play Lady Macbeth. The Chancellor and the President of

[Mr. Brown]

the Board of Trade would quarrel over which of them should play Malcolm. My view is that eventually the role will be played by a more genuine Scotsman.

The scene where Macbeth hears voices reproaching him for the past would provide an easy way of explaining the background to the Finance Bill. The voices would cry out things such as, "We have no plans to increase VAT"; "There will be no VAT increase"; "Government has no higher duty than to protect the value of the currency"; "I will stand by Norman Lamont, David Mellor, Michael Mates and Tim Yeo"; "We shall maintain mortgage tax relief"; "Government should not gobble up all the proceeds of growth"; "Britain is at the heart of Europe and is a strong and respected partner"; "Those who create prosperity should enjoy it through lower taxes". "Membership of the ERM is now central to our counter-inflation discipline". Finally, to round off that metaphysical scene, there should be an old woman's voice cackling derisively from another place, "We must stand by John, we must stand by John." I offer that as a much more convincing metaphor for what has been going on.

There is another useful scene in this modern production which would be helpful to Tory Members—the scene where Macbeth stares at his empty chair and then sees the spectre of his former comrade in arms, cruelly and bloodily despatched at his own instigation, staring reproachfully back at him. Who could we find to play Banquo?—the right hon. Member for Kingston upon Thames (Mr. Lamont)!

This is the first Finance Bill since 1987 that we have had to do without the right hon. Gentleman. We miss him. The Chief Secretary pointed to Norman's tax rises, seeking to distance himself from them and, indeed, present himself as a sort of successor regime, while keeping the resources. His argument seems to go as follows: the Conservatives put taxes up; the Labour party told the electorate about it; the electorate will never forgive the Labour party. That is not the sort of logic that one expects from a future leader of the Tory party.

My time is running out, so all the other jokes must be saved for next year's Finance Bill. However, I cannot conclude my contribution to the debate without referring again to the tests which the Chief Secretary set us. Having said that he set the tests himself, he then said that we have not passed them. I shall present him with a test that he set himself earlier. At election time, he told his constituents:

"Conservatives want to cut your taxes . . . higher tax and national insurance would hit those who work harder and do overtime."

If he still believes that, I invite him to do the only thing he can—join us in the Lobby tonight and vote against the Third Reading of the Bill.

9.41 pm

Mr. Dorrell: I congratulate the hon. Member for Newcastle upon Tyne, East (Mr. Brown), as ever, on the quality of his jokes. I assure him that there will be ample opportunity in future Finance Bills in this Parliament and, indeed, in future Parliaments for him to deliver his jokes from that Dispatch Box and to entertain the House with his speeches, as he has grown accustomed to do with considerable aplomb.

It cannot happen often that debate on the Third Reading of a Finance Bill provides the opportunity for an agreement to emerge between the hon. Member for Peckham (Ms Harman) and my hon. Friend the Member for Bridlington (Mr. Townend). However, in the debate today, the two of them agreed on something important: that the Bill would represent the defining moment and the turning point in the progress of this Parliament. I agree with both of them. The debate will prove to be a turning point in this Parliament because the Bill lays the foundations for secure and sustained recovery that will continue for several years to come—well beyond the date of the next general election. That is the basis on which the Government will be re-elected.

That is not the only basis on which the Bill will prove to have been the defining moment of this Parliament. Not only does the Bill contain the clear basis of sustained recovery and the Government's plans for delivering that, but, during the passage of the Bill, the Labour party lost any credibility as a serious contributor to economic debate in Britain. The Bill serves to strengthen the Government's position and set the foundations for economic recovery. It has served to shoot to bits the economic credibility of the Labour party.

I shall deal first with the question of sustained recovery. My hon. Friend the Member for Havant (Mr. Willetts) and my right hon. Friend the Chief Secretary rightly laid considerable stress on the secure course of recovery that is provided for in the Bill. It is provided for because my right hon. and learned Friend the Chancellor of the Exchequer set out to deliver in his Budget a plan

"to sort out once and for all the public finances of Britain".

The Budget delivered by my right hon. and learned Friend on 30 November showed clearly how he intended to deliver that objective. It showed first how he intended to deliver proper control of public expenditure.

As the House knows, my right hon. and learned Friend was using a system established by my right hon. Friend the Member for Kingston upon Thames (Mr. Lamont) in his days as Chancellor in the early months of this Parliament. That system will establish securely proper control of the share of national income which is taken by public expenditure.

As used in the last round, the system delivered reductions in public expenditure plans of £10 billion and allowed my right hon. Friend the Chief Secretary to publish plans which, during the next three years, will deliver an average growth in the the total of public expenditure of 0.25 per cent. There will be less than 1 per cent. growth in public expenditure during the full three years of that plan. That was the first key element of re-establishing proper control of public finances.

The second key element, which we all know is not enormously popular but which is indispensable, is the revenue-raising measures that were included in the 30 November Budget, following on from the Budget of my right hon. Friend the Member for Kingston upon Thames last March. [HON. MEMBERS: "Tax-raising measures."] They were tax-raising, or revenue-raising, measures.

The reason for that is clear and is straightforward. When public expenditure plans have been made, we must then address the question of how to finance them.

The Government believe unequivocally that it is better to tax than to borrow, and that is one of the differences between this party and the Labour party. Where we set out public expenditure plans, we also set out plans for

financing that public expenditure on a secure and sustainable basis. That was the second element in my right hon. and learned Friend's Budget plan.

The third element is that on which my right hon. and learned Friend is able to count because he has controlled public expenditure and because he has set in place secure and realistic tax plans. That element is the growth which will continue right through the rest of this Parliament and beyond. My hon. Friend the Member for Ludlow (Mr. Gill) was right to stress the opportunities for this country to trade its way to improved living standards and improved prosperity. It is because the Budget sets out the disciplines which underwrite that trading success that we are able to look forward to that in the years ahead.

Ms Eagle: The Financial Secretary said that the Conservative party prefers to tax rather than to borrow. Will he explain how we have ended up with the largest public sector borrowing requirement in history and the greatest tax increases since 1945?

Mr. Dorrell: The hon. Lady's statistics are wrong. The PSBR borrowing total for last year which was published today is, by a significant margin, a smaller share of national income than was incurred through the 1970s. The key difference between what happened then under the Labour party and what will clearly happen under the Government is that, as the economy recovers, so borrowing will be brought down and be eliminated by the end of the decade. That is the difference between the plans of the two parties.

The hon. Member for the Western Isles (Mr. Macdonald) was right. It is not just a question of how much one taxes—it is a question of how one taxes. The hon. Gentleman used the word "fair", but he did not explain to the House how it is fair to tax at 83 per cent. the incomes of those who hold important entrepreneurial posts in Britain. How can one build a successful economic recovery where key decision-makers in Britain keep 17p of every pound they earn? The Government have changed that and we are unapologetic for having changed it. As a result, not merely that individual, but the whole community benefits as a result of a more vibrant, growing economy.

Mr. Macdonald: At a time when every single ordinary person in the country is having to pay extra taxes, how is it fair and right that landed aristocrats should be receiving and sharing out £2 million worth of tax cuts? Does not that expose the hypocrisy of the Government's position?

Mr. Dorrell: The hon. Gentleman thinks that he is on to a good point with that £2 million, but I am talking about a tax system which underwrites economic success.

I would like to know from the Opposition how it is fair to have a tax system which taxes the marginal income of savers at 98 per cent. The Opposition claim to be interested in investment and saving. How can one encourage savings and investment in the British economy when the return from savings is taxed at 98 per cent? It is because Labour has a narrow, myopic view of what fairness represents that it entirely failed to deliver a vibrant economy during its years in office.

Mr. Nicholas Brown: The answer to the Financial Secretary's question is that we do not believe in anything of the sort either.

Mr. Dorrell: Then it is slightly odd that the Labour party maintained as much during its years in power.

The Government have made clear the importance that they attach to low marginal tax rates and their commitment to such rates. We believe that that is the way in which to deliver a successful market-oriented economy.

I have said that the Bill marked not only the moment when the Government set out their plans, but the moment when the Labour party lost its credibility. In fact, many Opposition Members know that to be true. My hon. Friend the Member for Esher (Mr. Taylor) quoted the hon. Member for Dagenham (Mr. Gould). This is a sad moment for me: the hon. Member for Dagenham was my tutor at Oxford, and I have always enjoyed quoting his comments, but I fear that this may be one of the last occasions on which I am able to do so.

It is an important point, however. As my hon. Friend the Member for Esher recalled, the hon. Member for Dagenham said:

"I think the Labour Party ought to accept . . . that we will always be likely to have a higher tax burden than our opponents because we believe in public spending."

That is why Opposition Members are uneasy about the debate that has been going on over the past few months: they are aware that it is dishonest, and that they are involved in an argument that means that they cannot deliver to the British people.

Not only the hon. Member for Dagenham knows the truth of the matter; the hon. Member for Hartlepool (Mr. Mandelson)—who was here a few moments ago, but has now disappeared, perhaps wisely—knows it as well. He is making himself unpopular with his colleagues. He was recently quoted in *Tribune* as saying:

"As we all know, the question which matters is 'what will Labour do instead?'"

That question—the Mandelson question—is one that we have asked throughout the debates on the Bill, but we have received no answer whatever.

I must not be unfair; we have been given the occasional hint. Last August, the hon. Member for Dunfermline, East (Mr. Brown) was heard to talk wistfully about the attractions of low tax: Labour, he said, might not wish to tax for the pure hell of it. I am not sure why the hon. Gentleman felt that he could speculate; perhaps he thought that he could talk about such matters safely while the hon. Members for Sheffield, Brightside (Mr. Blunkett) and for Oldham, West (Mr. Meacher) were on holiday abroad.

The hon. Member for Peckham had a rather more serious go in September, to which my right hon. Friend the Chief Secretary referred. Earlier in the debate, she sought to dismiss it, but I now have a copy of the document on which my right hon. Friend commented. It is a report by the London Policy Forum, which was set up by the regional executive of the Greater London Labour party. I shall not weary the House with the long list of names comprising that group, but the working party chair of the economy group was none other than the hon. Member for Peckham.

The report states:

"Mortgage interest tax relief should be phased out for existing"—

Ms Harman: No.

Mr. Dorrell: It is no good saying no; I have the words in front of me.

"Mortgage interest tax relief should be phased out for existing borrowers. In its place, new borrowers would receive a Mortgage Benefit calculated according to their means."

Ms Harman: Rubbish.

Mr. Dorrell: The hon. Lady may say "Rubbish", but it is on page 37 of the document published by a committee of which she was a member.

Ms Harman *rose—*

Mr. Dorrell: Before the hon. Lady intervenes, let me tell her that she cannot simply dismiss this as something that is unimportant in the affairs of the Labour party. However, I am happy to give way.

Ms Harman: The document from which the hon. Gentleman is quoting is from an unpublished draft by a working group of which I was not a member and whose proposals were thrown out. The public and the House can believe nothing of what the Government say about their own proposals, let alone what they say about ours. The Minister has engaged in downright and deliberate misrepresentation and he should withdraw what he has said.

Mr. Dorrell: I have no intention of withdrawing. I shall quote from the covering letter to the document from Mr. Terry Ashton, who is the general secretary of the Labour party in Greater London. He is not, one would have thought, an unimportant figure in the Labour party. He said:

"The London Policy Forum is being used as a model for regional policy forums in other parts of the country. With its detailed analysis of the problems and challenges facing London, and its many innovative ideas,"—

including presumably this one—

"I am sure that this document will be of major benefit to Labour's campaign to win over voters in the capital."

I am certain that it is of major benefit to somebody, but I doubt that it is of major benefit to Mr. Terry Ashton or his friends.

Throughout our debates on the Bill the Opposition have tried to present themselves as being against tax increases, but everybody knows that is an implausible argument. People know that tax and spending form the same issue. They do not take seriously a party that seeks to argue against tax increases while at the same time the hon. Member for Brightside says that we should increase expenditure on the health service by £6 billion; the hon. Member for Oldham, West criticises us for not spending 0.7 per cent. of national income on overseas aid; and the hon. Member for Blackburn (Mr. Straw) wants to abolish controls on the spending of capital receipts by local authorities. Why does he want to do that? Presumably it is so that local authorities can spend more.

We have not yet seen fully worked through the proposals by the hon. Member for Kingston upon Hull, East (Mr. Prescott) on minimum wages. Is the rate to be £3.40 or £4.05? When they decide we will tell them how much it will cost, but I am certain that if they want to spend that amount on minimum wages they will have to show the British people how it will be paid for in tax. The British people understand very well that no one can promise to spend without demonstrating how the money will be raised.

Mr. Nicholas Brown: Will the Minister give way?

Mr. Dorrell: No, because I have just three minutes left.

The hon. Member for Peckham, who is supposed to be responsible for stopping such bids, yesterday spoke at the Dispatch Box against tax increases and in the same debate she called for increased spending on child care. The Opposition think that they can get around it by tabling amendments that would benefit a company to the tune of only £3 or £10, but that sort of shadow boxing fools nobody.

We all know that, as the hon. Member for Dagenham said, Labour wants to spend more money. We also know that, when it does, it goes to the electorate to raise it in tax. Over the past three months a surreal argument has been going on in Britain. Labour appears to believe that the electorate will suspend disbelief and allow it to peddle these two mutually inconsistent lines without spotting the fact that they are inconsistent. But that will not happen because people know that bills have to be paid and that they are higher under Labour.

They have good reason to know that because the difference between Labour councils and Tory councils is clear to every taxpayer in the land. Labour has sought to obscure and obfuscate the fact that the council tax is £131 higher under Labour than it is under the Conservatives. Labour has not even been able to convince Mr. Peter Kellner on its arguments.

How dare the Opposition talk of excessive tax? It is a dishonest and fraudulent argument that they have not been able to sustain. The people of Britain know from bitter experience that Labour spends more and that the bills of Labour Governments and Labour councils cannot be avoided.

The difference between the parties is neatly encapsulated in a single figure. Under Labour, successful entrepreneurs pay tax at 83 per cent. Under the Tories, the take-home pay of the man on average earnings has increased by £83 a week. It is the same number in two very different contexts. Labour taxes people at 83 per cent.; we have raised people's living standards by £83 a week. Eighty-three is the number; 83 is the litmus test. Under Labour it is tax and under the Conservatives it is living standards.

That is why we should give the Bill a Third Reading.

Question put:—

The House divided: Ayes 305, Noes 260.

Division No. 216] **[10 pm**

AYES

Ainsworth, Peter *(East Surrey)*	Booth, Hartley
Alexander, Richard	Boswell, Tim
Alison, Rt Hon Michael *(Selby)*	Bottomley, Peter *(Eltham)*
Allason, Rupert *(Torbay)*	Bottomley, Rt Hon Virginia
Amess, David	Bowden, Andrew
Ancram, Michael	Bowis, John
Arbuthnot, James	Boyson, Rt Hon Sir Rhodes
Arnold, Jacques *(Gravesham)*	Brandreth, Gyles
Arnold, Sir Thomas *(Hazel Grv)*	Brazier, Julian
Ashby, David	Bright, Graham
Atkins, Robert	Brooke, Rt Hon Peter
Atkinson, David *(Bour'mouth E)*	Brown, M. *(Brigg & Cl'thorpes)*
Atkinson, Peter *(Hexham)*	Browning, Mrs. Angela
Baker, Rt Hon K. *(Mole Valley)*	Bruce, Ian *(S Dorset)*
Baker, Nicholas *(Dorset North)*	Budgen, Nicholas
Baldry, Tony	Burns, Simon
Banks, Matthew *(Southport)*	Butler, Peter
Banks, Robert *(Harrogate)*	Carlisle, John *(Luton North)*
Bates, Michael	Carlisle, Kenneth *(Lincoln)*
Batiste, Spencer	Carrington, Matthew
Beggs, Roy	Cartiss, Michael
Bellingham, Henry	Cash, William
Bendall, Vivian	Chapman, Sydney
Beresford, Sir Paul	Churchill, Mr
Biffen, Rt Hon John	Clappison, James
Blackburn, Dr John G.	Clark, Dr Michael *(Rochford)*
Body, Sir Richard	Clarke, Rt Hon Kenneth *(Rushcliffe)*
Bonsor, Sir Nicholas	Clifton-Brown, Geoffrey

Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riffkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whitingdale, John
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Andrew MacKay and
Mr. Andrew Mitchell.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam

Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'ld'n E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Speller, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Alan Meale and
Mr. Eric Illsley.

Question accordingly agreed to.

Bill read the Third time, and passed.

Maternity Pay

3.15 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. William Hague): I beg to move,

That the draft Maternity Allowance and Statutory Maternity Pay Regulations 1994, which were laid before this House on 24th March, be approved.

The improved maternity payments introduced by these regulations—*[Interruption.]*

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. Will hon. Members leaving the Chamber do so quietly, please?

Mr. Hague: The improved maternity payments introduced by these regulations will benefit about 285,000 women a year and 90,000 women a year will be entitled to the higher rate of statutory maternity pay for the first time. Women will have greater freedom about when to start their maternity leave. At the same time, the scheme has been simplified to make it easier for employers to administer.

The regulations before the House amend the statutory maternity pay and maternity allowance schemes and comply with the maternity pay provisions of the European Community directive on the protection of pregnant women at work, which was adopted in October 1992, following negotiation between member states.

The Trade Union Reform and Employment Rights Act 1993 implements the directive's employment protection requirements, including the right to 14 weeks statutory maternity leave.

The changes to the maternity schemes will be as follows. The higher rate of statutory maternity pay—90 per cent. of pay—will be payable for the first six weeks to all women who qualify. The lower rate of statutory maternity pay and maternity allowance for employees will be increased to £52.50 per week to equal the higher rate of statutory sick pay. There will be one employment test of 26 weeks for statutory maternity pay, with the two and five-year employment tests for higher rate SMP abolished. The test period for maternity allowance will be increased from 52 weeks to 66 weeks, giving more women the chance to qualify.

Women will now have the freedom to choose when their maternity leave and pay should start, the only exception being where a woman suffers from a pregnancy-related illness in the six weeks before her baby is expected.

The amount of statutory maternity pay reimbursed to employers will be reduced to 92 per cent. but full reimbursement will be retained for small businesses.

The new provisions will be introduced at the same time as the new maternity leave and dismissal provisions and will apply to all women expecting a baby on or after 16 October.

Mr. Alex Carlile (Montgomery): Does the hon. Gentleman agree that one of the results of the changes will be to leave self-employed women at an even greater disadvantage than before? Do the Government have any proposals to assist self-employed women who become pregnant and would like to take maternity leave?

Mr. Hague: The hon. and learned Gentleman is mistaken if he thinks that the position of self-employed women is changed in any respect by the regulations. They are not placed at any disadvantage.

The regulations do not concern self-employed women. Self-employed people continue to get a very good deal from the national insurance system. A self-employed woman on earnings equivalent to average pay will be paying about one third of the contributions paid in respect of an employed women in the same position, so that has to be borne in mind.

To move on to the specific regulations, regulation 1 allows for the new maternity benefits to apply to women expecting a baby on or after 16 October. The first payments for those women under the new rules will be made from the end of July, as women can take maternity leave up to 11 weeks before their baby is expected. It also allows for the SMP reimbursement rate to be reduced to 92 per cent. from 4 September.

Mr. John Wilkinson (Ruislip-Northwood): My hon. Friend is speaking very quickly and when Ministers speak quickly something quite important could pass the notice of the House. Is it not a fact that, as required by European Community directive 92/85, the regulation will mean that employers' reimbursement rates for administering and paying state maternity benefits will be reduced from 104.5 per cent. to 92 per cent? Is this not contrary to Her Majesty's Government's declared intention of reducing the burdens upon employers? Is it not an extra tax upon those who provide employment and is it not another tax imposed at the behest of the European Community?

Mr. Hague: My hon. Friend is correct in pointing out that the reimbursement rate is reduced from 104 per cent. to 92 per cent., although it is important to understand that small employers—about two thirds of all employers—do not have any reduction in their reimbursement rate, so they are in no way penalised.

The regulation does call for an additional contribution from employers, and the Government think that it is right that they should make some contribution to these improved levels of maternity pay. After all, in much of the rest of the European Community employers have to fund about 50 per cent. of the maternity pay entitlement. So employers can at least reflect on the fact that in this country 92 per cent. is provided by the state, with 104 per cent. provided in the case of small employers. Regulation 2 deals with the rate of maternity allowance and entitlement conditions.

Regulation 3 starts the maternity pay period no later than the week after that in which the baby is born. At present, it starts no later than the sixth week before that in which the baby is expected. In addition, a woman working after the sixth week loses one week's maternity pay for each week or part week worked. The regulation will allow women to start their maternity leave and pay at a time when they feel it is best for them without losing benefit. The only exception will be where a woman ceases work after the sixth week before the baby is due because she is sick for reasons relating to her pregnancy. Her maternity leave will start at that point.

Another improvement allows women who are claiming statutory sick pay for reasons not related to their pregnancy at the sixth week before the expected birth to continue

[Mr. Hague]

claiming statutory sick pay until the baby is born. At present, SSP cannot be paid beyond the sixth week regardless of the cause of illness.

Regulation 4 deals with the rate of statutory maternity pay. It ensures that all recipients receive the higher rate for the first six weeks. It increases the lower rate to £52.50—an increase of £3.70—for the remaining 12 weeks. The regulation also abolishes the two-year service test for full-time employees and the five-year service test for part-time workers qualifying for the higher rate, leaving one simple employment test of 26 weeks.

Regulation 5 covers the new reimbursement arrangements referred to by my hon. Friend the Member for Ruislip-Northwood. The SMP reimbursement rate will be reduced from 104 per cent. to 92 per cent. to cover the £55 million cost of the improvements. Small employers will retain the 104 per cent. reimbursement rate and so will not have to pay a penny more. They will be defined as those whose total national insurance contribution payments in the previous tax year were £20,000 or less—the same definition that applies in the case of statutory sick pay. Regulation 6 then makes two minor consequential changes.

Some attention has been given to the contribution to be made by employers. The Government believe that it is right that employers should meet a small part of the cost of maternity pay for their employees during a period of leave from work. Employers in the United Kingdom should be compared with their counterparts in most other European Community states who contribute at least 50 per cent. of the cost of maternity pay. Furthermore, employers' national insurance contributions have been reduced by £830 million. That is £125 million more than the combined cost of this change and the change in statutory sick pay. Overall, employers will be better off as a result of the changes.

The changes are good news for 285,000 women. We have chosen a simpler option for implementing the changes so that there will be administrative benefits for business. We believe that it is reasonable to ask employers to meet the extra cost, given that the state continues to pay the lion's share—92 per cent—of maternity pay. We have not cut the level of state funding at all and small businesses will not pay a penny more. I commend the regulations to the House.

10.23 pm

Mr. Keith Bradley (Manchester, Withington): The Labour party supports the improvements in the provision of maternity pay, maternity allowance and maternity leave but it is absolutely clear to us that the changes have been forced on the Government by an EC directive requiring that our maternity benefits be brought into line with those of other European countries.

Britain has been forced to improve its maternity benefits as part of the European social chapter. I agree entirely with my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar) who, when the regulations were first published, commented in the press that the Government had been "dragged kicking and screaming" by Europe into introducing the enhanced benefits. Ironically, the opt-out from the chapter secured by the Government does not apply because the improvements were voted through before the Maastricht treaty was approved. If they had not been, the Government would have tried not to implement the EC directive and would not have supported the improvements. We must be clear about the Government's real position.

We welcome the improvements that the Minister has outlined briefly but it is worth repeating some of the crucial changes that will improve the position of women. The changes that we welcome include a reduction in the qualifying period for statutory maternity pay. In future, as the Minister said, women who have been employed in the same job—I stress that point—for 26 weeks will be eligible whereas, previously, they had to wait for two years in the case of full-time workers and five years in the case of part-time workers. Those changes will help about a fifth of pregnant women workers—a total of about 285,000—who will be able to claim the higher rate of statutory maternity pay.

We also welcome the fact that the sums have been increased, with statutory maternity pay comprising 90 per cent. of earnings for the first six weeks and a weekly £52.50, increased by £3.70 to the level of statutory sick pay, for the remaining 12 weeks. That was part of the directive which harmonised the rate of statutory sick pay with the rate of statutory maternity pay. We welcome the changes to the maternity allowance, which is paid to those women still not qualifying for the full benefit but who earn enough—more than £57 a week—to enable them to pay national insurance. Again, that has been increased under the proposals.

We also welcome the change from 52 to 66 weeks as the period relevant for the 26-week contribution record which is needed to claim the maternity allowance and the fact that women will be eligible for statutory sick pay if they are on sick leave for reasons other than pregnancy within the six weeks of that due date. Those are major improvements, but I stress that they are the consequence of the Government being forced to implement the EC directive, not of a general desire to improve conditions for pregnant women.

It is important that we continue to highlight the considerable and continuing problems with maternity provision. First, although the changes have been welcomed by many groups representing working women—for example, the Maternity Alliance and the Trades Union Congress—they stress that the changes do not go far enough. The Equal Opportunities Commission states that the United Kingdom still has the worst record on maternity pay in Europe, equivalent to only eight weeks' full pay. By comparison, women in Denmark receive the equivalent of 22 weeks' full pay and in Germany the equivalent of 14 weeks' pay. Therefore, even after those changes, the United Kingdom will still have a poor record in comparison with our European partners.

Secondly, earnings-related statutory maternity pay—the 90 per cent. of earnings—is available only for the first six weeks of leave, after which a woman must rely on the lower rate of statutory maternity pay, which is currently £52.50 a week, for a further 12 weeks. The organisations recognise that such a rate is not high enough to cover the true costs of pregnancy, birth and young children. We support that view.

Thirdly, the lower rate of statutory sick pay, to which the directive raises the new rate of statutory maternity pay, has not been uprated for the past four years, so its real value

is nearly £15 less than it should be. If it had been uprated in line with prices over the past four years it would be £67.03 by now.

I must therefore ask the Minister whether statutory maternity pay will be uprated annually, or whether it will continue in line with statutory sick pay, which the Government have not uprated for four years. Or do the Government intend to uprate both statutory sick pay and statutory maternity pay annually, to ensure that they keep their real value?

Even now, not all women are guaranteed a minimum period of paid maternity leave. That flies in the face of the spirit of the directive, the purpose of which was to ensure that all women workers were guaranteed a minimum period of paid maternity leave. It is considered that to protect the safety and health of employed pregnant women and new mothers it is essential that they be statutorily entitled to such leave. We support that view.

One of the crucial problems is that even under the new arrangements the biggest group of losers will be those 20 per cent. of pregnant working women—one in five of them—who earn less than £57 a week, which is the lower earnings limit for national insurance contributions. Those women are excluded from the statutory maternity pay scheme. There seems no justification for such a limit, because statutory maternity pay is not a national insurance benefit. There is no direct relationship between national insurance contributions and statutory maternity pay, but still that qualifying level is used to distinguish between women who do and women who do not receive the pay.

Numerous examples have been supplied to us by many organisations. I pay tribute to the National Association of Citizens Advice Bureaux, which has supplied me with many examples of women who have suffered great hardship because of their lower earnings and consequent lack of entitlement to statutory maternity pay. Under the present rules, women are excluded from statutory maternity pay if, in the eight weeks immediately before the qualifying week, their earnings fall below the lower limit for national insurance contributions.

Two groups of women are affected by that rule. The first consists of women who are simply low-paid. The second consists of women whose earnings during that eight-week period may change and may be exceptionally low. Employers may be aware of the qualifying period and could—I stress the word "could"—manipulate wage rates during that period in some way, so as to deny women the opportunity to qualify.

We believe that the eight-week qualifying test should be replaced by a more representative sample of women's earnings. If over a longer period a woman has qualified, by earning the rates of pay that entitle her to statutory maternity pay because of her national insurance contributions, she should be eligible. She should not be denied.

The next major problem is the length of service requirement. By the 15th week before the expected week of childbirth, a woman must have been working for her employer continuously for 26 weeks. In the United Kingdom, there is no service requirement for statutory sick pay entitlement. Article 11(4) of the directive allows member states to tie entitlement to maternity payments to fulfilment of the conditions that apply to eligibility for sickness benefit.

I again request the Government to consider whether the service requirement for statutory maternity pay should be abolished so that women receive an income as of right during the relevant period. If the service requirement on statutory sick pay is harmonised, there should be full harmonisation. Decisions should not be made within that about who is eligible and who is not.

The next major problem is the qualifying period. As I have already stated, reducing the test for the higher rate of statutory maternity pay from two years of employment to 26 weeks will obviously enable more women to qualify and that move is, therefore, welcome. However, one group of women who have lost out in the past have been those who have been in continuous employment during the qualifying period, but who have not worked for the same employer throughout.

The Government claim to be keen to encourage mobility and flexibility in the work force. A woman employee who moves jobs should not be penalised if she becomes pregnant. Although paid through the employer, statutory maternity pay is still a state benefit and thus the amount payable should not be linked to a service agreement with one particular employer.

The next major problem is that, although women are entitled to 18 weeks' maternity pay, they are entitled to only 14 weeks' maternity leave. There is a major discrepancy in the new scheme between the right to pay and the right to leave. I ask the Minister what the point is of a right to 18 weeks' maternity pay if women have to return to work after 14 weeks. Can the Government estimate what their savings are from not harmonising at 18 weeks and from reducing by four weeks people's entitlement to leave?

One of the major issues, which was highlighted when the regulations were published and which continues to be a bone of contention, is the implication of reducing the employers' reimbursement for the cost of the new scheme. As we have heard from the Minister, the additional cost of the new scheme will be about £55 million a year. To pay for that, from 4 September, large employers will receive only 92 per cent. of their statutory maternity pay bill. That replaces the current rate of reimbursement of 104.5 per cent.

Smaller employers whose annual national insurance bill is less than £20,000 a year will continue to be fully reimbursed. As you know, Madam Deputy Speaker, from our previous debates on statutory sick pay, the Labour party is now the champion of small businesses and our policies are in place to ensure that that continues. Clearly, we welcome the fact that the Government now understand—

Mrs. Edwina Currie (Derbyshire, South): Is the hon. Gentleman aware of serious concerns being expressed by employers of all sizes—those concerns have certainly been expressed to me—that improving the regulations, albeit in the interests of the women concerned and their babies, puts the future employment of pregnant women at risk?

Mr. Bradley: Yes. I welcome that intervention. I was coming to that point. I support in a general sense the sentiments that I think the hon. Lady is expressing.

It is clear that the Government have recognised that the fact that the Labour party is the friend of small businesses is a problem for them and they have, therefore, exempted small businesses from the proposals. However, there is still the issue of the transfer of costs on to business because of the provision. It is likely that the proposal to make

[Mr. Bradley]

employers pay part of the cost of statutory maternity pay will cause some to seek methods of avoidance. Concern has already been expressed by organisations; I am sure that the hon. Member for Derbyshire, South (Mrs. Currie) has received the briefing from the Institute of Directors that especially expressed concern on the matter.

When the maternity pay package was published, it provoked an array of negative headlines in the press, which I am sure that the hon. Member for Derbyshire, South read. There were headlines such as "Burdens on employers", "Employers dismayed by improvements in maternity benefits" and "Storm as more qualify for maternity cash".

In its report on the operation of the statutory sick pay and statutory maternity pay schemes in January 1993, the National Audit Office said that inspectors from the Contributions Agency had found that 29 per cent. of the statutory maternity pay cases that they examined contained monetary errors in the calculation. Also, employees were not always informed by their employers of their rights under that provision.

Obviously, the cost to employers of the new maternity pay is relatively low. However, while most employers would recognise that the amount that they are being asked to pay is minimal, what is at stake—I hope that the hon. Member for Derbyshire, South was making this point—is the fundamental principle of the gradual shift of social costs from Government on to employers.

The CBI, among other employers' organisations, is concerned that it will not be long before the cost of statutory maternity pay will be fully borne by employers, as is now the case with SSP. The CBI is worried that, although it may be considered only a small burden at the moment, with a reduction from 104 per cent. to 92 per cent., it is the start of a process, as we saw with SSP, to transfer all the burden on to business. At a time of a faltering economic recovery, the CBI considers any additional burdens to be inappropriate. There is a fundamental suspicion about whether it is a process that the Government will continue and that, perhaps, the next item will be family credit.

We would argue that employers will force down wages because they know that there is a subsidy through family credit which props up those bad employers who want to pay low wages. The Government may decide that they want to shift that burden on to employers and complete the circle.

As we have heard—it is probably relevant to raise the matter at this stage—under SSP, the Government are to undertake a study of the implications of the cost of introducing SSP, especially on small employers, to see whether the burden on small employers for the first four weeks is inappropriate. I would welcome the Minister's comments on how that study is going. I would also welcome his comments on the wider point of whether it is the Government's general intention to shift the burden of all social provision on to employers so that the Government may reduce public expenditure and so that, eventually, employers of all sizes will pick up the tab for improvements in provision for their employees.

Mrs. Teresa Gorman (Billericay): In view of the hon. Gentleman's newly expressed interest in small businesses, would he address a problem that small businesses often bring to my attention—that of having to keep the job open for 14 and possibly, as the hon. Gentleman recommends, 18 weeks, when the woman concerned may decide—frequently decides—not to return to work? That is a real problem for small businesses. Would he tell us the Labour party's policy on that?

Mr. Bradley: I am pleased that the hon. Lady takes such great interest in my political career. I was not aware that she monitored—

Mr. Wilkinson: Get on with it and just answer the question.

Mr. Bradley: Labour Members are taking the debate seriously and I shall answer the question in the way that I feel most appropriate. Clearly, it is not a new problem for small businesses, as the hon. Lady would know if she had any knowledge of small businesses in the north-west, in which I and my hon. Friends have taken a great interest and which we have supported over many years. I shall come on to the point about the relationship between small businesses and employment practices.

We believe that the period up to October 1994 should have been used to strengthen enforcement of the statutory maternity scheme through the Contributions Agency and the Benefits Agency and to emphasise to employers the rights given through the Trade Union Reform and Employment Rights Act 1993 to workers who are dismissed due to pregnancy. That is a much more important point, because the percentage of women who have sought re-instatement in the past has been extremely small.

The right to appeal against dismissal does nothing to counteract the effect that the proposals will have on employers' recruitment policies. There is a danger that some employers will deliberately decide not to employ women who are likely to have children. That is a much more crucial point than the one that the hon. Member for Billericay (Mrs. Gorman) made about women who decide not to return to work. It is much more important that we ensure that we protect women who want to go into the workplace. Given the changes in the burden of costs on businesses, there is a danger that businesses in their employment and recruitment policies will deny women the right to enter the workplace. We are most concerned that that may be the implication of the Government's plans.

The Government have said that they are keen—I hope that the hon. Member for Billericay supports this—to encourage women to realise their potential in the workplace through the Government's initiatives such as Opportunity 2000. That means that employers' attitudes can be crucial in determining whether women return to work having had their baby instead of being dependent on benefits.

The package of recruitment policies, the policies that companies adopt towards women in respect of their training, the flexibility of companies and the opportunity for women to move in and out of the workplace are much more crucial—

Mr. Peter Thurnham (Bolton, North-East): I am grateful to the hon. Gentleman for giving way. He said earlier that employers could use the family credit scheme to force wages down. He spoke of his great knowledge of the north-west employment scene. Can he give one example of an employer who has forced down wages in those circumstances?

Mr. Bradley: I was making a general point that it is clear that the Government are applauding themselves because the cost of family credit is rising. We must link the level of wages—only working people can receive family credit—with the abolition of wages councils. Throughout the country there are examples of wage rates down to £2 an hour. The result is that employees are claiming family credit to prop up their wages. If the hon. Gentleman does not recognise that, he knows little about the employment market in the north-west and throughout the country.

It is clear that the Government's proposals are an improvement on the previous position. We have made that clear from the start.

Mr. Bowen Wells (Hertford and Stortford): Really?

Mr. Bradley: The hon. Gentleman would have heard me say that at the beginning of my remarks.

We are concerned, however, about the anomalies in the system and the fact that low-paid women do not gain any benefit from the proposals. The benefits that we are introducing still mean that we are at the bottom of the pile of European countries. We have flagged up our concern about the shift of the costs and burdens of social provision on to employees. We want to ensure that the provisions are only the starting point in the improvement of social provision, and especially maternity provision. We suspect that the Government have introduced them in spite of their opposition to the social chapter and fear that they will go no further in trying to make provisions that are at least as good as those of our European allies.

10.48 pm

Mr. John Wilkinson (Ruislip-Northwood): I shall be brief. I would not pretend to be a social security buff or anything like it, but at the risk of mixing metaphors I can smell a rat when I see one.

On reading the regulations, the first thing that struck me was that it would be highly unlikely that the Government would introduce them were it not for the fact that they were bound to do so by European Community directive No. 9285. I wonder whether it is appropriate that we should be legislating in this area at the behest of the Community rather than in our own national interests according to our own lights and judgment and in view of British economic circumstances. That is the first and cardinal point that I shall make.

My second point—to reinforce the one I made earlier in an intervention on my hon. Friend the Minister—relates to the reduction of the reimbursement rate for all but the smallest employers. Later, my hon. Friend may be able to clarify the number of employers who will have to make additional contributions for the administration and payment of state maternity pay benefits as a consequence of the regulations. I do not know exactly what an annual national insurance bill of £20,000 constitutes, but all but the smallest companies will have to make additional contributions as a result of the regulations.

The explanatory note on the back of the statutory instrument says:

"An assessment of the compliance costs for employers . . . has been made and a copy has been placed in the libraries".

I may not have heard accurately what my hon. Friend the Minister said earlier. If he quantified the amount that employers will have to contribute as a consequence of the regulations, I ask him to remind the House because I missed it. It is an important matter and the information should be available not only in the Library of the House for researchers and hon. Members but in the record of our debate this evening.

Businesses are struggling to come out of recession. They face too many burdens and cash flow remains a problem. In those circumstances, I do not see how it can help recovery and employment prospects to place additional burdens of this sort on all but the smallest employers.

My hon. Friend the Minister made a comparison with other European countries—implicitly, other Community countries. I do not call them Union countries yet; I call them Community countries, and I shall continue to do so. The point is that we live in a global economy. Our competitors are not principally our Community partners; they are the thriving, dynamic economies of Asia and South America. With the European Community so stuck in recession, it is necessary for Her Majesty's Government to comprehend that and to translate that comprehension into their legislative actions by pursuing a social programme which is not Eurocentric but related to the reality of the economic world in which we must live and compete.

It may be desirable—I am sure that it is, and I fully applaud the intention of those who are promoting the regulations at the behest of the Community—to do more for mothers who have to take leave to bear children. Nevertheless, the countries with which we must compete to a large extent do not have social costs of this sort. The more policy-makers in the United Kingdom are obsessed with such regulations and benefits, the more likely they are to forget the necessity of cutting the social burdens and social costs which are inhibiting growth and dynamism in the British economy, and the creation of new jobs across the nation.

This is an interesting debate. I know that my contribution has been an amateur one.

Mr. David Nicholson (Taunton): Perhaps my hon. Friend will at least express gratitude that the individuals who may benefit from the regulations are not expecting to receive the grand sum of £300,000.

Mr. Wilkinson: I am always glad to express gratitude and to show magnanimity of spirit.

I conclude my remarks by focusing on a central point. It is more important for the United Kingdom—if our opt-out of the social chapter is to mean anything—to show that we are not necessarily bound to apply directives at the behest of Brussels. We must begin to pursue independent policies which are in the interest of our economy and our people.

10.55 pm

Mr. Alex Carlile (Montgomery): I join with the expression of satisfaction that more women will be drawn within the potential of statutory maternity pay. It is right and proper that the European Union should seek to provide as high a level of maternity pay as is consistent with a modern economy.

The speech of the hon. Member for Ruislip-Northwood (Mr. Wilkinson) did not contain his recipe for the extent to which maternity pay should be paid. One suspects that the hon. Gentleman is not in favour of it at all.

Whatever the Government claim, this change is not, to quote one journalist who wrote recently,

[Mr. Alex Carlile]

"as much the gift horse as it sounds—for almost all the women who currently do fulfil the eligibility criteria will be better off sticking to the old system."

That does not sound like a great improvement.

I should like to highlight five points. The first relates to administration costs. It is correct, as I and others have calculated, that the changes to the scheme will mean that employers will incur considerably increased implementation costs in the year 1994-95. Indeed, if it is to be a gift horse for anyone, it will be for those who make the computer software which will have to be put into the administrative systems of the companies running the scheme.

Larger employers will incur extra costs, but those will vary in accordance with the size and distribution of the work force and the nature of the pay system which is used. I have looked for examples of the changes which will take place. It looks as though a large supermarket chain with 100,000 employees—most of whom are women—will have to implement detailed changes. Those will include drafting procedures, training personnel and payroll staff, communication exercises and changes in computer software and will result in the chain having to spend about £300,000 extra.

Companies are bound to ask themselves whether it is worth employing women who are liable to become pregnant if they have to spend all that extra money. The hon. Member for Derbyshire, South (Mrs. Currie) suggested in an intervention that it may well lead to the employment of fewer married women and fewer women of child-bearing age.

Mr. Wells: Quite right.

Mr. Carlile: I hear the hon. Gentleman commending the view that fewer women of child-bearing age should be employed. I do not know whether he meant to intervene in that way.

Mr. Wells: I am grateful for the opportunity to give an explanation. I am not in favour of the effect which the hon. and learned Gentleman outlines. I would advocate the employment of women of child-bearing age as much, and as often, as possible. I was agreeing with him that the measure is likely to do the reverse. It will do serious harm to young women who are seeking to make their careers in business and in other ways, as they may not be employed in preference to young men and others.

Mr. Carlile: I am grateful for the hon. Gentleman's clarification. The answer is in the Government's hands. The Government have chosen to place the extra burden on businesses. That is not done by some of our European Union partners, who manage to deal with the problem in another way.

The second point I want to raise relates to the reasoning for passing on the costs to employers. As is to be expected, companies strongly object to the transfer of the administration of the scheme to employers. They also oppose the Government's suggestion that statutory maternity pay is a form of pay which should be financed by employers. It has to be borne in mind that employers already contribute significantly to the cost of statutory maternity arrangements through the maternity leave requirement.

Few companies, however, feel that they should have any responsibility to finance maternity pay, given that the majority of women who receive it do not return to work for those companies. That is another reason why employment of women of child-bearing age is likely to be reduced as a result of the changes unless the Government recognise their responsibility to pick up the cost of the difference.

CBI research suggests that only 7 per cent. of employers provide occupational maternity benefits, and that there is no analogy between statutory sick pay and statutory maternity pay because, while employers wish to control sickness absence, they have no reason to wish to control maternity absence if the women concerned are not going to go back to work for them anyway.

Mr. Nick Hawkins (Blackpool, South): Surely measures such as this are introduced on the insistence of the European Union. Would not the hon. and learned Gentleman's party impose far more burdens on business, because it would lie down in front of the Brussels bulldozer and accept everything emanating from Brussels?

Mr. Carlile: I advise the hon. Gentleman to ask his own Secretary of State—or, rather, the then Secretary of State—why she accepted the proposals. I understand that the Government are commending the arrangements to the House, having entered into them voluntarily.

My third point relates directly to the impact on employment opportunities. By increasing the cost of employment, the Government's proposal is bound to reduce such opportunities for younger women. The additional costs, moreover, will not be evenly distributed across business. Some sectors have a high concentration of female workers: obvious examples are hairdressing and supermarkets, which employ a great many women. Those sectors are likely to find that they are not adequately compensated by the overall reduction in employers' national insurance contributions.

Smaller employers may also be disproportionately affected unless they are within the very small protected area of extremely small business that was mentioned earlier. At the very least, the small employer's relief for statutory sick pay and statutory maternity pay should operate on a uniform basis, in line with the system currently being considered for statutory sick pay. I hope that the Minister will explain why that is not currently the Government's view.

My fourth point relates to a broader issue—the question, in its broadest sense, of sexual discrimination against women. I think that a point raised by the Maternity Alliance at least merits an answer from the Government. The alliance encompasses not only trade unions and women's organisations, but a great many entirely objective and apolitical charities—voluntary organisations. It has attacked the Government for complicating what is already a complex system of maternity rights instead of trying to simplify the system. The Prime Minister has talked of cutting bureaucracy, form filling and bureaucratic complexity, but these proposals will do the exact opposite.

The Maternity Alliance says that maternity pay should be on a par with pay received during other forms of occupational leave. May I ask the Minister what real justification or logic exists for saying that statutory maternity pay should be on a different basis from sick or compassionate leave when employees generally receive full pay? Perhaps for economic reasons we cannot yet

move to that situation, but it would be interesting to know whether the Government have any basis for saying that in future we should not aim to move to it.

In its briefings the Maternity Alliance says that by not adopting that approach the Government are guilty of sex discrimination, and it asks the Government to meet the cost of paying the higher statutory minimum, leaving employers to top it up. Perhaps the Minister will respond to that, especially as the Maternity Alliance represents a politically broad swathe of women of child-bearing age.

Fifthly, the changes that have been announced have been in the pipeline for a long time. There has been plenty of time to consider the mechanics of the European Union decision. The changes do not address the problem of the 2.25 million women in the United Kingdom who earn, as was said earlier, less than the lower earnings threshold of £56 a week. They will continue to be denied access to statutory maternity pay.

One of the purposes of the directive is to ensure that all women workers are guaranteed a minimum period of paid maternity leave. Maternity pay is not a national insurance benefit. There is no justification for continuing to exclude these very low-paid women from the maternity pay scheme.

I had intended to make five points but I have a sixth, and it is not "back to Janice": it is a genuine point. It relates to the self-employed, a matter that I raised in an intervention. There are many self-employed women in Britain, and they range from highly successful consultants—for example, I know some extremely successful women QCs—to women on low pay who, perhaps, visit their friends and neighbours to carry out their work as hairdressers, for which they receive small sums of money.

Many women in that spectrum are of child-bearing age. The Minister said that self-employed people have some advantages. I do not deny that, but I always thought that the Government set sufficient store by the initiative of those who chose to take the risk and insecurity of being self-employed to say that the advantages of self-employed status are there to take account of the problems of running a business with uneven cash flow and other difficulties.

Surely it is not right that self-employed women of child-bearing age should be in a totally different position from similar women who are employees. The time has come for the Government to do much more for self-employed women. One action that they could take is to ensure that they are given the same rights in relation to maternity pay.

11.7 pm

Mr. Richard Alexander (Newark): I feel some unease about the regulations. It was not helped by the speech by the Opposition Front-Bench spokesman, the hon. Member for Manchester, Withington (Mr. Bradley) who, if I summarise him correctly, seemed to be asking for more of the same.

The much-quoted briefing from the Institute of Directors has alerted many of us to some of the implications of the measure. One part of the briefing that caught my eye was the reference to the fact that the measure may be contrary to the European Communities Act 1972. The institute raises the interesting argument that raising new taxes would be illegal and improper under the 1972 Act. When my hon. Friend replies, he may choose to discuss that interesting allegation.

Mr. Andrew Miller (Ellesmere Port and Neston): Why does the hon. Gentleman think that the Institute of Directors did not bother to point that out when those issues were discussed last year during the passage of the Trade Union Reform and Employment Rights Act 1992? The Institute of Directors went to a great deal of trouble to brief Members on both sides of the House, as did many other Lobby organisations. It did not mention that point. Does the hon. Gentleman think that it is simply an afterthought or pure invention on the part of the institute?

Mr. Alexander: It is not for me to surmise the reasoning behind the Institute of Directors' thinking, but, as that point has been raised, it deserves an answer. I suggest to my hon. Friend that he may choose to respond to it.

My unease stems from the fact that we, the Conservative party, try to proclaim our support for people who try to run their own businesses, yet too often they say that the ratchet is being turned against them one notch more each time. I am uneasy lest the measure represents another small ratchet. We proclaim our hostility to anything that imposes social costs on industry and we have witnessed—especially those of us who have travelled in Europe—the effect of those burdens on industries in the rest of the European Community. Yet here we are, proposing to reduce reimbursement of statutory maternity pay to 92 per cent.—not a great deal, but it is another burden. It is one more turn of the screw.

The real question that the House must ask—I am not sure that it has been widely debated, canvassed or discussed—is, should the burden of statutory maternity pay fall on the employer or the taxpayer? Statutory maternity leave requirements are already imposed on the employer, and now the latest measure is imposed. If reimbursement is 92 per cent. today, will it be 50 per cent. in a few years' time? Will it be the lot in three or four years' time, gradually introduced under new regulations? I simply pass on to my hon. Friend the Minister my anxiety about the ease with which new burdens seem to be passed on to industry today.

I ask the House and my hon. Friend the Minister what benefit an employer receives by making the payment—or is it, as the institute suggests, another form of tax? It was said tonight that most employees do not return to the same employer when their period of maternity leave has gone by. The difficulty is that employers have no means of knowing how much the measure will cost them at a point in the future. It is a small amount at the moment, but it could be increased and we do not know whether it will be.

There is a special problem for companies with a high concentration of female employees, especially small employers. In some cases, as has been commented, it may militate against their taking on any female potential employees, and that is a worrying aspect of what we are doing.

The whole thing, as my hon. Friend the Minister has made clear, is a result of the EC pregnant workers directive. I say to him and to the House that it is another burden on business. It is another social cost to industry. I am a little surprised that the Government have not resisted the directive more robustly.

11.14 pm

Ms Ann Coffey (Stockport): I welcome the implementation of the European directive with more enthusiasm than the Minister has shown to date. It will help thousands of women and their families who, because they work part time, have no entitlement to maternity leave or benefit.

Women now form 49.1 per cent. of the work force and 28.2 per cent. of all employees are part-time. Traditionally, women have used part-time work to combine their family responsibilities with their need to earn money, and employers have needed their contribution. But women have not been treated fairly. The nation would grind to a halt without the contribution of women's work, paid and unpaid—mostly unpaid—but women have had precious little recognition for that.

The benefits system has discriminated outrageously against women in part-time employment. It has denied them entitlement to unemployment benefit and sick pay, and their pensions have been affected in the long term. The recent Law Lords' ruling said that part-time workers who work more than eight hours should have the same employment rights as full-time workers. The Government are still considering that.

I hope that the implementation of the EC directive will be the beginning of many to come and will improve the position of women in part-time work, who seem to be invisible to the Government. Women do work and have children, and the nation can do without neither contribution. It is about time that women were treated more fairly.

There has been much discussion this evening about the parliamentary brief from the Institute of Directors, and I was concerned about some of the statements that it contained. For example, it said that the proposed changes to maternity benefit would damage both business and working women, and that business would be saddled with the social cost, which was bound to damage employment opportunities for women of child-bearing age. It said that the extra cost involved in employing women of child-bearing age could handicap their employment prospects.

Every time legislation that would improve the position of women is proposed, it is argued that, in the long term, it will discriminate against women. This evening, it has been argued that, because of the additional social cost which the Government have decided to place on employers, this measure would discriminate against women, so perhaps we should not go along with the EC directive. The same arguments were advanced about equal pay. At the time, it was said that it would discriminate against women's employment, but that prospect never came to pass.

The sum total of what the Institute of Directors seems to be saying is that employers will not employ women in case they get pregnant. This country has equal opportunities legislation and it is therefore not legal to discriminate against employees on the ground of sex or against women because employers think that they are a bad employment prospect. It will be interesting to see how effective that legislation is in the future.

My colleagues and I shall advise women to watch for any signs of discrimination from employers. I warn the Institute of Directors to remember that and advise companies of their legal responsibility under existing legislation. The suggestion that women should not be employed because of the social cost to employers is outrageous.

I do not regard this as solely a women's issue. It concerns families—parents being able to provide for themselves and their children and combine work and responsibilities to their children. The employment pattern is changing: part-time work benefits women, their families, and employers. It is extremely important that the contribution that women have made over the years is recognised and treated fairly. I therefore welcome the regulations and look forward to many more EC directives being debated in the House, as it is obvious that Europe has a more progressive attitude towards social legislation than we can expect from the Conservative Government.

11.18 pm

Mrs. Teresa Gorman (Billericay): I should like to ask my hon. Friend the Minister one simple question. Does he want to get more jobs for people who want to work or does he just seek to obtain better benefits for those who are already in work? That is what the measure comes down to. It is a good example of politics doing harm by trying to do good.

The provision will price women out of jobs. It will not be immediately obvious, and will apply more to women who seek to enter the labour market—often for the first time. They will inevitably be viewed by some employers as a potentially more expensive source of labour than other available sources. That could advantage older women who have passed child-bearing age, so that women as a whole may not be harmed. But women with children or women of child-bearing age who wish to work will inevitably be affected to some extent because the regulations will colour the attitude of potential employers.

We have come out of an era when women were discriminated against if they got married. Not long ago women had to give up their job if they married—the civil service was the worst employer in that respect. Teachers and nurses had to give up their work if they married. We are entering an era where women may be discriminated against even more simply because they are of marriageable age. Their potential to have children will be seen by employers as a possible burden.

Nobody in the House seeks to improve the lot of women more than me. I am on the side of women, and I want to keep as wide a range of jobs open to them as possible. It is important for women to have the opportunity to go to work, obtain the experience of being at work and have the chance to go back to work without creating additional hidden burdens that make them less desirable as employees.

Mrs. Audrey Wise (Preston): Will the hon. Lady give way?

Mrs. Gorman: If the hon. Lady will wait one moment I shall give way to her.

I want to say something from the employer's perspective. Women and politicians do not create jobs; employers do. It is important to consider how an employer views all regulations related to employment. People do not understand the notion of "Once bitten, twice shy". If an employer has experienced the difficulties of keeping a job open for a woman who has gone on maternity leave only to find that she does not return, it will influence his

judgment the next time that he faces that prospect. One can take a horse to water, but one cannot make it drink. One can create wonderful employment conditions, but one cannot force an employer to adopt them. He may have to adopt them for existing employees, but his opinions and attitude will be coloured the next time that he considers employing staff. That worries me because, at that stage, women's interests are harmed by such regulations.

My hon. Friend the Minister said that only large employers would be affected. But many large employers —for example, as has been said, in the retail trade— employ women. It is important that those employers remain as open-minded as possible towards younger women. Such employment provides an important source of jobs for many women who want to work part-time or flexible hours, particularly in the retail trade. It is a golden opportunity for women to return to the labour market. We do not want to colour the attitude of employers, but their attitude is already coloured.

Anyone who shops at a supermarket knows jolly well that, in Britain, there is nobody available to pack groceries into bags. Shoppers have to unload the groceries out of their trollies and, while the girl is cashing up, all the goods flood down the other end so that shoppers have to rush backwards and forwards, shoving the shopping into plastic bags before the next lot arrives. In the United States one does not have that problem because there is an extra employee, usually a woman, at the other end of the line packing goods. Why? Because employees are not so overburdened with costs and hidden-cost regulations as to make them less attractive. Sainsbury, Tesco and Safeway are not being stingy, but trying to keep their risks as low as possible.

That is the simple reason why, if one goes to the movies, one is more likely to have to stumble one's way to one's seat in the dark than to have a young woman with a torch showing the way. Women are less attractive as employees. If they were more attractive and did not bring extra burdens with them, perhaps more of them would be employed.

Mr. Simon Burns (Chelmsford): May I advise my hon. Friend that she need not go to the United States for those marvellous services? She has only to travel about four miles from her constituency to Chelmsford, where there is certainly one supermarket that provides them. The new Kingshead Meadow cinema has usherettes who show us to our seats with torches.

Mrs. Gorman: I thank my hon. Friend for his intervention and I give way to the hon. Lady.

Mrs. Wise: Does the hon. Lady accept that the directive does not compel the Government to put that burden on employers, but that the Government choose to do so?

Opposition Members do not want discrimination against employers who employ large numbers of women. The burden should be either on all employers or on the state. I remind the hon. Lady and the Government that all employers benefit ultimately from the fact that women continue to get pregnant. If they did not, where would the next generation of workers come from for any employer?

Mrs. Gorman: The hon. Lady's last point is irrefutable and I would not seek to quarrel with her.

I am concerned particularly about small employers. I have been one and I have represented them for many years before coming to the House. Small employers encounter enormous difficulties in keeping a job open. I know that the regulations do not yet apply to small employers, but only very small employers are exempt. Keeping open the job of a key employee—often a highly skilled and trained woman —for 14 weeks or more, possibly to find that she does not return to work, creates enormous difficulties and great disincentives.

As many medium-sized firms that face that problem will be included in the changes, I counsel the Minister to consider carefully whether the Government have their priorities right in adding any burden to businesses when the creation and retention of jobs is of paramount importance —a great deal more important than the miserable amount of tax money that the Government will raise in this manner.

Mr. Nirj Joseph Deva (Brentford and Isleworth): Does my hon. Friend agree that this is yet another example of divisive, high-cost European legislation that we really do not want, but are lumbered with?

Mrs. Gorman: I entirely agree with my hon. Friend. Had he been here a little earlier, he would have heard that point being made very cogently and that is why I have not dealt with it.

I ask my hon. Friend the Minister to answer the point that I have now made twice, that the measure is not a job creation exercise and in the long term, it undermines the basis of the Government's employment policy—to get more jobs for more people.

11.27 pm

Mrs. Audrey Wise (Preston): I rise to express my concern about those women who will not benefit from the regulations. I welcome the regulations as far as they go and note that they have been imposed on the Government. I regret that that is necessary, but my concern is for those women who earn less than £57 a week and do not benefit at all.

Women on low wages may depend on those wages just as much as any other worker. Those women and their families may be just as dependent on that small extra addition to the family income as those who earn much more. The fact that the wage is low does not mean that it is less important to the family and the loss of that wage can be extremely important. The lower the income, the less one can afford to lose any of it. I regret that the Government have not taken the opportunity to do something about it.

I remind the Minister that when the Select Committee on Health examined maternity services and published a report in March 1992 dealing with maternity pay, it unanimously disapproved of the present arrangements. We pointed out that not only do they disadvantage women on low wages, but they are administered in an extremely rigid manner which leads to great anomalies. The fact that a woman has to qualify over a specified eight-week period makes it extremely unfair in many cases. For example, if a woman is on a bonus or commission her earnings may drop during one or two weeks in the specified eight weeks, but over a longer period—perhaps three months—she would qualify.

As has been pointed out, there can be deliberate manipulation of the earnings pattern. Sheer accidents can occur, such as when a holiday falls and holiday pay accrues. It is quite wrong that this matter, which is so important to women, should be determined in a very arbitrary and anomalous manner. I am particularly

[Mrs. Audrey Wise]

disappointed that the Government have not addressed that point, especially considering that the Select Committee on Health drew their attention to it in a report which was widely welcomed. The Government have exposed the fact that they intend to do only the minimum and not a morsel more, or they would have looked in a much more general way—perhaps even in a slightly generous way—at the needs of women.

I deplore the attitude of hon. Members who think that because the Government choose to discriminate unfairly against employers of large numbers of women it is the women who should suffer. The answer to the needs of employers is entirely in the Government's hands. It seems to me that they are doing both employers of women and women themselves a great disservice in changing the funding arrangements.

I do not believe that employers should have to bear the cost of administering social benefit schemes. It is not fair; it is not part of an employer's job. I object particularly to the measure being used to discriminate against those who employ women. I object to employers thinking that the answer is to employ fewer women, but I object primarily to a Government who make it an issue at all.

As I said, the Government are ensuring that they do the barest minimum—that which they cannot evade or avoid—and not a fraction more. The women of this country—especially the low-paid—will draw their own conclusions from that.

11.32 pm

Mr. Bradley: With the leave of the House, I will sum up the debate. However, I will be extremely brief because I think that it is very important that the Minister answers the many points that have been raised by hon. Members on both sides of the House.

The debate has clearly exposed the splits over Europe among Government members. My comments at the beginning of the debate that the Government were dragged, kicking and screaming, into implementing the directive were proved correct by the contributions of Government Back Benchers.

I am grateful to Opposition Members—especially my hon. Friend the Member for Stockport and the hon. Member for Preston—for highlighting the weaknesses that still exist in the provision, particularly in relation to the lowest paid women in the work force who are below the national insurance contribution threshold and self-employed women, as the hon. and learned Member for Montgomery (Mr. Carlile) pointed out.

As my hon. Friend the Member for Preston said, the Government have decided to transfer the costs on to business. The £55 million bill could have been met by the Government to honour social provision and improve the rights of women workers in this country, but they have chosen to transfer the burden on to business. We shall be monitoring that provision—and that relating to statutory sick pay—to ascertain whether it is the thin end of the wedge as regards the transfer of the cost of social provision from the state to business.

As my hon. Friend the Member for Stockport said, it is absolutely right to have equal opportunities legislation and we shall be monitoring the impact of the provisions to ensure that women are not discriminated against, that their rights are upheld and that they continue to enjoy protection, whether they are in the workplace or at home on maternity leave.

It is essential that we know why the Government have not gone further to ensure proper provision under the regulations and for anomalies in the system to be explained. I shall therefore conclude my remarks in order to allow the Minister the maximum time possible to answer the questions that were asked not only by Opposition Members but by his Back-Bench colleagues.

11.35 pm

Mr. Hague: With the leave of the House, I shall indeed try to use the remaining time to answer as many as possible of the questions that have been asked and to do so without being vague.

My hon. Friend the Member for Newark (Mr. Alexander) said that the Institute of Directors had asked whether regulations made under the European Communities Act 1972 can be used for the purpose for which we are using them. The Government's understanding of the legal position is clear: the new reimbursement rate has been set to cover only the additional cost of the directive and, as such, is tax neutral for the taxpayer. Employers are not paying a tax; rather, they are now being asked to meet a small part of the cost of maternity pay for their employees. There is no difficulty of the type feared by the Institute of Directors in bringing forward the regulation under that Act.

My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) said that the Government would not be enacting the measure without the European Community directive. I have to tell him that the directive was negotiated with other member states and was changed substantially in the course of the negotiations. Without those changes, it would have imposed much greater costs on employers or taxpayers. He asked specifically about the number of employers affected. About 750,000 small employers will continue to receive the full reimbursement rate of 104 per cent. They are about two thirds of the total, which leaves about 500,000 who will pay more as a result. That sum involved is about £55 million.

As I said in my opening remarks, that must be seen against the background of a reduction in employers' national insurance contributions which totalled £830 million and which is £125 million greater than the cost of this change and the end of reimbursement of statutory sick pay.

Mr. Miller *rose—*

Mr. Hague: I am sorry, but I cannot give way in the limited time available.

My hon. Friend the Member for Billericay (Mrs. Gorman) also asked us to remember the cost for employers and said that women would be priced out of the market. It may be a dangerous thing to say, but I shall have a small wager with my hon. Friend that women will play an increasingly important part in the work force and make an even greater contribution in future, notwithstanding the enactment of this measure.

The hon. and learned Member for Montgomery (Mr. Carlile) also mentioned the cost for employers. To put it in perspective, the amount in question is 0.03 per cent. of the national wage bill, although what he suggested—having maternity pay set at a level equivalent to occupational sick

pay—would cost an additional £500 million. I am not sure how he and his party envisage financing such a commitment—perhaps it is a matter to which he should turn his thoughts. He also asked why the study of statutory sick pay for small employers could not embrace statutory maternity pay. The answer is that small employers are not affected by the measure. They continue to receive the full 104 per cent. reimbursement.

The hon. Member for Manchester, Withington (Mr. Bradley), speaking from the Opposition Front Bench, welcomed the measures. I recognise that and I thank him for it. He also asked about the difference between the 14-week and the 18-week entitlement. It is important to point out that 60 per cent. of women in the United Kingdom qualify for up to 40 weeks' maternity absence —the maximum—which is the longest period available in any member state of the European Community. To establish an 18-week minimum entitlement would add another £50 million to the cost of the measure. Again, the hon. Gentleman and his party need to think about where they would find the additional £50 million that they advocate spending.

The hon. Gentleman and several other hon. Members said that this country was behind the rest of the European Community in maternity provision. It should be borne in mind that the United Kingdom pays statutory maternity pay for longer than most EC countries, and is the only country with a centralised system of income support covering all categories of need. The United Kingdom and Luxembourg are the only countries that wholly finance maternity pay—that will still continue at 92 per cent. in this country. Moreover, 60 per cent. of women qualify for the full 40 weeks of maternity absence, the longest period in any member state.

If hon. Members wish to improve further on those provisions, as many of them have advocated, they must think about how they would finance their suggestions. Some of them have adopted a strange position. Within the past two hours Opposition Members have criticised the burdens put on employers by increasing the cost of maternity pay, yet they have also voted against increasing the Government's revenue. They have been most unwilling to say where they would find the money to finance more generous maternity pay, if it did not come from employers.

Mr. Miller *rose—*

Mr. Hague: As the hon. Gentleman did not have the chance to speak in the debate, I shall let him intervene to tell us the answer to that question.

Mr. Miller: Earlier this evening, because the Minister was worried about his Back Benchers, he carefully explained to them that because of the increased employers' national insurance contributions the changes were tax neutral. Will he therefore go further and extend those provisions to adoptive mothers, because that would also be tax-neutral? Many of his Back Benchers would agree with him if he did that.

Mr. Hague: The hon. Gentleman has a strange understanding of what "tax-neutral" means. Today we have heard from some Opposition Members proposals for spending half a billion pounds of extra money. There is nothing tax-neutral about that; it would be extra money that would have to come from the taxpayer or be borrowed. Opposition Members have fought shy, as they always do, of putting forward any specific proposals on how they would finance their ideas. They have been content to pose as people who would improve conditions for some people by improving the rates of maternity pay and maternity allowance, without any idea of how they would go about it, or where they would find the money.

The hon. Member for Withington said several times that the Government had been dragged kicking and screaming into improving maternity pay—a comment originally made by the hon. Member for Glasgow, Garscadden (Mr. Dewar) when the announcement was made. Let me point out to the hon. Member for Withington that statutory maternity pay and maternity allowance are being increased for the whole 18-week payment period. The increase is not restricted to the 14-week period required by the directive.

Under the directive, the higher rate of statutory maternity pay payable to all women with 26 weeks' service could have been restricted. The directive said that any employment test must not exceed 52 weeks. We have gone for a 26-week service qualification for all. Women will also now be free to choose when to start their maternity leave and pay, which is an improvement not required by the directive. Furthermore, small employers will continue to be reimbursed in full—a healthy and helpful arrangement for them which, again, was not required by the directive.

That does not look to me like a list of proposals into which the Government have been dragged kicking and screaming. None of them was required by the directive that the hon. Gentleman said had imposed the changes on the Government.

The regulations will improve maternity pay for 285,000 women and will give the higher rates of maternity pay to 90,000 women each year for the first time. They should be welcomed by the House, and I hope that they will now be approved.

Question put and agreed to.

Resolved,

That the draft Maternity Allowance and Statutory Maternity Pay Regulations 1994, which were laid before this House on 24th March, be approved.

PETITION

Seat Belts

11.44 pm

Mr. Roger Evans (Monmouth): I present a petition bearing the names of more than 156,000 people throughout the country who are concerned about the want of seat belts in school buses. This is the BUSK—belt-up school kids —petition, the material part of the prayer whereof reads as follows:

your undersigned Petitioners call upon this Honourable House to legislate to make it compulsory for seat belts (not lapstraps) to be fitted in all school buses and vehicles used to transport children to and from their schools and on school trips and your petitioners as in duty bound will ever pray etc.

To lie upon the Table.

Livingston Development Corporation

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kirkhope.]*

11.45 pm

Mr. Robin Cook (Livingston): I am grateful for this opportunity to initiate a short debate on the winding up of Livingston development corporation. This is probably the most strategic issue to confront my constituency in the 11 years in which I have represented it. It also raises wider questions, as testified by the presence in the debate of some of my colleagues from sister new towns who will seek to catch your eye, Madam Deputy Speaker, after I conclude, and by the support of my hon. Friend the Member for Linlithgow (Mr. Dalyell), who shares with me the local authority that is affected by the wind-up.

The background to tonight's debate is the Minister's decision to cut short the timetable for the wind-up by two years. That has compressed the time available for an orderly wind-up, and has given rise to a number of severe problems. I shall begin by focusing on the problems it causes for the economic development of the new town.

My hon. Friends will remember that, when the process began four years ago, we were assured by Ministers that the solution to maintaining the momentum for economic activity in the new towns was a local development company. Indeed, only three years ago, when the White Paper came out, it described local development companies as the most effective solution to maintain the momentum of economic development in the new towns.

Only last month, Livingston development corporation formally abandoned its plans to try to form a local development company. It has done so because the time scale available is too short, and, because once it has met the target for the sale of assets, it will not have enough left to provide a base for its own local development company.

My first question for the Minister is as follows. Now that we have lost the opportunity to have what he described as the most effective way in which to maintain economic activity, what now? How can he guarantee that there will continue to be the commercial investment—and the planning to provide for that investment—in a new town with a very young population, where we need another 1,000 jobs every year if we are simply to stand still and cope with the growth in the young work force?

The other aspect that arises from the short timetable, which has an immediate bearing on the economic development of the new town, is the future of the staff. They are now demoralised, which gives rise to serious problems for the functioning of the new town. The staff have a short time to remain in post, and no longer have the option of a local development company to which to transfer. As my hon. Friends will know, the enhanced redundancy offer to staff of the new town has been withdrawn, with severe implications for the staff of the other new town corporations which face imminent wind-up.

It is a great irony that, all over eastern Europe, countries and towns are struggling to put together teams of people who have some knowledge of attracting inward investment and managing commercial development. In Scotland, we have five very successful teams in the area, yet we are currently breaking them up. Why is there a shorter timetable?

It is no secret why there is a shorter timetable. I do not think that the Minister is free to admit why, but he knows perfectly well that we know why there is a shorter timetable, and that we know that he knows why. The reason is the Treasury. The truth of the matter is that, in the past year, the priority consideration in winding up has shifted from how we preserve the economic development of the new town to how we make as much money as possible, as fast as possible, from the sale of the assets of the new town.

I am grateful to the Minister for answering a parliamentary question that I asked a couple of months ago and confirming that the target that he set for the sale of assets by Livingston new town in the next two years was £70 million, from industrial and commercial premises and from land for industrial and commercial use. Livingston development corporation has only £84 million-worth of assets in those categories.

We are not looking at a phased sale of assets; we are looking at a closing down sale. It is not prudent, because the sales are taking place against a depressed property market, which will not give full value for the assets. It is not fair, because, in England, the new towns had a much more rational timetable in which to dispose of their assets, with the option of passing them to the New Towns Staff Commission if they were not disposed of. It is not in the long-term interests of the local residents to have such a rapid sale on such a short timetable.

How will the successor authority find the resources to meet the liabilities that it will merit? Currently, Livingston development corporation spends £1,355,000 on landscaping. That liability will descend on West Lothian district council or its successor local authority. Where will it find £1,355,000 to meet that additional liability if there are no assets left to be transferred?

When the Minister produced the White Paper, he suggested that voluntary organisations and charitable groups may run some of the community services in new towns and take them over with endowment packages. Again, that model was followed in England. Milton Keynes community trust took over most of the community services, but received 125,000 sq ft of industrial commercial property to pay for it.

I am glad that there is a current move in Livingston to form a Livingston foundation, which will maintain some of the town's identity after the development corporation is wound up, and which may also provide some kind of holding body for community assets. However, I must ask whether, given the target and the scale of the target for sale of assets, there will be anything left worth holding. Will there be any serious endowment package available, either for the local authority or for voluntary groups to maintain those community services?

The Minister has suggested that it will be possible to fund the local authority's extra liability through the revenue support grant. I do not wish to be unkind to the Minister, who is a pleasing man in his own way, and who also has the advantage of not having been in the Government throughout their period in office; but, considering the record of the Government over the past 15 years, and hearing the suggestion that we may look to the revenue support grant as the means of additional funds to meet additional liabilities, anybody would have severe difficulty maintaining a straight face. It would make a horse laugh.

The history of the Government in cutting the revenue support grant gives us no confidence that that represents a

long-term vehicle to provide for the additional liabilities that the local authorities will inherit. If the Minister is to insist on that as the way out of his problem, I must put it to him that, if that is to be accepted in good faith, he must separately identify what that money is, and he must ring-fence it, so that we can all see how much it is and what it is for. However, it would be much better if the Minister agreed to the English model of endowing the local authorities with assets from the new town, from which they can meet the costs of the liabilities.

I want to put one specific question to the Minister, and if he cannot answer it now, I should be happy if he would write to me again. It is a question for which I am anxious to have a reply, as are the local authorities.

In his letter to my hon. Friend the Member for East Kilbride (Mr. Ingram) on 29 March, the Minister said that one development corporation had reached a voluntary agreement through negotiation with the local authority about the transfer of assets, which would meet the liabilities from the additional costs imposed on the council when the development corporation was wound up.

That has happened once. If the other new town development corporations were to achieve a similarly negotiated package with their district councils, would the Minister also approve that? If he approved it, would he be willing to adjust his targets for the development corporations and asset sales to reflect the particular agreement with the district council?

I shall move on to housing before allowing my hon. Friends to make their contributions. My hon. Friends and I, including my hon. Friend the Member for Linlithgow, have repeatedly told Ministers over the years that it was vital that tenants should have the opportunity of transferring to the district council at the point of wind up. In fairness to the Minister, I should say that this is one area in which we have made progress. We secured an agreement from the Minister that, if the tenant opted for that transfer, he could have that choice.

Mr. Tam Dalyell (Linlithgow): That was the promise from the beginning.

Mr. Cook: Indeed.

I regarded that as a fair offer that we had to win on a vote of the tenants, and I am prepared to go with it. But what is happening at Livingston breaks that promise. Under trickle transfer, any house that becomes vacant is transferred to a housing association. People on the waiting list get the tenancy of the house only if they accept the association as their landlord. That means that they have lost the opportunity of a tenancy with the district council for the future. No applicant on the Livingston development corporation waiting list—the applicants are often second-generation families who have been on the list for two or three years—can obtain a development corporation tenancy.

Mr. Dalyell: When I first represented Deans and Knightsbridge in 1962, there was a solemn promise that applicants would be able to obtain such a tenancy.

Mr. Cook: I am grateful to my hon. Friend for confirming that point from his own experience in the area that we both represent.

The Minister must accept responsibility. The minutes of his meeting with the Livingston development corporation in September confirm that he raised the matter. The problem has arisen because the targets for the sale of houses obliges the Government to go for trickle transfer if the targets are to be met. How can he square the process of denying tenants the opportunity of an LDC tenancy, and therefore a district council tenancy, with his commitment that every tenant would have the opportunity on wind-up of a council tenancy?

I assure the House that the new towns of Scotland are a success story. I think that Ministers would take more credit for the success story if they did not find it uncomfortable to take credit for a public sector success story. Let the Minister understand that he cannot take credit for the success if he now puts it at risk, and that is what is happening.

For once, I invite the Minister to take pride in what he has helped to create, and to claim the success that has been built in the new towns as one that he partly helped to achieve. Having recognised that success and taken his part of the credit for it, he should think again about holding to a breakneck timetable that is leading to a forced fire sale of the assets of a new town.

11.58 pm

Mr. Adam Ingram (East Kilbride): I am grateful to my hon. Friend the Member for Livingston (Mr. Cook) for allowing me briefly to take up some of the points that he has made. I agree with all the arguments that my hon. Friend has advanced. The same arguments could apply to all the other four new towns with equal force in terms of housing and the disposal of assets.

The work forces that have been employed by all the new towns over the years have been crucial to the success of the new towns. All of us in Scotland have benefited from their input and from the way in which they have developed the new towns and enhanced the economic structure of the local area and the wider economic area. Yet, for the first time in 47 years since the new town of East Kilbride, which I represent, was established, the work force are now engaged in a policy of non-co-operation with their board. Incidentally, that board is trying to deliver for them in the areas in which they are arguing with the Scottish Office. I understand that that policy is beginning to extend to other new towns; it will be probably only a matter of time before it arrives on the doorstep of Livingston new town as well.

Why has the policy of non-co-operation suddenly been imposed? As my hon. Friend the Member for Livingston said, the reason is that the Government have reneged on a commitment they gave to the staff of East Kilbride new town in 1989, that there would be enhanced redundancy payments to retain the key personnel in that new town in the crucial period leading to the wind-up. Clearly, they are reneging on a promise and a commitment that they made.

Indeed, it is argued that they are reneging on an agreement that was reached with the Scottish Office. Morale among the staff in East Kilbride new town has collapsed, and it is collapsing all over the other new towns. Obviously, my hon. Friend the Member for Cunninghame, South (Mr. Donohoe) will comment on that with regard to his area.

I shall ask the Secretary of State one question on this matter. Why has the Scottish Office decided to renege on that promise, that commitment and that agreement? We know that the new towns cannot exist for ever. We know

[Mr. Adam Ingram]

that they must be wound up. We realise that there must be honour in the way in which that is carried out but that is not being delivered by the Scottish Office.

If the Secretary of State does not have the opportunity to respond to that question tonight, he should write to me in detail, because a previous letter that he wrote to me on the matter has been no help whatever.

12.2 am

Mr. Brian Donohoe (Cunninghame, South): I also thank my hon. Friend the Member for Livingston (Mr. Cook) for allowing me briefly to contribute to the debate. I draw the attention of the Minister to the fact that, like staff in Livingston development corporation, the staff in Irvine development corporation are unhappy. Indeed, the Minister may know that today the staff were balloted to take part in industrial action simply because the Government have welshed on the redundancy package which was on offer, and which had been on offer for a great number of years. That is shameful action by the Government.

I am concerned that the wind-up programme in Irvine, as in Livingston and elsewhere, will lead to lowering of staff morale to such an extent that the work of the development corporation—there is still work to be undertaken by the corporation—will be affected. Outstanding projects that will be undertaken in the remaining two years will be unsatisfactorily dealt with by the staff, simply because they will not be operating as staff committed to their task before the wind-up is due.

In the time that I have, I simply ask the Minister to give the staff a commitment and resolve the situation with regard to the redundancy package. I await his answer with some interest.

12.3 am

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart): First, I congratulate the hon. Member for Livingston (Mr. Cook) on obtaining this Adjournment debate on a subject that is clearly of the greatest importance to him, and to the constituents of the hon. Members for Linlithgow (Mr. Dalyell), for East Kilbride (Mr. Ingram) and for Cunninghame, South (Mr. Donohoe). I have no doubt that the hon. Member for Fife, Central (Mr. McLeish), who is also a new town Member of Parliament, would have been in his place if he had not been injured in a contest with the press earlier today. I am glad that his injuries are purely temporary.

I hope to return to this point, but I am absolutely astonished that the hon. Members for East Kilbride (Mr. Ingram) and for Cunninghame, South (Mr. Donohoe) did not refer to the findings of the Public Accounts Committee on precisely the matter that they raised.

I shall endeavour to reply to all of the points which were raised by the hon. Members. If I am unable to do that in the available time, I give them an absolute assurance that I will write in detail to them on the matters as soon as I can.

The hon. Member for Livingston, in a well-considered speech, made the major criticism that somehow the wind-up of the new towns was being pursued at a great pace. He was reflecting the phrase of some others about the dash for cash in the wind-up of the new towns. I must say that the wind-up was announced when I was the new towns Minister some 10 years ago. That was followed by a Green Paper, by a White Paper and then, of course, by the 1990 legislation.

The hon. Member for Livingston was right to point out that the wind-up has been accelerated. That has been done essentially for two major reasons. The first is the rapid emergence of Scottish Enterprise and the local enterprise companies, and the success of Locate in Scotland. Collectively, those bodies will have the prime responsibility for the future economic development of lowland Scotland.

The second is the opportunity of local government reorganisation in Scotland. We want to ensure that the new authorities—in the hon. Gentleman's case, that will be West Lothian—begin life with all their functions essentially on board.

The hon. Gentleman also suggested that this was Treasury-driven. Under the present rules—which have, of course, been changed—the cash received by the Scottish Office from the sale of the assets of the Scottish new towns remains, in effect, within the Scottish budget. It is spent elsewhere in Scotland. *[Interruption.]* I must say to hon. Members that there are other areas in Scotland where there are economic, industrial and housing problems, and that is where the money is, in effect, going.

The hon. Member for Livingston was right to point to the success of the new towns as part of Scotland's strategic economic and industrial policy. I can assure him that Scottish Enterprise will continue that policy. It purchased some £10.3 million-worth of strategic land and buildings from the new towns in 1993-94, and further acquisitions are planned in this financial year; those will include Eliburn West and Rosebank in relation to Livingston.

That kind of transfer will enable Scottish Enterprise, together with the local enterprise bodies and Locate in Scotland, to maintain the momentum of economic development in the new towns.

The hon. Member was also right to refer to the fact that what is important is not just the transfer of physical assets but the personnel and expertise of the staff of the development corporations. It is encouraging that, in relation to Fife, the regional council, the development corporation and the local enterprise company have reached an agreement on the transfers for the future of the organisation Invest in Fife.

The hon. Gentleman rightly pointed out that the possibility of establishing a local development company for Livingston was not being pursued. I can tell him that the board is considering the options, and that we look forward to receiving its specific proposals by 31 October.

One of the hon. Gentleman's main points concerned housing. He will know that, in Livingston, the home ownership rate is close to 55 per cent., and that tenants in the new towns have taken substantial advantage of the right-to-buy and rent-to-mortgage schemes; he will also know that, in the past year, Livingston spent some £3.5 million on repairs and maintenance of stock, and some £6.5 million on modernisation, particularly in Craigshill. I emphasise those figures because they show a continuing commitment to the improvement of housing stock in the development corporations.

As for the future, and the hon. Gentleman's specific point about my commitment on "trickle transfer", I can tell him that it means that those on the waiting list have the option of moving to housing owned by housing associations, and therefore have the rights of housing

association tenants. That is in no way incompatible with the policy that I announced. I am grateful to the hon. Gentleman for praising the policy, if that is not putting it too strongly, of giving existing tenants of corporation housing stock the right to choose the successor at wind-up, which they can do by means of a secret ballot.

We want an effective choice between local authorities and housing associations. I think that in the new towns and, more broadly, in Scotland, housing associations represent a genuine choice for those who wish to remain in tenanted accommodation.

Mr. Robin Cook: I do not object to the choice; indeed, I accept, as a reasonable challenge, that we should persuade tenants to opt for the district council, given the choice between that and a housing association. What I object to is that the fact that people who have been on the waiting list for two years and are on the way to securing a tenancy now do not have that choice; they have only the option of a housing association tenancy, with no future opportunity of opting for the district council. Why not suspend the trickle transfer, so that those people can also have the choice that the Minister is holding out?

Mr. Stewart: I am saying what I have always said—that the choice is at the point of wind-up. I am also saying that I think it right to encourage diversification of tenure in the new towns, as elsewhere, in the period leading to wind-up.

The hon. Gentleman asked me about the resources available to local authorities in a number of contexts. I hope that I can reassure him on housing: the Government will provide local authorities that are successful in the ballot of tenants with additional borrowing consent up to the level of the purchase price.

Hon. Members also raised the question of staff and the present dispute, which I regret very much. For a long time, I have had the highest respect for the staff of Scotland's new towns.

I remind the House of what the Public Accounts Committee said in its report on the Development Board for Rural Wales. It said that substantial payments in lieu of notice should be avoided. That view was accepted by the Government. The Treasury response said:

> "Payments in lieu of notice should be made only where it has not been feasible for the employer to give the employee appropriate notice of termination of employment or to allow him or her to work until the end of the period of notice."

That is the background to the present dispute. It follows precisely the recommendations of the Public Accounts Committee. We are taking legal advice—

The motion having been made after Ten o'clock and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at fifteen minutes past Twelve midnight.

House of Commons

Thursday 21 April 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

FEDERATION OF STREET TRADERS UNION (LONDON LOCAL AUTHORITIES ACT 1990) (AMENDMENT) BILL (*By Order.*)

Order for Second Reading read.

To be read a Second time upon Thursday 28 April.

CROSSRAIL BILL

Motion made, and Question proposed,

That the Committee on the Crossrail Bill have leave to visit and inspect the site of the proposed works and areas affected by the proposed works, provided that no evidence shall be taken in the course of such visit and that any party who has made an appearance before the Committee be permitted to attend by his Counsel, Agent or other representative.—*[Mr. Arbuthnot.]*

Hon. Members: Object.

Oral Answers to Questions

HOME DEPARTMENT

Humberside Police Force

1. **Mr. Austin Mitchell:** To ask the Secretary of State for the Home Department what response he has made to the Local Government Commission's proposal to split the Humberside police force.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Charles Wardle): My right hon. and learned Friend is considering the Local Government Commission's recommendation about future policing arrangements in the Humberside area.

Mr. Mitchell: I was disappointed to hear the Minister say that he is even considering the recommendation because I want him to reject it totally and out of hand. It came out of the blue; it was made without any consultation with any of the interested parties. It is opposed by the police, the police authority, the Police Federation and the public in Humberside. It would decimate a well-run, efficient force of which we are proud and it would cart parts of the force off to be run by far away local authorities of which we know nothing. The Government should reject the recommendation.

Mr. Wardle: The commission consulted on its draft recommendations, but the hon. Gentleman is right in that it did not consult afresh on its final recommendations. Those recommendations will now be considered. However, my right hon. and learned Friend will not reach any decision about the Humberside police area without first consulting the police forces, the police authorities and others who would be affected by any such change.

Mr. John Greenway: Does my hon. Friend agree that people want to see more police officers on the beat? Can he assure the House and my constituents that the proposed amalgamation of the North Yorkshire and the Humberside forces, which is in the Local Government Commission report, will deliver more police officers on the beat? It is no good simply offering to consult; we want more officers on our streets.

Mr. Wardle: As my hon. Friend knows, the Police and Magistrates' Courts Bill will make provision for strong police authorities which reflect the interests of local people, set locally focused strategies and evaluate police performance. It will allow for a modernised, flexible and streamlined series of police forces with more officers released for operational duties.

Mr. Mike O'Brien: Will the Minister ensure that before there is any change in the area of a constabulary, whether in Humberside or elsewhere, there is a full and proper public inquiry that allows all the people in the area to put their point of view about the area that the constabulary should cover? The Government should not simply try to push things through with a bit of consultation here and there.

Mr. Wardle: No. The hon. Gentleman obviously was not listening to the reply that I gave a few moments ago to the hon. Member for Great Grimsby (Mr. Mitchell). In making recommendations about local government structures, the commission is required to consider, among other things, the arrangements for law and order services—in other words, all functions that are now part of local government. As I said a moment ago, my right hon. and learned Friend will not reach any decision without consulting the forces and the police authorities that might be affected by any change.

Rural Areas (Police Liaison)

2. **Mr. Paice:** To ask the Secretary of State for the Home Department how he intends to improve liaison between the police and local communities in rural areas; and if he will make a statement.

The Secretary of State for the Home Department (Mr. Michael Howard): A number of my proposals for reform of the police service will help to improve liaison with local communities, both in towns and in the countryside. They include wider representation on police authorities, a requirement to consult locally and to publish a policing plan that reflects local needs and the development of the parish constable scheme. I am delighted that there is now a parish constable in Bottisham in my hon. Friend's constituency.

Mr. Paice: May I assure my right hon. and learned Friend that the parish constable scheme in Bottisham has been widely welcomed? The scheme represents a clear, visible police presence, which is what is needed by so many people in the villages who seek reassurance that the police are really there and are protecting their interests. Is he aware that any extension of that parish constable scheme in Cambridgeshire has now been severely

jeopardised by a decision of the county council, which is controlled by the Liberal Democrats and Labour? Having been given an extra £1.1 million in the police SSA, the council has decided to spend only £100,000 on the police.

Mr. Howard: I am afraid that the circumstances that my hon. Friend reports to the House are all too prevalent. Opposition spokesmen make fine noises in the House some of the time, but when their parties have control of local authorities they consistently fail to make available the money that they should for policing.

Mr. Blair: Is not the biggest threat to police and to communities in rural and urban areas the growing link between crime and drugs? Will the Home Secretary give urgent consideration to two proposals? First, he should put a national Government strategy behind successful projects such as King's Cross, where police, local government, schools and businesses are working together to drive the drug dealers off the street. Secondly, will he get together with the Secretary of State for Education to give us a comprehensive programme for drugs education among young people? That is absolutely essential in deterring young people from the blind alley of drug abuse.

Mr. Howard: Of course I encourage schemes such as that in King's Cross, and of course we take the education of the young seriously. That is a part of crime prevention to which we attach great importance. The hon. Gentleman wrote an article about crime prevention in the *Daily Mirror* this week, in which he mentioned a number of local council schemes. He unaccountably failed to mention the fact that they all had one thing in common—they were all funded by the Government. He mentioned Wigan council, but failed to mention that it receives money from city challenge and estate action. He mentioned Newcastle, Bradford and Islington, which all receive money from safer cities schemes, but he failed to mention that factor. He even mentioned a close-circuit television scheme in South Tyneside which is funded by the Department of the Environment's urban programme. When will the hon. Gentleman give credit where it is due for the Government's excellent crime prevention programme?

Mr. David Nicholson: Let me return to rural areas. My right hon. and learned Friend will be aware that there has been a rising tide of crime in rural areas, as criminals have become more mobile, and such communities are vulnerable? Is he also aware that there is a good welcome for the parish constables scheme and for the proposals in recent legislation for new age travellers and ravers?

Mr. Howard: I am grateful for my hon. Friend's support. I entirely agree that the measures contained in the Criminal Justice and Public Order Bill will make a significant contribution to fighting rural crime. That is something to which we attach particular importance and priority.

Burglaries

3. Mr. William O'Brien: To ask the Secretary of State for the Home Department what was the number of burglaries on (a) private properties and (b) commercial properties in the West Yorkshire area and in England and Wales for each year since 1991; and if he will make a statement.

The Minister of State, Home Office (Mr. David Maclean): The figures the hon. Member seeks are rounded as follows. Reported burglaries in a dwelling in West Yorkshire: 42,000, 52,000, 58,000. Other reported burglaries in West Yorkshire: 37,000, 38,000, 36,000.Reported burglaries in a dwelling in England and Wales: 625,000, 708,000, 728,000. Other reported burglaries in England and Wales: 595,000, 647,000, 642,000.

My right hon. and learned Friend has made an increase in the number of detections for domestic burglary a national key objective of the police in 1994-95.

Mr. O'Brien: Does not that reveal that the Conservatives have lost the fight against crime? In West Yorkshire, the numbers of burglaries are significant and there was a 5 per cent. increase last year. When will the Minister do something to improve safety for my constituents? When will the Government introduce the Morgan report, which gives local authorities some responsibility for combating crime? Does the Minister accept that high unemployment in West Yorkshire has an influence on crime?

Mr. Maclean: I do not know where the hon. Gentleman has been this week. We announced that crime overall in West Yorkshire fell by 1 per cent. last year. *[Interruption.]* If the Opposition care to listen, since December 1993, domestic burglaries in West Yorkshire have dropped by 6 per cent. and non-residential burglaries by 14.5 per cent. In the Wakefield division, which includes Normanton, there was a drop of 19.6 per cent. in domestic burglaries in the first three months of this year. When will the hon. Gentleman welcome that trend?

Dr. Hampson: Is my hon. Friend aware that people in West Yorkshire, and particularly Leeds, are conscious that the West Yorkshire force has done amazingly well, despite the fact that it has had great difficulties, largely because of a huge capital building programme which squeezes its revenue account? If he also aware that if we compare the figures for West Yorkshire with those for South Yorkshire last year, they show a reduction in West Yorkshire and a 14 per cent. increase in South Yorkshire?

Mr. Maclean: My hon. Friend is right to draw attention to that fact. West Yorkshire police have been tremendously successful in the fight against crime. Where the hon. Member for Normanton (Mr. O'Brien) does damage not only to his constituents but to the constituencies of all hon. Members is when he says that one cannot succeed in the fight against crime. The figures that we announced this week show that we can make an impact and we are not condemned to ever-rising crime. By sensibly targeting our resources, we can make a difference.

Mr. Hardy: I do not wish to get involved in bandying arguments about the achievements in West and South Yorkshire, where a high detection rate has been achieved over a long time. Would the Minister care to comment on the fact that it is essential that if burglars are caught, perhaps even red-handed, they should then be brought to court and convicted? Would he care to tell the House how the conviction rate compares with the rate of arrests?

Mr. Maclean: I agree entirely that we need all approaches to crime to work. That is a successful police force. My right hon. and learned Friend the Home

Secretary has introduced changes in the Police and Magistrates Courts' Bill to that effect. We need improved detection rates and measures in the criminal courts to ensure that those who are guilty of crime are convicted.

Mr. Hardy: That is what I am calling for.

Mr. Maclean: In that case, the hon. Gentleman should have a word with his hon. Friends who abstained on the Third Reading of the Criminal Justice and Public Order Bill and others in his party who voted against the very measures for which he calls.

Sir Donald Thompson: West Yorkshire welcomes increased funding, but we hear perpetually that we could do with another 200 policemen there. Would my hon. Friend like to comment on that?

Mr. Maclean: There are vacancies for police officers in the West Yorkshire force. The figures have fallen dramatically in the past few months. The vacancy rate is down to 246 from a figure that was up in the 320s. Of course we all want to encourage the West Yorkshire force to deploy its resources to the maximum effect. The success in recent months on burglary seems to show that, with the present resources, the chief constable there is making a pretty good job of it.

Field Sports

4. **Mrs. Anne Campbell:** To ask the Secretary of State for the Home Department how much police time was spent in 1992-93 in policing field sports.

Mr. Charles Wardle: This information is not collected centrally. The deployment of police officers to specific duties is a matter for chief officers of police.

Mrs. Campbell: Is not it about time that the Minister allowed a free vote in the House on the legality of field sports, bearing in mind the enormous amount of resources in police time, as well as, of course, the extreme cruelty to wild animals, that would be saved if field sports were banned?

Mr. Wardle: The hon. Lady will know that in the last Parliament there was a debate and a free vote because the Government for their part regard such matters to be matters of individual conscience. I hope that the hon. Lady will welcome the proposals in the Criminal Justice and Public Order Bill which are aimed at all trespassers, including hunters, who wilfully disrupt a lawful activity on land.

Sir Anthony Grant: Is my hon. Friend aware that we could have more policemen on the beat and better use of police time if the police did not have to waste so much effort dealing with cranks and hunt saboteurs who unlawfully interfere with perfectly lawful field sports?

Mr. Wardle: My hon. Friend is right. Indeed, in Cambridgeshire the police deploy a number of people for just such purposes. That ties up police officers who otherwise could be deployed elsewhere. The Criminal Justice and Public Order Bill gives the police powers to direct trespassers to leave land if there are reasonable grounds for believing that they intend to disrupt a lawful activity. It will be a criminal offence to return as a trespasser to that land within three months. The Bill also creates a substantive offence of wilfully disrupting a lawful activity or trying to intimidate someone into not engaging in a lawful activity while he is present as a trespasser on the land.

Police Force Amalgamation

5. **Mr. Llwyd:** To ask the Secretary of State for the Home Department how many representations he has received on the subject of amalgamation of police forces in the last nine months; and if he will make a statement.

Mr. Charles Wardle: We have received eight letters from hon. Members and 68 letters from members of the public.

Mr. Llwyd: Some weeks ago, I met the Home Secretary, who told me that the 1976 regulation which precludes an assistant being appointed chief constable in a police area had not been breached since 1976. However, it has already been breached twice in 1993—once in Essex and once in Dorset. Does the Minister agree that the advice of Earl Ferrers to a deputation from the North Wales police authority that it should place the assistant on the short list, interview and then not appoint to save face for the Home Office and avoid political embarrassment is nothing short of disgraceful?

Mr. Wardle: The guidelines have not been breached as the hon. Gentleman suggests and my right hon. and noble Friend did not give that advice. The hon. Gentleman will be aware, and the House may wish to know, that the post of North Wales chief constable is to be re-advertised. The successful candidate will not necessarily be a Welsh speaker, but the hon. Gentleman may be interested to know that he or she must undertake to learn Welsh.

Mr. Allason: Does my hon. Friend agree that while there is a good case for greater integration of police forces —especially of criminal investigation departments and the use of computer resources—there is not necessarily a good case for big is beautiful and the amalgamation of police forces? The Devon and Cornwall police force, in particular, is already large enough.

Mr. Wardle: The Government have no hidden agenda, as some would suggest, or a predetermined view about the right size for a police force. As my hon. Friend will know, provisions in the Police and Magistrates' Courts Bill allow for full consideration of the views and wishes of interested parties when any amalgamation is proposed. Existing procedures, which stem from the Police Act 1964, are cumbersome, long drawn out and expensive and need to be simplified. The ground needs to be prepared in case of amalgamations.

Mr. Barry Jones: Why does not a British Home Secretary with roots in Llanelli think again about the matter? Does he acknowledge that there are strong feelings and great resentment? In the light of what the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) said, why does not the Home Office think again?

Mr. Wardle: As I have already told the House, the post of chief constable of the North Wales force is to be re-advertised, so the procedure will start again with the criteria that I outlined.

Lenient Sentences

6. **Mr. Batiste:** To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of the Attorney-General's right to appeal against lenient sentences; and if he will make a statement.

Mr. Howard: The Attorney-General's power to refer lenient sentences to the Court of Appeal has proved extremely valuable. It has ensured that the most serious offences are appropriately punished. So far, 116 cases have been considered by the Court of Appeal following referral from the Attorney-General and 95 references have resulted in an increased sentence.

Mr. Batiste: Does my right hon. and learned Friend agree that over-lenient sentences bring the criminal justice system into disrepute and are terribly unfair to the victims of crime? Does he recall that when the Government introduced powers to overlook over-lenient sentences, the entire Opposition Front-Bench team voted against, as did all members of the present Opposition Home Office team? What representations has my right hon. and learned Friend received on the subject since then?

Mr. Howard: My hon. Friend is entirely right to draw attention to that fact. That is an extremely important power and it helps us to deal with a situation in which the law was brought into disrepute. The record of right hon. and hon. Opposition Members on the matter is little short of disgraceful.

Mr. Ashton: Is the Home Secretary aware that not all Opposition Members are against the powers given to the Attorney-General? However, we wonder why he does not use them against millionaires like Levitt, who was given 180 hours of community service for swindling hundreds of thousands of pounds, Ronson, and Ernest Saunders of Guinness, who is the only person to have recovered from Alzheimer's disease, but who got out of prison early.

Mr. Howard: I am delighted to learn that at least the hon. Gentleman will no doubt support powers in the Criminal Justice and Public Order Bill, which enable the Attorney-General to appeal against lenient sentences in serious fraud cases.

Cannabis

7. **Mr. Deva:** To ask the Secretary of State for the Home Department what plans he has to increase the maximum penalty for possession of cannabis.

Mr. Maclean: The Criminal Justice and Public Order Bill, contains provisions that increase the maximum fine available on summary conviction under the Misuse of Drugs Act 1971 for possession of all class B drugs, including cannabis, from £500 to £2,500.

Mr. Deva: Does my hon. Friend agree that if the Government had decided not to increase the maximum penalty for the possession of cannabis, it would have sent the worst possible signal to our young people?

Mr. Maclean: My hon. Friend is right. Those penalties, which have not been increased since 1977, affect not only cannabis but all class B drugs. What signal would we be sending if the Government failed to uprate the penalties for drugs of that nature, which in most cases lead people to take harder drugs?

Mr. Mudie: The Minister will be aware that, as a result of drugs, addiction, increasing crime, violence and even deaths are regular features of inner-city life. Will he therefore reconsider the call by my hon. Friend the Member for Sedgefield (Mr. Blair) for a Bill outlining a comprehensive strategy for drug-related crimes, backed up with the resources for the police to deal with the matter?

Mr. Maclean: If the hon. Gentleman would care to consult *Hansard* of last week and read the long and detailed answer that I gave to the hon. Member for Stretford (Mr. Lloyd), he would see the comprehensive strategy laid out. I shall briefly summarise that answer, which contained information about the Home Office drugs prevention initiative, which is providing schemes in 20 areas, and the safer cities programme, which has supported more than 3,500 crime prevention schemes. We have the toughest rules in Europe against those people who deal in drugs. We have effective police and customs action. Part of the national curriculum deals with the subject. Taking all those aspects into account, we are spending £500 million on drug prevention initiatives. We have put our money where the Opposition's mouth is.

Mr. James Hill: My hon. Friend will realise that all of us back his Department in wanting the severest penalties not only for cannabis but for all other drugs. I remind him that we passed through both Houses of Parliament an Act that would confiscate the proceeds of those crimes. I have heard little or nothing about that. Will he inquire into that and ensure that the courts are confiscating properties, cars and anything else that have been acquired as a result of that evil trade?

Mr. Maclean: I can assure my hon. Friend that the measures did pass through the House. They are being used, effectively, by the enforcement authorities—by police and customs. I will happily write to my hon. Friend, giving him details of the latest catches and of how much we have confiscated in the past few years.

Mr. Flynn: Has the Minister noticed that the policy that the Government are following now has been followed in the United States? The Americans have spent $8 billion on their anti-drugs policy. During the period in which they did so, the percentage of their young people using cannabis, increased from 5 per cent. in 1964 to 70 per cent. now. Will he tell us now the number of people who supported the Government's proposal to increase fines? Did not the police, the magistrates and those who work in drug rehabilitation all condemn it, because they said that it would increase drug abuse and drug-related crime as cannabis users would steal more money or goods to pay the greater fines?

Mr. Maclean: First, the hon. Gentleman seems to be obsessed with cannabis, whereas the proposals include all class B drugs, so the penalties not only for cannabis but for all class B drugs have been uprated. The hon. Gentleman must consider what the alternative would be. If we did not increase the penalties for certain drugs since 1977, two messages would go out from the House—first that there are now certain types of drugs that it is okay to take and secondly that no one cares about uprating the penalty. It was essential that the penalties were uprated.

Dame Elaine Kellett-Bowman: Does not my hon. Friend find it alarming that the British socialists in the European Parliament have just voted for the Herman report?

Mr. Michael: No.

Dame Elaine Kellett-Bowman: Oh yes they did. I have the voting record here. That report is highly federalist and would remove our right to veto changes in immigration and frontier policies, thus preventing us from keeping out drug traffickers. Is my hon. Friend further aware that 27 Conservatives voted against it and none for it?

Mr. Maclean: The Herman report, if implemented, could have the most serious consequences for drug control in Europe. That is why I am appalled at the thought that 22 Labour Members of the European Parliament voted in favour of that report, although 27 Conservative Members of the European Parliament voted against. The Opposition should explain that to the country in the next few months.

Crime Prevention

8. Mr. Alan W. Williams: To ask the Secretary of State for the Home Department if he will make a statement on progress in implementing the recommendations of the 1991 Morgan report on crime prevention.

Mr. Howard: The Government have welcomed the report's endorsement of our partnership approach to crime prevention and accepted its general findings on the important contributions of the police and others. We see no need to implement the specific recommendations in the report about the role of local authorities in crime prevention.

Mr. Williams: Does the Minister accept that local councils have a unique role to play in pulling together schools, businesses, voluntary organisations and the police in devising locally based strategies for tackling crime? Why is he so reluctant to implement the key recommendation of the Morgan report to give local authorities statutory responsibility for crime prevention?

Mr. Howard: Many local agencies have an important role to play in tackling crime and one of the main responsibilities of the new police authorities will be the drawing up of local partnerships between the police and the public to tackle crime. I am surprised that, in asking his supplementary question, the hon. Gentleman did not congratulate the police force of Dyfed Powys, where his constituency lies, on a 22 per cent. fall in crime and a 27 per cent. fall in burglary during the last quarter of 1993.

Mr. Thurnham: Is my right hon. and learned Friend aware of the success of Greater Manchester police in reducing crime by 6 per cent. last year? Does not that prove that his excellent reforms are having a major impact, even before they reach the statute book?

Mr. Howard: I should certainly like to join my hon. Friend in congratulating the Greater Manchester police on their performance last year. If he looks carefully at last year's figures, he will find that the figure for the last quarter was even better than the figure for the year as a whole. I join my hon. Friend in congratulating Greater Manchester police on their part in achieving that.

Mr. Maclennan: Is the Home Secretary prepared to withdraw the comment that he made on 3 November on the "Today" programme that nobody knows how to prevent crime? If so, will he proceed to increase his Department's budget for specific crime prevention measures in local areas, to enhance its effectiveness and raise it from a quarter of one per cent., which is a disgracefully low figure?

Mr. Howard: No one has found the complete answer to the prevention of crime. If the hon. Gentleman has, it is about time that he let us know what he thinks it is. He should recognise that we are spending £200 million a year specifically on crime prevention, without taking account of the £6 billion which the police spend on crime prevention and other things.

Mrs. Currie: With regard to the most rapidly rising sector of crime—taking from and taking away cars—is the Home Secretary aware of the efforts being made by the police in Derby to persuade people to empty their garages of rubbish, put their cars in them and lock the doors? Is he also aware of, and does he support, the work being done by Nissan's research and development centre at Cranfield into modern devices that can be built into cars to reduce car theft to a minimum?

Mr. Howard: My hon. Friend is right. We must take every measure that we can to prevent crime and inhibit criminals' ability to perpetrate the crime that they wish to commit. We should consider seriously and implement the measures that she identified.

Mr. Michael: As the Home Secretary does not appear to have read it, may I point out that the key recommendation of the Morgan report was the role of local authorities? Will he now praise those Labour local authorities that have developed active partnerships with the police and local communities? The Home Secretary is the missing player. Will he now agree to implement the Morgan report?

Mr. Howard: I suppose that the local authorities that the hon. Member for Sedgefield (Mr. Blair) chose to include in his article in the *Daily Mirror* were chosen because he thought that they were the best. What a pity that he did not mention the fact that all the crime prevention schemes that he identified in that article were funded by the Government. So it is the Government who are taking the lead in crime prevention and it is about time the Opposition recognised that that is the position.

Mr. Brandreth: Will my right hon. and learned Friend confirm that, in the last quarter of last year, the number of recorded burglaries fell by 11 per cent., and that crime prevention has a major part to play in that improvement? Will he use this opportunity to salute those involved with home watch schemes? One in six households in my constituency belong to that scheme; we need to encourage more to do so.

Mr. Howard: I entirely agree with my hon. Friend and I have made it absolutely clear that we shall succeed in the fight against crime only by building a strong partnership between the police and the public, in which schemes such as home watch have an important part to play.

Campsfield House Detention Centre

9. Mr. Madden: To ask the Secretary of State for the Home Department how many detainees are refusing to eat food at Campsfield house detention centre.

Mr. Charles Wardle: Today, two detainees at Campsfield house are refusing food.

Mr. Madden: Does the Minister accept that those who have been refusing food over the past two and a half months are protesting against the length of time that detainees, including those seeking asylum, are held in detention? Why is the Minister so determined not to give the same democratic and legal rights to those held in detention under immigration control, including asylum seekers, as those available to all others held in detention and prison?

Mr. Wardle: I shall take no lectures about our willingness to protect people in real danger of persecution. Our humanitarian record is second to none. As the hon. Gentleman knows, the Asylum and Immigration Appeals Act 1993 gave all unsuccessful applicants the right of appeal. Anyone with an appeal pending may apply for bail. The hon. Gentleman knows full well that a number approaching 25,000 applications are made each year and about 1,500 may turn out to be genuine refugees. He visited Campsfield house and knows that the majority of people who embarked on hunger strike had either had their appeals heard or had had their applications refused and were waiting on appeal. It is a pity that some people embarked on the hunger strike, which may have endangered their health, but has not altered the merits of their case in any way.

Mr. Clifton-Brown: Does my hon. Friend agree that the reduction in the number of hunger strikers from 150 to three is a tribute to the professionalism of the orderlies and managers employed by Group 4 in that institution? Does that not show that the public and private sectors can work perfectly well together to solve difficult problems in the sphere of protection?

Mr. Wardle: My hon. Friend is right and I join him in congratulating the professionalism of Group 4 at Campsfield house, as well as the immigration service staff. I absolutely refute the suggestion made by some Opposition Members that our detention policy puts us in breach of the 1951 UN convention. It does not. If Opposition Members feel that we should not have the power of detention for those who will not comply with restrictions, they should say so loud and clear.

Mr. Allen: With so many individuals now on hunger strike, does the Minister admit that the Conservative strategy on the detention of asylum seekers is a complete shambles? The rising figures over the past year show that the policy is not, as the Government said, a weapon of last resort, but is now a deliberate strategy. It is a strategy against people, many of whom are fleeing torture, death threats and persecution in their own land. Will he admit that the once fine record of this country as a haven for asylum seekers is now a source of international shame?

Mr. Wardle: The hon. Gentleman reveals himself in his true colours. He talks about a haven for asylum seekers. I have already given the figures of the number of people who have proved to be genuine refugees when their cases have been heard. The hon. Gentleman knows— *[Interruption.]*

Madam Speaker: Order. I should like to see the Minister's rather handsome face.

Mr. Wardle: Thank you, Madam Speaker.

As the hon. Gentleman knows, 46,000 people are waiting for their asylum applications to be heard and 650, in round terms, are detained—less than 1.5 per cent. of the total. Those are individuals who we believe simply will not comply with our restrictions.

Prison Population

10. Mr. Dickens: To ask the Secretary of State for the Home Department what importance he attaches to the prison population as a measure of the success of the criminal justice system; and if he will make a statement.

Mr. Howard: Prison population figures cannot in isolation be seen as a measure of either the success or the failure of the criminal justice system.

Mr. Dickens: Does my right hon. and learned Friend agree that a custodial sentence satisfies the victims, acts as a deterrent, and provides retribution and punishment? While prisoners are under lock and key they cannot be breaking into people's homes. Will he consider getting rid of the stupid nonsense such as remission, rehabilitation and parole?

Mr. Howard: I entirely agree that custodial sentences —imprisonment—have a very important part to play in our penal system. I do not know that I would go all the way with my hon. Friend: I think that we should take rehabilitation rather seriously as well. But I agree with much of what he said.

Mr. Robert Ainsworth: Does the Home Secretary agree that if he wants to move from rhetoric to effective action he should not be closing bail hostels in the west midlands that are badly needed as part of the strategy for dealing with offenders in what the courts believe to be the most appropriate manner?

Mr. Howard: Bail hostels will continue to play an important part in our strategy. The hon. Gentleman will find that those that are being closed have been under-occupied, and it is incumbent on us all to use our resources as effectively as we can.

Sir Ivan Lawrence: The whole House will want to congratulate the Government on the good news— particularly the 9 per cent. fall in the crime wave in the last quarter. Is it not a fact that the decrease in crime has coincided with a substantial increase in the size of the prison population? Is it not also a fact that if one removes the persistent hard-core offenders from the streets, of course the crime wave will fall and prison will be seen to work, quod erat demonstrandum?

Mr. Howard: The facts to which my hon. and learned Friend refers are irrefutable. The 9 per cent. fall in the crime figures over the country as a whole for the last quarter of 1993 was the biggest that we have seen since quarterly figures were first kept 20 years ago. My hon. and

learned Friend has indicated the correlation between the figures and the number of those in prison who are responsible for a disproportionate number of crimes.

Ms Ruddock: Is the Home Secretary aware that in the past year the Prison Service has failed to meet its key performance indicators on having three prisoners to a cell; on the use of police cells; on slopping out; and on the number of assaults, which have risen by 20 per cent? Will he today give the House a clear, unequivocal undertaking that he stands by the Government's response to the Woolf report and that, particularly on the issue of rehabilitation, he remains committed to implementing fully the recommendations of the report?

Mr. Howard: I said a few minutes ago how much importance I attach to rehabilitation. An increasing number of rehabilitation programmes are now available to those in our prisons. These include rehabilitation programmes for those who need to get off drugs, rehabilitation programmes for sex offenders, and general rehabilitation programmes which are making a significant contribution to our objective of turning people away from crime on their release from prison.

Closed Circuit Television

11. **Mr. Moss:** To ask the Secretary of State for the Home Department what research he has commissioned into the use of closed-circuit television cameras to prevent and detect crime; and if he will make a statement.

Mr. Howard: The Home Office has published a number of studies on closed-circuit television cameras as a crime control measure, including its use on public transport, by businesses and in car parks. A current study of the scheme in Birmingham city centre to which the Home Office contributed £90,000 is being extended to include schemes in other areas.

Mr. Moss: Can my right hon. and learned Friend confirm that he will not be distracted by civil liberties objections to the installation of closed-circuit television, such as that proposed in the towns of Wisbech and March in my constituency? Is it not the case that people want more cameras and less crime, not the other way around?

Mr. Howard: I entirely agree with my hon. Friend and I can give him the confirmation for which he asks. I believe that closed-circuit television has an important part to play in both crime prevention and crime detection.

Mr. Trimble: Surely it has been established clearly that the installation of closed-circuit televisions in town centres and commercial areas can contribute powerfully to deterring crime and to apprehending criminals. We do not need further studies and experiments. Should the Government not now prepare to help businesses and local authorities nationwide to use closed-circuit televisions?

Mr. Howard: There is no question of any research being intended to hold up the installation of closed-circuit television—quite the contrary. We are doing everything we can to encourage local authorities, businesses and others to help with the installation of closed-circuit television. We shall shortly publish a code of practice that will ensure that such television is sited as effectively as possible. I entirely agree with the thrust of the hon. Gentleman's question.

Murder

12. **Mr. David Evans:** To ask the Secretary of State for the Home Department how many people have committed murder since their release from prison since 1979.

Mr. Maclean: Eight murderers released on licence since 1979 have been convicted of a subsequent murder —*[Interruption.]*

Madam Speaker: Order. Did the hon. Gentleman hear the reply?

Mr. Evans: No.

Madam Speaker: Will the Minister please repeat it?

Mr. Maclean: Eight murderers released on licence since 1979 have been convicted of a subsequent murder.

Mr. Evans: Is the Minister aware that more than 3,000 people have committed murder since 1965, and that if the British people had been Home Secretaries, they would have hanged the lot of them: in other words, their feet would not have touched the ground? Can the Minister tell me that life means life? Can he tell me which Government were in power in 1965, when the death penalty was abolished? Can he tell me which Government, in 1978, halved the police constables' pay rise and deliberately kept the police force 8,000 short? If he wants a clue, it was that lot opposite.

Madam Speaker: Do your best with that, Mr. Maclean.

Mr. Maclean: I think that society has suffered a great deal since those days when the noble Lord Jenkins said that the permissive society is the civilised society, and made the changes that my hon. Friend describes.

PRIME MINISTER

Engagements

Q1. **Mr. Ward:** To ask the Prime Minister if he will list his official engagements for Thursday 21 April.

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Ward: Will my right hon. Friend unreservedly condemn the continuing attacks on the civilian population of Gorazde by the Serbs, and particularly the outrageous attacks on the hospital there? Does he agree that we must have more effective action by both NATO and the United Nations to protect the UN safe areas?

The Prime Minister: I believe that my hon. Friend speaks for most people in this country. These attacks have rightly been condemned by European, Russian and American leaders alike. NATO should help the United Nations to give stronger protection to the safe areas, and I hope that the additional troops committed to UNPROFOR and the necessary funds will be made available as soon as possible.

The United Kingdom is pressing for a rapid and united NATO response to the Secretary-General's request for further assistance. That must be based on a thorough military appraisal. We shall also be studying the proposals

made by President Clinton last night; but we must keep the objectives of a negotiated settlement clearly in view, while showing that attacks on UNPROFOR or safe areas will meet with a strong response.

Mr. John Smith: Would it not have been much better if the Government had properly consulted the D-day veterans in the first place instead of paying £62,000 to a public relations company for what turned out to be very bad advice?

The Prime Minister: I am pleased that the right hon. and learned Gentleman enables me to set the record straight on what is happening. Many people will have been concerned over some of the things that they have read, and it is right to tell the House the present position.

The first discussions with the veterans organisations, including the Royal British Legion, took place in February 1993. The main focus of the programme will be in Portsmouth and Normandy over the weekend of 4 to 6 June. The Archbishop of Canterbury will lead an open air service of remembrance attended by Heads of State and Government from the allied countries that took part in the Normandy landings. There will be similar services in Normandy the following day—*[Interruption.]*

Madam Speaker: Order. The Prime Minister has been asked a question and he is answering it.

The Prime Minister: I am aware of the great interest in the matter, and it will be of interest to the House and others if I set the record straight. There will be similar services in Normandy the following day, including services of commemoration at the British cemetery and a march past of veterans. Many veterans will be able to attend those events and other ceremonies in Normandy, Portsmouth and right across the United Kingdom. Beyond that, many hundreds of events are still being planned, but the present programme includes church services in towns and villages around the country, parades and marches past by veterans and exhibitions illustrating local involvement in the events of 50 years ago.

Mr. John Smith: Does the Prime Minister not appreciate that the difficulties have arisen about the so-called civilian side of this anniversary? Does he accept that one way in which the Government could avoid constantly getting things so badly wrong is to consult more widely? In the case of genuinely national events, ought that not be on a cross-party basis? Will that be the approach to the VE-day anniversary next year?

The Prime Minister: It is a genuinely national event, and a genuinely cross-party event in every sense. I hope that the right hon. and learned Gentleman and other right hon. and hon. Gentlemen will take part in the events to which I referred a moment ago.

Let me explain to the right hon. and learned Gentleman and the House why there is a civilian aspect. Although his colleagues groan, that is the question that he asked. As well as commemorating the bravery and sacrifice of those who took part in the Normandy campaign, we also wish to remember the immense efforts made by the whole civilian population leading up to D-day and beyond. That is why we want the commemorations to involve all generations, including our children. I hope that the right hon. and learned Gentleman will share my concern that so few of the present generation understand precisely what happened on that occasion and the fact that we would not have the freedom of speech that we enjoy in the House but for that.

Mr. John Smith: Bearing in mind the difficulties that have arisen over D-day, but also bearing in mind the fact that the second world war involved the sacrifice by people of all persuasions, will the right hon. Gentleman now undertake that in the planning of the VE-day anniversary there will be genuine cross-party involvement, including the involvement of all parties in this House? Can he give us that undertaking today?

The Prime Minister: The right hon. and learned Gentleman is entirely right; it is both cross-party and non-party. Neither on this occasion nor on any future occasions will there be any partisan involvement in the celebrations. That is the right way to approach this event; it was the right way to deal with previous commemorations and it will be the right way in future. There is no difference between the right hon. and learned Gentleman and me on that point.

Mr. Leigh: Did my right hon. Friend notice that yesterday Mr. Jacques Delors declared his intention to render worthless any concessions won by Britain on majority voting rights in the Council of Ministers; in particular, his statement that it was a political declaration not a legal text? He said that he could declare that a reasonable period had been exhausted and that it would last only for another two years, thus driving a coach and horses through any concessions we gained. Will my right hon. Friend, therefore, echo his predecessor in replying to Mr. Jacques Delors no, no, no, especially as my right hon. Friend does not have Lord Howe beside him?

The Prime Minister: What the President of the Commission said yesterday was that the decision commits member states to act in accordance with the declaration. I can confirm to my hon. Friend that the Council decision taken as part of the Ioannina agreement is legally binding on the Council. If my hon. Friend finds that not satisfactory, he might also listen to other Foreign Ministers. For example, the German Foreign Minister said:

"Germany itself would regard the decision as binding on the Council".

He had no doubt that all other member states of the Union would fully respect the procedures foreseen. That is what we will expect and that is what will happen.

Q2. **Mr. Gapes:** To ask the Prime Minister if he will list his official engagements for Thursday 21 April.

The Prime Minister: I refer the hon. Gentleman to the reply I gave a few moments ago.

Mr. Gapes: In view of the serious problem in the health service in London—the cuts, the closures and the increased waiting lists—will the Prime Minister give some hope to my constituents in Ilford who face great problems at the King George hospital? Will he instruct the Secretary of State for Health today to stop immediately any further closures, cuts, reductions or staff losses throughout London?

The Prime Minister: Since the hon. Gentleman mentions Ilford, I might just mention the capital expenditure on the Redbridge healthcare NHS trust £58 million hospital at Goodmayes, the biggest capital development in the region last year; the work under way on

the Forest healthcare NHS trust £10 million new wing for Whipps Cross hospital, and the great expansion in primary health care right across London. The hon. Gentleman is not very well informed about his own constituency.

Dame Jill Knight: On the question of D-day, will my right hon. Friend bear in mind the fact that thousands of people outside the House believe that once we have paid tribute in dignity to the heroism of those who died, it is entirely appropriate that joy should be experienced with enthusiasm to celebrate the fact that the sacrifices made gave us deliverance from the most inhuman and wicked dictatorship that the modern world has ever known?

The Prime Minister: I think that my hon. Friend speaks for many people when she says that after one has dealt with the specific matter of commemoration on D-day, millions of people in Britain will wish to give thanks in one form or another in some form of thanksgiving ceremony for the fact that we have the freedoms today that we take for granted.

Q3. Mr. Rendel: To ask the Prime Minister if he will list his official engagements for Thursday 21 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Rendel: Will the Prime Minister confirm that his party, unlike the Liberal Democrats, believes that band for band is the best way to compare council tax levels between different authorities? Will he further confirm that on that basis Hampshire is the most efficient English county council?

The Prime Minister: From memory, I think that Hampshire has had the biggest increases in council tax anywhere across the country. However the hon. Gentleman may care to phrase it, if he looks at matters on a like-for-like basis he will find that Conservative-controlled councils are noticeably cheaper than Liberal Democrat-controlled councils and even less expensive than Labour-controlled councils.

Q4. Dr. Spink: To ask the Prime Minister if he will list his official engagements for Thursday 21 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave a few moments ago.

Dr. Spink: Can my right hon. Friend tell the House when he was last asked a question on unemployment by the Leader of the Opposition? Does the length of time have something to do with the fact that unemployment has been falling month after month after month, so that there are now a quarter of a million fewer people unemployed than there were a year ago?

The Prime Minister: It certainly is some time since the right hon. and learned Gentleman last mentioned it. I cannot be precisely sure when it was. I do not believe that he has asked such a question since his hon. Friend the Member for Dunfermline, East (Mr. Brown) said that unemployment would go up month after month after month after month.

Mr. Clapham: Will the Prime Minister join me in condemning the blackmail tactics used by British Coal to coerce the miners at Tower colliery into accepting its closure? Is the Minister aware that, with the closure of Tower colliery, only 16 collieries are now operating under British Coal management, and the men at those collieries face an uncertain future, as do their families? Will the Prime Minister therefore tell the House today, giving a commitment to those men and their families, that he will adopt for the next four years the redundancy package that British Coal has been operating and which closes on 30 April, so that the miners at those 16 collieries will have a fall-back position if the private venture fails?

The Prime Minister: With regard to British Coal's decision to withdraw its closure proposal, as I understand it, the men at Tower colliery sought further discussions with the corporation at which they indicated that they did not wish to oppose the closure proposal. That is my understanding of what has happened and I am pleased that such an agreement was eventually reached.

Q5. Mr. Carrington: To ask the Prime Minister if he will list his official engagements for Thursday 21 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave a few moments ago.

Mr. Carrington: What action would my right hon. Friend take over a local authority that has debts of £356 million, more than Gambia, and is being sued for fraud by a bank because of its illegal activities on the money markets and the bank is demanding £20 million in compensation; a council which, through its waste and corruption has cost the council tax payers of Hammersmith and Fulham £250 each and in a local authority which has the third worst record of collecting rents in the country?

The Prime Minister: The people of Hammersmith and Fulham will have the opportunity to make their own decisions on 5 May. In view of what my hon. Friend has said, they would be very well advised to vote for a Conservative council.

Q6. Mr. Hutton: To ask the Prime Minister if he will list his official engagements for Thursday 21 April.

The Prime Minister: I refer the hon. Gentleman to the reply I gave a few moments ago.

Mr. Hutton: Are the biggest tax increases in modern British history that will take effect this month the result of the Government's incompetence in handling the economy or simply their lack of honesty in dealing with the British public at the previous general election?

The Prime Minister: The hon. Gentleman clearly has not been attending many Question Times over the past few months or he would know that the tax increases were necessary in order to get public finances in better shape, to get Government borrowing down and to ensure that we can sustain a low interest rate level which is helping us in getting back in growth. He will know that, as a result, we now have a growth pattern that is twice as high as any of our main European competitors, that we have inflation at under 3 per cent., that we have exports running at record levels, that we have a stable exchange rate and that we are poised for a long period of sustained, non-inflationary growth—a prospect which this country has sought for many years and which now lies there as a result of the policies that this Government have followed.

Business of the House

3.30 pm

Mrs. Margaret Beckett (Derby, South): Will the Leader of the House be good enough to state the business for the forthcoming week?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business for next week will be as follows:

MONDAY 25 APRIL—Until about Seven o'clock, Private Members' motions.

Motion on the Travellers' Allowances Order.

Motion on the HMSO Trading Fund (Amendment) order

TUESDAY 26 APRIL—Second Reading of the Police and Magistrates' Courts Bill [*Lords*].

WEDNESDAY 27 APRIL—Remaining stages of the Intelligence Services Bill [*Lords*].

THURSDAY 28 APRIL—Opposition Day (11th allotted day).

There will be a debate entitled "The National Health Service in London" on an Opposition motion.

FRIDAY 29 APRIL—Private Members' motions.

I am happy to confirm that Monday 2 May will be a bank holiday.

Mrs. Beckett: I thank the Leader of the House for his statement. I ask him to consider, in the week after the bank holiday, finding Government time for a debate on Bosnia. He will appreciate that it has been some considerable time since that matter has been debated in the House and that a great deal has happened. It is a matter for him and his colleagues, of course, but if the debate were on the Adjournment, it would allow the full range of opinion that exists in the House to be expressed.

Will the Leader of the House also find time to debate early-day motion 1086 on the future of the scientific civil service?

[*That this House condemns the fact that decisions about the future of the scientific civil service, AEA Technology, Warren Springs Laboratory, National Engineering Laboratory, National Physical Laboratory and the Laboratory of the Government Chemist have been announced by answers to written questions: is concerned that debate should be conducted in Government time on these important matters; and calls for such time to be made available without delay.*]

It expresses considerable concern not only about the difficult future facing the scientific civil service and some very valuable research laboratories in the public service but about the way in which the Department of Trade and Industry is misusing the procedures of the House by slipping out important announcements of that kind in written answers, without any opportunity for debate or scrutiny.

May I also seek statements, first, on the council tax, because of the information that some 2 million people may have been wrongly rated for council tax and are liable to backdating of any payments that may be due if it is reassessed; and secondly, on the position with regard to the opting out of schools? The Leader of the House will know that there is some considerable confusion about whether almost £800,000 of public money has been available for a campaign for opting out, contrary to assurances that the Government gave in the House. He will know also that the Secretary of State now seems to be suggesting—or at least hinting—that, as parents and governors are being so unobliging as not to decide to opt out, the Government will make them. I think that that should at least be reported to the House in a statement.

Mr. Newton: I will, of course, consider the various points raised by the right hon. Lady in the latter part of her question, although I am not sure that I entirely accept her description of the position.

The right hon. Lady mentioned early-day motion 1086. I am grateful to her for, in effect, confirming that my right hon. Friends have kept the House fully informed by replying to a significant number of written questions describing the process. I note her request for a debate; more specifically, I assure her that I have taken careful note of her request for a debate on Bosnia, although I cannot make any commitment at this stage.

Mrs. Ann Winterton (Congleton): Will my right hon. Friend take note of early-day motion 1057?

[*That this House commends the commitment and dedication of the personnel in the Obscene Publications Branch at New Scotland Yard; recognises their unique national role and expertise in investigating child pornography and paedophile rings; notes the ever-growing complexity and volume of computer pornography with which the branch deals; and calls upon the Home Secretary to ensure that the Commissioner abandons any plan to close the Obscene Publications Branch and that this specialist squad is assured a continuing and strengthened place in the Metropolitan Police on the conclusion of the current restructuring review.*]

The motion, which is tabled in my name, concerns the proposal to disband the obscene publications squad at New Scotland Yard.

Is my right hon. Friend aware of the success of that unit, and its commitment to bringing child pornographers and paedophiles to book? Is he aware of the strength of our belief that the squad should be given more resources and more power within the restructuring process? The proposal to disband it will be applauded by peddlers of pornography throughout the United Kingdom. Can my right hon. Friend find time for a debate on the subject very soon?

Hon. Members: Hear, hear.

Mr. Newton: There is clearly a good deal of sympathy with my hon. Friend's general comments.

I understand that the Commissioner is reviewing headquarters functions generally, including those of this branch. I assure my hon. Friend that both the Commissioner and my right hon. and learned Friend the Home Secretary intend to ensure that any changes help, rather than hinder, the fight against pornography and paedophilia.

Mr. A. J. Beith (Berwick-upon-Tweed): Tomorrow's business includes a debate on the Energy Conservation Bill. Will the Leader of the House reconsider the Government's decision to table more than 200 amendments to a Bill to which only five Government amendments were tabled in Committee? Is there not a danger that the new Government strategy is to ignore Committee stages of private Members' Bills, the better to waste the House's time on Report? As Leader of the House, should not the right hon. Gentleman be concerned about that?

Mr. Newton: I understand that the amendments to which the right hon. Gentleman refers are not Government amendments—

Mr. Beith: Fifty of them are in the name of the Secretary of State for the Environment.

Mr. Newton: Yes, but the right hon. Gentleman referred to a rather larger number. It is open to hon. Members to table such amendments as they think fit, and I do not wish to take that right away from them. My hon. Friend the Parliamentary Under-Secretary of State for the Environment made some comments from the Dispatch Box yesterday which I heard; no doubt there will be ample opportunity for a full debate on these matters tomorrow.

Mr. Patrick Cormack (Staffordshire, South): Is my right hon. Friend aware that people outside this place find it not only incomprehensible but disgraceful that there has been no debate on Bosnia, given the gravity of the situation there and the fact that we have had so little time to debate it specifically over the past three years? Will he please consider changing the business next week—even Monday's business? Could we at least have a three-hour debate after private Members' motions?

Mr. Newton: My hon. Friend and I had some informal exchanges about the matter earlier. I pay tribute to him again, and hope that he does not mind my mentioning our earlier conversation. I am aware of the strength of his feeling; he will have heard what I said to the right hon. Member for Derby, South (Mrs. Beckett), however, and I cannot add to that at this stage.

Mr. Dennis Skinner (Bolsover): Is the Leader of the House aware that a tremendous number of old-age pensioners in every constituency in Britain are complaining about the fact that they cannot obtain fair treatment on the national health service? Will he call on the Secretary of State for Health to make a statement—either tomorrow or early next week—including a commitment that there will be fair and equal treatment for everyone from the cradle to the grave, including pensioners, and that instructions along those lines will be issued to every health authority?

Mr. Newton: My right hon. Friend the Secretary of State has made it very clear on a number of occasions that that is indeed our approach to the health service. Let me add that, in connection with one of the cases referred to last week, the Brighton healthcare trust has written to all general practitioners making it clear that there is no policy of discrimination against elderly patients in the provision of the services involved.

Mr. Bob Dunn (Dartford): I regret, on behalf of my hon. Friends, that no business was announced for the May day bank holiday. Is it not time that we got rid of that nasty little, unwashed, unloved socialist anniversary?

Mr. Newton: I understand why my hon. Friend asked that question. He will understand why I simply say that I shall be quite happy to have a day off.

Mrs. Irene Adams (Paisley, North): Will the Leader of the House find Government time next week to debate the crisis in manufacturing industry? Babcock plc announced today that 400-plus jobs are to be lost—many at the Renfrew plant in my constituency, which has lost more than 90 per cent. of its manufacturing jobs in the past 10 years. I am sure that is just a microcosm of what is happening in the rest of the country. Will the right hon. Gentleman find Government time to discuss that crisis next week?

Mr. Newton: I cannot undertake to find time for such a debate. Her Majesty's Opposition have some time available next week and could change its use if they wanted. I am aware of the job losses to which the hon. Lady referred and acknowledge that that is unwelcome news. I understand that it is part of restructuring intended to ensure the company's long-term future, and that must ultimately be in the interests of all involved.

Mr. James Clappison (Hertsmere): Will my right hon. Friend find time to discuss with the Liberal Democrats the newspaper article in which their leader welcomed what he described as the Thatcher revolution which has spread economic power, liberated markets and helped the individual? Can time be found for a debate to commemorate that, and the highly original thinking that the right hon. Member for Yeovil (Mr. Ashdown) has been exploring under the banner of what he terms "Power to the People", which he described as spreading political power? Would not that give us an opportunity to warn the right hon. Gentleman that if he carries through his plan of abandoning our national veto, the only power spread will be the power of the House going to Brussels?

Mr. Newton: My hon. Friend makes two excellent points and encourages me to consider giving time to the Liberals, to provide an opportunity to discuss those matters on the Floor of the House.

Mr. Gordon McMaster (Paisley, South): Will the Leader of the House acknowledge that not only workers but management in manufacturing industry throughout Britain are fed up with the Government turning Nelson's eye to that industry? Will he reconsider his answer to my hon. Friend the Member for Paisley, North (Mrs. Adams) and find time next week to debate manufacturing industry? Each time there are massive job losses, we are told that it is restructuring to ensure viability—but they are followed by more job losses.

Mr. Newton: While understanding why the hon. Gentleman asked that question, I cannot add to my reply to the hon. Member for Paisley, North (Mrs. Adams). When I consider what has happened in recent times in attracting new manufacturing investment to this country and the way that it is generating new trade and exports, I cannot accept that manufacturing industry has been neglected or is going into further decline, in general terms.

Mr. David Shaw (Dover): Can my right hon. Friend urgently arrange for a statement next week by a Minister from the Department of the Environment on the approval of Dover harbour board's plans to create new jobs in the port of Dover, which will involve bringing new offices, equipment, supermarkets and shops to Dover, and will be of immense benefit to the town? Will he give all the support that he can, to make sure that decisions that will benefit Dover are brought forward as fast as possible?

Mr. Newton: I cannot promise to bring my right hon. Friend the Secretary of State for the Environment to the House for that specific purpose, but I will certainly make sure that he is made aware of my hon. Friend's understandable concern.

Mr. Max Madden (Bradford, West): I join my right hon. Friend the Member for Derby, South (Mrs. Beckett) in calling for a debate on Bosnia, and the hon. Member for Staffordshire, South (Mr. Cormack) in urging the Leader of the House to change Monday's business to facilitate such a debate. As a major diplomatic effort is under way to find a solution to that terrible crisis, surely the House should be given an opportunity to debate what is occurring and the protection given to so-called safe areas, and to give critics of the Government a proper opportunity to set out their alternatives to Government policy. Will the right hon. Gentleman urgently consider that request, with a view to changing Monday's business?

Mr. Newton: I cannot add to what I have said previously. I have made it clear—this will be the third occasion—that I am listening carefully to the representations that are being made.

Sir Richard Body (Holland with Boston): Will my right hon. Friend consider having a debate on the economy, if not next week then the following week? Although the media say nothing about it, there is a lot of good news and some of us on the Government side would like the opportunity of giving voice to it.

Mr. Newton: That question links with one asked of my right hon. Friend the Prime Minister, about why we have not heard so much about unemployment from the Labour Front Bench recently. The fact is that the increasing flow of good economic news is one of the most striking features of our affairs at present. Of course, I shall look for time when that might be brought to the public's attention more fully.

Mr. William Ross (Londonderry, East): Will the right hon. Gentleman reconsider his earlier answer to the right hon. Member for Berwick-upon-Tweed (Mr. Beith), because some of the amendments tabled by the Secretary of State for the Environment to the Energy Conservation Bill tomorrow will remove Northern Ireland from the scope of the Bill, which hon. Members on this Bench particularly resent?

Mr. Newton: I should not have thought that that comment, while it may undoubtedly lead the hon. Gentleman to wish to make some comments in the debate tomorrow, would sensibly change the answer that I gave to the right hon. Member for Berwick-upon-Tweed (Mr. Beith).

Mr. Harold Elletson (Blackpool, North): Can my right hon. Friend find time for a debate on tourism? Is he aware that tourism is the world's fastest growing industry, one of the world's most intensive labour industries and the United Kingdom's second largest industry? Is he aware that the last time tourism was debated in the House was one year ago and that on that occasion the Minister responsible promised that he would try to ensure that there was an annual debate? Will my right hon. Friend assist the Minister to make that promise a reality?

Mr. Newton: I recall the debate one year ago, which followed persistent pressure on me at the Dispatch Box of the sort that my hon. Friend is renewing. I hope that I may be able to respond in an appropriate way at the appropriate moment.

Mr. Andrew Faulds (Warley, East): Thank you Madam Speaker. Thank you, thank you—*[Interruption.]*—and thank you again.

Madam Speaker: It is good to see the hon. Member keeping up appearances.

Mr. Faulds: I am most grateful. Will the right hon. Gentleman arrange a debate in the House where we can comment on the misguided and damaging conduct of the Governor of Hong Kong, and where we can examine the latest report on China from the Foreign Affairs Committee, which is full of lunacies and which has, unfortunately, been produced by a Committee peopled by ignoramuses?

Mr. Newton: In the light of the hon. Gentleman's phraseology, counsels of caution lead me to fall short of promising such a debate.

Mr. Peter Luff (Worcester): I am sure that my right hon. Friend will be aware of the weekend reports about the serious water pollution incident in my constituency of Worcester. I think that it also affects the constituencies of my hon. Friends the Members for Worcestershire, South (Mr. Spicer) and for Gloucester (Mr. French). So far, there has been no statement, question or debate on the subject in the House. My right hon. Friend will be aware that when a similar incident took place in London four years ago, a statement was forthcoming very quickly. May I press him for the earliest possible statement or debate in the House on this most important matter?

Mr. Newton: Obviously, I will consider what my hon. Friend says and, indeed, look at the precedent to which he refers. More particularly, I will ensure that his comments are drawn to the attention of my right hon. Friend the Secretary of State for the Environment.

Mr. David Winnick (Walsall, North): Though a debate on Bosnia is essential, if there is no debate next week, can we have a statement again on the latest position in Bosnia, bearing in mind that Gorazde is under murderous siege? At least 44 people died yesterday and 137 were wounded. Indeed, the doctor connected with the United Nations High Commissioner for Refugees said that people are dying like rats. How much longer can the international community carry on like that when Serbian aggression is at its worst and crimes and atrocities are taking place? At least we should have a statement again as early as possible.

Mr. Newton: The hon. Gentleman will have heard what my right hon. Friend the Prime Minister said during Prime Minister's Question Time on the efforts that are being made in those matters.

Even if I have not been able to respond immediately to the hon. Gentleman's requests for a debate, I have demonstrated for many months now that I mean what I say when I say that we will arrange for statements to be made when it seems appropriate.

Mr. Roy Thomason (Bromsgrove): Will my right hon. Friend arrange for an early debate on drugs and criminality, the need for which is evidenced by the difficulties that the police have had in my constituency in successfully uncovering two drug factories? Will he also use the debate as an opportunity to highlight the activities of the IRA with regard to drugs and to emphasise the weakness of the Opposition's policies on drugs matters?

Mr. Newton: May I first extend my sympathy to my hon. Friend? He is obviously suffering in a similar way to that in which I have suffered in the past week or two. Fortunately, I now seem to be a bit better than he is.

My hon. Friend knows well that the Government attach great importance to preventing drug misuse and to curbing the supply of drugs and the like. I am grateful to my hon. Friend for his reference to a succesful venture in that field. We also attach importance to any action that can contribute to cutting the flow of funds for terrorism.

Mrs. Alice Mahon (Halifax): Will the Leader of the House ask the Secretary of State for the Environment if he will make a statement on the appalling way in which the Tories are running Calderdale council? Is he aware of the chaos in the social services department where there is a £2 million underspend, and yet elderly people cannot get home helps? The council is also sacking wardens and threatening to close old people's homes.

Will the right hon. Gentleman also ask the Secretary of State to look at what the Tories are doing with the green belt policy, as they are driving a coach and horses through it?

Mr. Newton: I will, of course, draw the hon. Lady's questions to the attention of my right hon. Friend. I should perhaps make the point that he was here to answer questions only yesterday.

Mr. James Hill (Southampton, Test): My right hon. Friend is probably aware of discussions in the City of London shipping circles about the fact that the British merchant navy register is slowly but surely disappearing out of sight through a lack of numbers. There is a suggestion from the Baltic Exchange that there should be a British overseas register, which would possibly capture a lot of the Chinese shipowners who will have nowhere to go after 1997.

Is it possible to have a debate in depth on the future of the British shipping register? Where do we go from here?

Mr. Newton: My hon. Friend will be well aware that his questions are properly directed to my right hon. Friend the Secretary of State for Transport. While I shall not seek to pre-empt his role, I will make sure that the points are brought to my right hon. Friend's attention.

Mr. Tony Banks (Newham, North-West): May we have a debate next week on the threat to endangered species? We would then have an opportunity to discuss the threat to the giant land tortoises on Isabella in the Galapagos islands which have been threatened by a terrible fire.

Will the Leader of the House draw to the Prime Minister's attention the reply given to me by his predecessor in March 1985, when I asked her, following a previous fire on the island, whether she would send resources? She acted admirably and quickly with some very good help. Will the Leader of the House say to the Prime Minister today that he should emulate his predecessor in that respect?

Mr. Newton: I must admit that I was not aware of he precedent to which the hon. Gentleman referred. I will ensure that my right hon. Friend the Prime Minister's attention is drawn to the proposal.

Lady Olga Maitland (Sutton and Cheam): Would my right hon. Friend care to have a debate next week on Northern Ireland security? I raise that in view of the death yesterday of an RUC policeman in Londonderry, plus two serious injuries by the IRA. Does he agree that it is appropriate for the House to be given an up-to-date assessment by the Government about counter-terrorism and also, importantly, about our relationship with the Republic in that regard?

Mr. Newton: The House would want me to acknowledge my hon. Friend's question first by extending our sympathy to the relatives of the policeman who was killed yesterday. I would want to say that on behalf of everybody.

As for the rest of my hon. Friend's remarks, I cannot at this moment promise a debate. I draw her attention to the fact that my right hon. and learned Friend the Secretary of State for Northern Ireland is due to answer questions next Thursday.

Mr. Alex Salmond (Banff and Buchan): Will the Leader of the House arrange for a debate on "Taking Stock" so that the Government can attempt to reconcile last year's theory of paying attention to Scottish interests with this year's practice of sending Scottish Water into quangoland? Does the Leader of the House have any message for the 1 million-plus people in Strathclyde who voted to keep Scottish water under local democratic control? Why should their votes and their voice be less important than the five English Tories who decided every Division of the 102 in the Standing Committee that considered the Local Government etc. (Scotland) Bill?

Mr. Newton: The message that I would give—not least to the hon. Gentleman—is that the Government will seek to maintain the Union and to ensure that matters pertaining to Scotland are discussed in a way appropriate to the United Kingdom Parliament.

Mr. Iain Duncan Smith (Chingford): Will my right hon. Friend think again about a debate on manufacturing industry so that we may have the opportunity at an early stage to discuss matters such as the minimum wage, the Opposition's approval of the social provisions and the fact that manufacturing industry needs to keep its costs low, which the Opposition would never allow it to do?

Mr. Newton: My hon. Friend raises several very good points. They are perhaps related to some of the questions that I was asked earlier. It is another excellent idea for a debate. I will bear it in mind.

Mr. Jim Marshall (Leicester, South): May I draw the attention of the Leader of the House to early-day motion 963?

[*That this House condemns the decision of Leicester Royal Infirmary Trust to increase the rents of new student nurses from £12.25 per week to £32 per week, an increase of 250 per cent.; notes that existing student nurses are fearful and anxious that the proposed rent increases will be extended to them; and calls upon the Secretary of State for Health either to continue to subsidise through central Government funds rents for student nurses or to support an increase in the bursary of student nurses from £83.07 per week to pay for the rent increases.*]

It highlights the plight of student nurses at Leicester royal infirmary, who face rent increases of 250 per cent. as a result of unilateral action taken by Leicester royal infirmary trust. Will the Leader of the House join me in

[Mr. Jim Marshall]

condemning that decision and arrange an urgent debate so that we can discuss the general principle involved? If he cannot find time in the immediate future, will he draw the matter to the attention of the Secretary of State for Health as a matter of urgency?

Mr. Newton: On the latter point about drawing the matter to the attention of my right hon. Friend, of course the answer is yes. I understand that the revised charges include electricity, gas and water and compare favourably with the rented housing market and charges to other students, including university students.

Mr. Bernard Jenkin (Colchester, North): Now that we have completed all stages of the Finance Bill, will my right hon. Friend consider having a debate about the taxation policies of the Opposition parties? May I draw his attention to the council tax in Colchester and the fact that Essex county council and Colchester borough council, both under Lib-Lab control, received substantial extra grants, yet have still increased the council tax? Does not that show that, whereas we increase taxes only when we have to, the Opposition parties tax at every opportunity?

Madam Speaker: Order. The hon. Gentleman has waited a long time to make debating points. We are not on debating points at this stage. We are asking for a debate next week. Will the Leader of the House do his best to reply to the first part of that question?

Mr. Newton: I shall merely make the observation that I, too, am an Essex council tax payer.

Mr. Derek Enright (Hemsworth): Will the Leader of the House please arrange for the Home Secretary to come here urgently next week to make a statement about private security firms? There is considerable concern at some of the cowboys who are going around. Particularly in my constituency, postcards are being handed out on old people's estates which say, "Put this in your window. We will collect £1 a week and we will then guard you." That is an urgent matter and I should be grateful to the Leader of the House if he would draw it to the attention of the Home Secretary.

Mr. Newton: I will draw it to my right hon. and learned Friend's attention, but it is less than an hour since he left the House after answering questions. As it happens, he will be here again next week for the Second Reading of the Police and Magistrates' Courts Bill. It is not for me to say whether that matter would be in order, but there is always scope for ingenuity.

Mr. Harry Greenway (Ealing, North): May we have a debate next week on the teaching and learning of history, particularly military history, with a view to evaluating immediate responses to great battles such as Waterloo, Trafalgar—

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): And Bannockburn.

Mr. Greenway: Not forgetting Bannockburn. We could evaluate the reaction of people who took part in those battles and their thanksgiving for victories, as well as their wish to celebrate them in succeeding generations. We could also consider the part of lay people in military battles —for example, the contribution of Vera Lynn.

Mr. Newton: My hon. Friend's question echoes some of the arguments of my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) during Prime Minister's Question Time. One thing that we can all agree is that all, or most, of those great events—certainly D-day —entailed a huge effort by the whole population, although they obviously entailed special effort and sacrifice by fighting troops.

Ms Glenda Jackson (Hampstead and Highgate): Is the Leader of the House aware of early-day motion 1075 drawing the attention of the House to the recent Home Office publication, "Fear of Crime", which finds that 48 per cent. of all women and 58 per cent. of women over the age of 60 find that fear of crime blights their lives? [*That this House notes the results of the Home Office's Fear of Crime study published on 19th April showing that 49 per cent. of women and 63 per cent. of women over 60 feel 'very' or 'fairly' unsafe when going out at night; considers this to be an unacceptable state of affairs; is concerned by the increasing use of television reconstructions of true life crimes portraying violence against women which are broadcast for purposes other than the apprehension of criminals; and urges the Secretary of State for National Heritage to enter into discussions with television companies to monitor the use of such programmes and to ensure that programme makers are not permitted to exploit and worsen women's fears, understandable in the light of an increase in reported rapes of over 300 per cent. since 1979, of violent crime.*]

Would it be possible to have an early debate on the issue, as a growing body of opinion finds that television programmes that attempt to re-create real-life crimes help to feed and foster the fear and perception of crime?

Mr. Newton: My right hon. Friend the Secretary of State for National Heritage will shortly be meeting the chairmen of the main broadcasting organisations and the Broadcasting Standards Council to discuss whether all that can be done on that matter is being done.

Mr. Michael Bates (Langbaurgh): Will my right hon. Friend find time for a debate on the International Monetary Fund, during which attention could be drawn to the IMF pronouncement yesterday that Britain is one of the few economic bright spots in the world? Perhaps a contrast could be drawn between that and the IMF description of the last Labour Government, when the organisation was the last refuge and listening post of bankrupt Labour Chancellors presiding over rampant inflation, rising unemployment and empty balances.

Mr. Newton: To those of us who lived through the period, the contrast that my hon. Friend mentioned is striking. That underlines the increasing success of the policies that the Government are pursuing.

Mr. Barry Jones (Alyn and Deeside): Will the Leader of the House please consider a debate on pollution in Liverpool bay and the Irish sea? Does he know of the widespread concern about the increase in deformities of the limbs in new-born children? A lobby is taking place on the

matter. Does he accept my great concern regarding Mr. and Mrs. Parry, who live in the town of Buckley in my constituency, whose child has been affected in that way?

Mr. Newton: Of course, I note that request. On behalf of the House, I express our sympathy for the hon. Gentleman's constituents

Mr. Peter Thurnham (Bolton, North-East): Can my right hon. Friend find time for a debate on the construction industry in view of its excellent performance, especially when compared with the rest of Europe, and the important report that Sir Michael Latham is preparing on contractual arrangements within the industry?

Mr. Newton: I cannot find immediate time for a debate, but I was here during Department of the Environment Question Time yesterday and heard references to that important report, as did my hon. Friend, and of the Government's intention to study it most carefully.

Mr. Terry Lewis (Worsley): Will the Lord President consider a debate on the way in which we commemorate events such as D-day? Many other events took place at around that time—they have been forgotten during the recent unseemly debate—including, for example, the fall of Monte Cassino after three months of bitter battle only three days before D-day. Veterans of that episode may feel a little left out of all the debate, which was caused by the Prime Minister's incompetence. May we have a debate on the issue?

Mr. Newton: In his last sentence or two, the hon. Gentleman soured an otherwise reasonable question and I do not accept his view. While it is possible only to stage major commemorative events in response to events of the scale of D-day, we all agree that much was happening in many of those years that deserves our memory and certainly our thanks to the people involved, who fought on our behalf.

Mr. Gyles Brandreth (City of Chester): Will my right hon. Friend find time next week for a debate on the press, in the light of reports in *The Independent on Sunday* and the *Daily Mirror* that branded part of my constituency—the fine community of Blacon—as a no-go area? Those reports are a travesty of the truth and an insult to the good people of Blacon, who meet challenges with good humour, resilience and the will to overcome them. A fine community has been traduced by two national newspapers. May we have a debate next week to explore how newspapers can slander such communities without any justification?

Mr. Newton: I cannot promise my hon. Friend a debate. I am glad that he has had an opportunity to mention the matter. I am grateful to him for giving me a copy of the press release that he has issued, which, I hope, will help to correct the impression created.

Mr. Paul Flynn (Newport, West): When may we debate early-day motion 1070?

[*That this House notes with concern that blinkered ideology and the privatisation of last year's firework safety campaign has contributed to a rise in the number of injuries to over 1,000, a 20 year high; notes that the Government ignored repeated warnings from safety experts and others that the privatised campaign would be a disaster; notes that when civil servants ran the safety campaign firework injuries were less than 1,000; notes that the Government gave the contract to a French company subsidiary, Euro RSCG, and doubled the budget previously administered by civil servants to £160,000; notes that the Minister cancelled the key firework safety booklet, Safer Displays, against the advice of civil servants and to the consternation of Britain's fire chiefs; notes that the fire posters produced by Euro RSCG were so poor that fire departments refused to circulate them and that television advertisements were so ineffective that they were cancelled; calls on Euro RSCG to return the fee they received from the DTI and compensate the victims of firework injuries; requests the National Audit Office and the Committee of Public Accounts to investigate how this campaign came to be privatised and why the spending of public money was so ineffective, and to make recommendations to ensure that future firework safety campaigns are run effectively by experienced civil servants and fire safety experts; and regrets that Ministers are seeking to abolish the licensing of imported fireworks, thus putting the public at risk from potentially dangerous category 4 fireworks.*]?

It describes the calamity of the privatisation of the firework safety campaign, which resulted in a double cost to that campaign by a foreign company. It produced material that was unusable and the result was the greatest number of fireworks casualties for 20 years. May we debate the Government's privatisation binge and decide that it has now come to an end, that they are scraping the bottom of the barrel, and that there is no way in which organisations such as Companies House, the Patent Office, the Accounts Services Agency and the Passport Office in my constituency can be sensibly privatised?

Mr. Newton: I think that the hon. Gentleman was straining to get from the point with which he started to the point with which he finished, and I do not accept any general conclusion that he seeks to draw.

Mr. Rupert Allason (Torbay): Bearing in mind that the objective of the terrorist is to create maximum disruption and inconvenience and provoke over-reaction, can my right hon. Friend confirm that the powers of the police in the City of London are due to be renewed shortly, and will he give the House an assurance that there will be a full debate on the counter-measures that have been taken in the City of London, which have created a great deal of disruption and can be described as having played into the hands of the terrorists?

Mr. Newton: I hear what my hon. Friend says, although I have to say, as someone who travels pretty frequently through the City of London on the roads, that it does not seem to me that disruption has been on the scale that he suggests, or anything like it. My right hon. Friend the Secretary of State for Transport, one of my colleagues principally involved in those matters, came into the Chamber while the question was being asked and I am sure that he will have noted what was said.

Mr. Bill Olner (Nuneaton): The Leader of the House must be well aware of the injustices that continue to be perpetrated on my constituents and, I suspect, other Members' constituents, by the Child Support Agency. Will the right hon. Gentleman, as a matter of urgency, ask the Minister to come to the House to make a statement, or seek a debate in the House so that the matter can be

[Mr. Bill Olner]

reconsidered? He must be aware of the tremendous injustices that are being perpetrated every day, causing undue anguish to hundreds of women and men.

Mr. Newton: I am sure that the hon. Gentleman was here, for example, during the last Department of Social Security questions, when many references were made to that, and my hon. and right hon. Friends said that they were keeping the matter under continuing review. He will also be aware that a Select Committee announced this week that it is undertaking further inquiries into the matter.

Mr. Andrew F. Bennett (Denton and Reddish): I am sure that the Leader of the House is aware of your request, Madam Speaker, for short questions and short answers. Will the Leader of the House therefore ask the Prime Minister to set an example and, especially, next week ensure that he answers questions briefly and that if he wants to make statements he makes them at half-past 3, so that we can have a dignified debate about them?

Mr. Newton: The Prime Minister this afternoon—if that is what the hon. Gentleman has in mind—was asked a clear question by the Leader of Her Majesty's Opposition about the D-day celebrations and he answered it clearly and fully. The House is entitled to expect no less. I am sure that my right hon. Friend was right to do that.

Mr. Harry Barnes (Derbyshire, North-East): Has the Leader of the House examined early-day motion 1063 dealing with blind and partially sighted voters?

[*That this House warmly congratulates Camden Council for its innovative initiatives to help blind or partially sighted residents to cast their votes in person in the forthcoming local elections and beyond; welcomes, in particular, the introduction of a Braille template which will allow blind people to read the same information on candidates in each polling station throughout the borough as sighted residents; further welcomes the introduction of ballot papers with enlarged print for people with partial sight or poor vision; commends such initiatives to all councils which wish to ensure equal access to polling stations; and gives its support to the umbrella group, Full Franchise, in its endeavours to persuade the Government to do its upmost to boost voter registration levels and access to polling stations for disabled people.*]

It compliments Camden council on action that it has taken to assist such voters to exercise their franchise rights, and compliments the organisation Full Franchise, which also seeks to get disabled people into polling stations. It would seem to be especially appropriate to debate it in the coming week, as we are moving into an election period.

Mr. Newton: I have great sympathy in all respects, other than providing time for a debate, with the hon. Gentleman's question. We encourage returning officers to do all that they can to help in those matters and have issued guidance provided by the Royal National Institute for the Blind on the size and choice of typeface for ballot papers.

Rev. Martin Smyth (Belfast, South): May I join the Lord President in expressing sympathy to the family of Constable Pollock, but also extend it to all other victims of terrorism and their families at this time?

Will the Lord President bear in mind next week's debate on the private Member's motion in the name of the hon. Member for Exeter (Sir J. Hannam) and consider allowing free time in the House so that the mind of the House may be carried on the Civil Rights (Disabled People) Bill proposed by the hon. Member for Kingswood (Mr. Berry)?

Mr. Newton: I have not yet seen the terms of my hon. Friend's motion, so I cannot comment further at the moment. I agree whole-heartedly with the hon. Gentleman's introductory remarks.

Mr. Jacques Arnold (Gravesham): May we have a debate next week about the spin-offs of privatisation, particularly the £2 billion worth of contracts that the public utilities have brought back in the past year or two from Latin America alone? During that debate, we could reflect on the fact that had the Opposition been successful in defeating those privatisations, thousands of jobs in Britain would not have ensued.

Mr. Newton: That is certainly worth reflecting on, as is the fact that many of those orders and contracts have followed overseas visits by my right hon. and hon. Friends, not least my right hon. Friend the Prime Minister.

Mrs. Maria Fyfe (Glasgow, Maryhill): If it is correct that Scotland has been excluded from the Energy Conservation Bill, which will receive its Third Reading tomorrow, what are the Government's intentions on energy conservation in Scotland?

Mr. Newton: I think that the hon. Lady must be referring to an amendment tabled to the Bill. It is not a decision that the House has made and the right course would be for her to make her point in tomorrow's debate.

Mr. Alistair Darling (Edinburgh, Central): May we have a statement or a debate on the proposed takeover of the Cheltenham and Gloucester building society by Lloyds bank? Many people in the industry believe that it may be just the start of a spate of such takeovers. Unless the Government make a clear statement on the framework that will govern those takeovers, it is feared that competition and, therefore, choice available to the people of this country will be seriously diminished. It is a matter of public interest and we need a clear Government statement.

Mr. Newton: While I will draw those remarks to the attention of my right hon. Friends, I am sure that they will give appropriate consideration to any such matter in view of their responsibilities under the relevant legislation.

Points of Order

4.12 pm

Mr. Paul Flynn (Newport, West): On a point of order, Madam Speaker. This matter relates to your role as the defender of Back-Bench Members and concerns whether oral questions are in order. On Tuesday this week, in answer to a question of mine seeking information, the Secretary of State for Employment said:

"I agree with that part of paragraph 78 of the Employment Select Committee's report published on 10 February which refers to the hon. Gentleman's question."—[*Official Report*, 19 April 1994; Vol. 241, c. 734.]

Is it reasonable to expect even the most diligent hon. Member to be familiar with every part of every paragraph of every report of every Select Committee that has been before this House? As you rightly call hon. Members to order when our questions are not entirely related to the original question, will you consider calling Ministers to order when their answers are irrelevant and evasive?

Madam Speaker: The hon. Gentleman may ponder on whether it is possible for even the most diligent Speaker to be familiar with all the reports and printed questions that appear on the Order Paper. Had he given me notice of his question, I should have done research on it and been able to give him an answer. It is extremely difficult to refer to *Hansard* and various reports and, however diligent the Speaker may be, I cannot familiarise myself with all of those.

Mr. Peter Luff (Worcester): On a point of order, Madam Speaker. You may have been aware of a certain commotion during Prime Minister's questions. A number of hon. Members became aware of what they thought was a flash from a camera in the Press Gallery. Will you conduct an urgent inquiry to establish whether that was the case? Will you also take the opportunity to remind all those who observe our proceedings that still camera photography is not allowed in this place?

Madam Speaker: I am always riveted by the proceedings in the Chamber and am not interested in what goes on elsewhere. However, I have interested myself in the matter and made inquiries. It was a foreign camera woman who did not understand our regulations and took some film. The film has since been confiscated. Is everybody happy?

Hon. Members: Yes.

Mr. Robert Ainsworth (Coventry, North-East): On a point of order, Madam Speaker. You have repeatedly made representations to hon. Members in the recent past for short questions and short answers. While I accept that you have a difficult job in trying to keep the House in order and I could even accept that, on occasions, it is necessary to treat the Prime Minister differently from other hon. Members, I do not believe that I am exaggerating when I say that the first answer that the Prime Minister gave to my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) this afternoon was a full two minutes in duration and his second reply was a full one and half minutes. When the tactics are clearly not to answer the questions, but to bore the House into submission, surely you can give us some protection.

Madam Speaker: As the hon. Gentleman is aware, I am not responsible for comments made by the Prime Minister or any other Member in the House. When questions are asked—I hope that they are not long questions—I like to see brisk answers. I would not have said that the Prime Minister's response was boring to any section of the House. I thought that both sides of the House were interested in what he said in response to a perfectly proper question.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Madam Speaker. I agree with you—I thought that both replies were interesting. They were so interesting that many of us wanted to ask many supplementary questions on them. That is why I seriously ask you to consider the following. You rightly say that Question Time should have cut and thrust, and fast repartee, with quick questions and quick responses. If the Prime Minister does as he did today and makes two important statements during Question Time, not only do we lose that cut and thrust, but we lose the opportunity to ask supplementary questions. It would be better if you could guide the Leader of the House and the Prime Minister to make statements at the appropriate time, rather than making them during Prime Minister's Question Time.

Madam Speaker: I am sure that the entire House gives me support in attempting to make good progress. I have been keeping records. Since I made my statement, things have improved. But this last week, as I mentioned the other day, I have been disappointed. I hope that what I have said will be taken on board by Back Benchers as well as Front Benchers in the coming week.

Orders of the Day

OPPOSITION DAY

[10TH ALLOTTED DAY]

Transport

Madam Speaker: I have selected the amendment in the name of the Prime Minister. I have had to limit speeches to 10 minutes between 7 pm and 9 pm.

4.18 pm

Mr. Frank Dobson (Holborn and St. Pancras): I beg to move,

That this House deplores the Government's transport policies which are failing Britain and which, if continued, will leave the country with a transport system unfit to meet the needs of the people of Britain in the twenty-first century.

I must first declare an interest—I am proud to remind the House that I am sponsored as a Labour candidate by the National Union of Rail, Maritime and Transport Workers, formerly the National Union of Railwaymen, which tries to serve the interests of so many people who live and work in my constituency. It was the union of which both my father and grandfather were members, and I am proud to continue that link. I receive no personal financial assistance from that arrangement.

Over their period of office, the Tory Government have abandoned to market forces many of the strategic and regulatory duties carried out by previous Governments, and still carried out by most Governments in the developed world. Nowhere has that been more obvious than in the transport sector. The Government have tried to hand their responsibilities over to the private sector.

The trouble with that free market approach to transport is that it does not work. One reason is that most important transport projects are large in scale, require enormous amounts of investment and take a long time to complete, so it can be a long time before investors have any return on their investment.

That fact applies whether it is a railway, a tunnel, an airport or a road. As a result, would-be investors often want some guarantee of income, or a monopoly, or both. That is where the free market approach breaks down, because a guaranteed income or a lawful monopoly can be achieved only with the help of taxpayers and government, whether local, regional or national.

Mr. Oliver Heald (Hertfordshire, North) *rose—*

Mr. Dobson: I shall not give way for a moment.

That is not the only problem faced by those who would rely on market forces. [HON. MEMBERS: "Give way."] I will give way when I have made a little progress with my speech. If hon. Members opposite persist in interrupting, I can assure them that I will not give way to them.

That is not the only problem faced by people who would rely on market forces in transport. Free market forces will not secure safety or protect individuals and communities from the danger, nuisance and environmental damage caused by various forms of transport. Government, whether local, regional or national, has to set and enforce limits and standards for noise, safety, engine emissions, or the skill and character of taxi drivers. In short, to ensure a decent transport system, we need a strategy, and we need regulation. The present Government have abandoned both, and the results are obvious.

Traffic congestion is estimated to cost businesses £15 billion per year—and that takes no account of the frustration faced by the human beings involved. Parts of the railway system are a national disgrace. Business is hampered by the difficulties of shifting freight, and passengers are hampered by the unavailability of fast, regular and reliable public transport.

Nowhere is the Government's failure to discharge their strategic duties more obvious than in the scandal of the channel tunnel rail link, and the failure to upgrade the west coast main line. The Government decided that the private sector should build the channel tunnel link. No public money was to be invested—they even passed a law against it.

But what has happened? While the 186-mile fast link from the channel to Paris has been built and is ready, not a yard of the link between the channel tunnel and London has been built, although that is a distance of only 67 miles. As a result, the British link may not be in place until 10 years after the French connection is in operation. Trains from Paris will travel to the channel at 185 miles an hour, will go through the tunnel at 85 miles an hour and will then trundle though Kent at about 50 miles an hour. Could anything better epitomise what is wrong with Britain?

The Secretary of State has boasted in the House that it will take only three hours to get from London to Paris on the train. So it will, but he can take no credit for that. If the train were to travel through France at the speed at which it travels through Britain, the journey would take not three hours but five and a half.

Then there is the Secretary of State's outrageous treatment of people on the route. He is still resisting the reasonable requests of the people at Pepper Hill in Gravesham. But the situation is worse than that after the route crosses the Thames.

Mr. Jacques Arnold (Gravesham) *rose—*

Mr. Dobson: I will give way to the hon. Gentleman in a moment.

In Barking, before entering the tunnel running to my constituency, the Eurotrains will thunder past the houses of thousands of local people. I have met a woman whose house is just 12 in from the fence at the side of where the channel tunnel link will run. The trains through Barking will pass far closer to people's homes than was ever suggested anywhere in Kent. The people of Barking demand the same treatment as the people of Kent. They are right to demand it, and we support their demand.

Mr. Jacques Arnold: Does the hon. Gentleman remember twitting the Secretary of State for not making a decision on Pepper Hill? Had the Secretary of State made that decision, the line would have gone under the houses of my constituents, and we would not have had the opportunity to try for an alternative.

Mr. Dobson: I was objecting to the years of indecision and stupidity on the part of the Government, which have left the people of Kent still feeling very uncertain and blighted. They are not yet convinced that the route has been fixed. It is sensible of the Government to adjust the route

at Pepper Hill in line with what people want. They could have done that years ago if they had had the wit to get on with it.

Mr. Phillip Oppenheim (Amber Valley) *rose—*

Mr. Dobson: The failure to build the channel tunnel link is bad for London and the south-east, but it is a disaster for other parts of the country, which will be denied fast, regular and reliable connections with the European rail network for a decade or more. People in south Wales need the north downs railway line from Reading to Redhill to be upgraded. That would provide a direct rail link from Wales to the channel tunnel, avoiding congested routes through inner London, and it could place Cardiff within little more than four hours of Paris. But the Government do not propose to do that.

Nowhere is the Government's failure more obvious than on the west of Britain, served—if that is the right word—by the west coast main line. That line, which links the major conurbations of Greater London, the west midlands, Greater Manchester, Merseyside and Glasgow, is a national disgrace. As we approach the 21st century, one of the signal boxes on the west coast main line contains working equipment placed there in 1890, 104 years ago.

Mr. Nigel Evans (Ribble Valley): The west coast main line covers my area too, and I too want it improved. The one way I see that happening is if private investment comes in to finance the line. As the hon. Gentleman also wants improvements to the line, may I ask him whether he has changed his attitude since September 1992, when, talking about entrepreneurs who will be looking to invest in our railways, he was quoted in a national newspaper as saying:

"Yes, this is the politics of envy. We are envious of their wealth. These people are stinking, lousy, thieving, incompetent scum."

Mr. Dobson: The hon. Gentleman's quotation is accurate, but misapplied. I am proud to repeat what I said; I was talking about people who enriched themselves at the expense of others on poverty wages: they are thieving scum. I believed it then and I believe it now. As far as I know, my remarks do not apply to anyone who intends investing in the west coast main line—unless, under privatisation, it is intended that rail workers be paid poverty wages. In that case, my comments will apply.

Mr. Michael Bates (Langbaurgh) *rose—*

Mr. Dobson: No.

What do the Government have against the people who rely on the west coast main line, and who depend on it to serve their industry and commerce? Eighteen million people and 2 million manufacturing jobs depend on the line.

Let us compare it with the east coast main line. King's Cross to Edinburgh takes four hours and six minutes on the best journey. Euston to Glasgow takes five hours and 22 minutes. Admittedly, the Glasgow journey is eight miles longer, but I do not think that can account for a difference of one hour and 16 minutes. The difference is accounted for by the inferior track, signalling, power supply and rolling stock.

The average speed from King's Cross to York on the east coast main line is 94 mph. The average speed from Euston to Preston is 78 mph. There is just no comparison—and all the Government can say is that they are trying to attract private sector funding. Even that, however, is intended to be used only as far as Crewe. No one is even thinking of improving the line north of Crewe. That is a grotesque betrayal of all the people north of Crewe who depend on the line.

So what have the Government been doing? The answer is: not very much, except privatising and deregulating buses, and preparing to privatise the railways. What cock-eyed priorities they have.

All over the country, buses have been deregulated and privatised. As a result, many services have disappeared. Many staff have had their pay cut and working conditions worsened. What is more disturbing is the increasing incidence of fiddling by employers, which increases drivers' working time and reduces their rest periods.

I suspect that right hon. and hon. Members will be surprised to discover that, with the approval of the Government, drivers have been told by their employers that the time when they are collecting fares can be counted as part of their statutory rest period, because the limitation on hours applies only to the period when they are actually driving.

Mr. Oppenheim: Will the hon. Gentleman give way?

Mr. Dobson: No.

I heard recently that a driver who finishes work at 1 am is knowingly employed by another part of the same company to drive a school bus, commencing work at 7.30 am. That cannot be safe for the driver, other people on the road or, above all, the schoolchildren in the bus. All over the country, safety is being sacrificed in the name of deregulation—and there is more to come. Most regulation is necessary to protect passengers, staff, other road users and the environment. Deregulation imperils all that.

I remind Conservative Members that the late Lord Ridley, then Mr. Nicholas Ridley, told the bus operators that, as a result of the changes he was making, they would be able to operate their undertakings without a social conscience, and they are certainly doing so. They have no social conscience towards the staff, the passengers or the communities they serve.

Mr. Oppenheim: Will the hon. Gentleman give way?

Mr. Dobson: No.

Mr. Oppenheim *rose—*

Madam Deputy Speaker (Dame Janet Fookes): Order. The hon. Gentleman has been here long enough to know the rules.

Mr. Dobson: It is costing a fortune to privatise the railways. Official figures from the Department of Transport and British Rail show that at least £446 million has been squandered on rail privatisation. Not a penny of that £446 million will be spent on new track, new coaches or the new signalling that is needed all around the country. Most of it will be poured into the pockets of accountants, brokers, merchant bankers, PR advisers and management consultants—£446 million, to provide outdoor relief for the advisory classes.

We should consider where that money could have been invested instead. That £446 million would meet more than half the cost of modernising the west coast main line; £446 million would pay 10 times over for the Government's share of the cost of building the midland metro, the supertram from Birmingham to Wolverhampton, but £40 million is not being found.

[Mr. Dobson]

That money would pay seven times over for the extra tunnelling needed to give the same environmental protection to the people of Barking as has been given to the people in Kent. It would cover four times the cost of electrifying the midland main line from Bedford to Sheffield or extending electrification from Edinburgh to Aberdeen.

It would pay three times over for the cost of electrifying the trans-Pennine link from Liverpool to Hull; it would pay eight times over for the cost of electrifying and resignalling the line from Leeds to Bradford. That £446 million would pay for 29 new InterCity trains or 130 Network SouthEast units or eight or nine major resignalling schemes, but instead the Government are frittering it away.

The improvement schemes I have listed are all sensible ideas supported by local people and local businesses because they would help the economy of all the areas affected by them.

Mr. Oppenheim: Will the hon. Gentleman give way?

Mr. Dobson: No.

I challenge the Secretary of State, and I challenge him now—

Mr. Oppenheim *rose—*

Madam Deputy Speaker: Order. It is quite clear that the hon. Member for Holborn and St. Pancras (Mr. Dobson) is not giving way. That is his prerogative, and the hon. Gentleman must resume his seat.

Mr. Dobson: I challenge the Secretary of State now to ask people in the west midlands or the north-west, in Strathclyde or Lothian or Tayside or Grampian, in Liverpool or Hull, in Bradford or Sheffield, whether they think that he has his priorities right; whether he should invest money in their area, or bung money instead to Tory supporters in the City of London. That is what Labour will be asking up and down the country. We are asking it here and now, and we shall be asking it in the local and Euro-elections in every part of Britain: have the Government got their priorities right?

What is the money going on? Some of the £446 million is going on top people's pay. At one time, just one person was responsible for major decisions—the boss of British Rail. There is still one of them, but half his job is now being done by the boss of Railtrack, another part of his job is being done by the rail regulator, and another part of his job is being done by the franchising director; and they are all being paid more than £100,000 a year.

That apparently is the new Tory idea of efficiency—top job shares. Split the job into four and give them all a top salary. As the managers multiply and mutate, the salaries go up, and the staff they manage come down. Since 1990, the number of blue-collar employees on the railways has come down by more than 20,000, while the total doing white-collar jobs has risen by more than 9,000. There is a marked resemblance there to what has happened as a result of the so-called health service reforms.

What else are the new appointees up to? Well, Railtrack has announced that it wants to cut its investment in maintenance by one third over the next three years. That must be wrong. I do not know whether I am blind, but I cannot think of anywhere where one looks out of a window on the railway and sees somewhere that looks as though it could do with less maintenance. Everywhere I look out looks as though it could do with a lot more.

On top of that—this is a serious matter to which I ask Conservative Members to listen—Railtrack has said that it will no longer fund centrally the national school liaison programme, previously run jointly with the Associated Society of Locomotive Engineers and Firemen and the British Transport police, to warn children of the perils of trespassing and vandalism on the railways.

One can see what sort of priorities the new people who have been brought in have. One can see what priority they are giving to safety—no money for the kids' education programme, and less money for maintenance.

Mr. Gyles Brandreth (City of Chester) *rose—*

Mr. Bates *rose—*

Mr. Dobson: I shall give way to the hon. Member for Langbaurgh (Mr. Bates) in a moment.

On top of that, consultants have now predicted that, to save money, the separated train operators will have their rolling stock brought in for maintenance after every 400,000 miles, rather than the present limit of 250,000 miles. That will not just be bad for safety and reliability: it will also be bad for jobs, particularly in Eastleigh, which relies on such work.

Mr. Bates: Although the hon. Gentleman was endorsing the remarks he made in 1992, when he said that company directors were stinking, lousy, thieving, incompetent scum, he then said that that did not apply to potential investors on the west coast main line, but that it did apply to other companies which exploited people on low wages. The hon. Gentleman clearly has a company in mind. Will he name that company and put it on the record?

Mr. Dobson: Some Conservative Members may need to declare an interest in their shareholding in such companies. All I can say is, if the cap fits, wear it. If they could not be bothered to ask me questions when I was responsible for employment matters, I shall certainly not answer in detail now. But I will mention some industries.

Then I challenge Conservative Members to go away and see which people from those industries are making major contributions to Tory party funds. They should go and look at wages in the catering and hotel industries, then go and see how the people running those industries are ripping off their employees and bunging money to the Tory party—to ensure, for instance, that wages councils were abolished, so that they could pay even lower wages.

I am sorry, Madam Deputy Speaker, if I was diverted from the matter of the debate. But it will also be bad for jobs if the amount of maintenance is reduced. There has already been a falling off of maintenance orders at the Eastleigh works, and at other works, and the chances are that worse is to come.

Throughout the country, people are sick to death of the Government's costly obsession with privatisation and deregulation. Throughout the country, local people are looking for something better. They are looking to Labour to speak up for them and promote their interests.

Several hon. Members *rose—*

Mr. Dobson: I do not wish to give way at the moment. I have made that quite clear, so hon. Members should sit down.

I have time for only a few examples of initiatives that have been taken by Labour and which have benefited people. In Grampian region, the Labour party pushed through a scheme to allow pensioners to travel on a bus anywhere in the region for just 10p. That scheme is now at risk of being overturned unless Labour increases its representation in Grampian region in the elections on 5 May. Even if we succeed in doing that—I hope we will—the scheme is unlikely to survive the break-up of Grampian region that will follow the Government's gerrymandering reorganisation of local government in Scotland.

Also in Scotland, Labour-led Strathclyde has led the battle against Railtrack's doubling of access charges for the use of the track and has forced it to try to justify its figures; it is finding it very difficult.

In the north-west, Labour has led calls for the M62 relief road to be abandoned. The main trans-Pennine motorway—

Mr. Brandreth: Will the hon. Gentleman give way?

Mr. Dobson: The hon. Gentleman might not know it, but he is not directly affected by the M62 relief road.

The relief road scheme will cost £320 million, just to provide 11 miles of road through Bury and Bolton. The Tories could attract passenger and freight traffic off the M62 by electrifying the trans-Pennine rail link at a cost of only £120 million, yet they persist in the M62 relief road madness.

Mr. Brandreth: I am grateful to the hon. Gentleman for giving way, because in fact I do use the roads. I have a balanced approach to transport. I use public transport a great deal, but also the roads, as do people in my constituency.

The hon. Gentleman has talked a great deal about priorities and strategy, but has delivered neither. Given that the Government currently spend more than 40 per cent. of the transport budget on public transport, will he explain to us what is his priority, particularly in relation to roads?

He described the Government's roads programme as "over-bloated". Does that include the Christleton bypass in my constituency? What are his priorities? What is his balance—

Madam Deputy Speaker: Order. *[Interruption.]* Order. Is the hon. Gentleman deaf? I do not expect to have to call "Order" more than once. I hope that the hon. Gentleman will not be seeking to catch my eye too soon, because he may have a long wait.

Mr. Dobson: I can tell the hon. Gentleman that, every time that I have spoken about the roads programme, I have said that parts of it are vital, are right and would be popular.

Mr. Brandreth: Give examples.

Mr. Dobson: I have given examples. I will give them again, if the hon. Gentleman likes. I have said all along that there are examples that are right and popular, but for some bizarre reason the Government will not go ahead with them. They insist on going ahead with those that are wrong and unpopular. One would have thought that they might have adjusted their policies in the light of their present circumstances.

In Sheffield and Manchester, Labour initiatives led to the building of the Manchester metro and the Sheffield supertram, in the face of Government delay and prevarication. In Bristol, the Labour party led calls for the introduction of a light rapid transit system for the city. That would help relieve congestion and reduce pollution in Bristol, where levels of car pollution regularly exceed European Union limits. But the Government have refused to provide any support, and still the Tory Government will not help Bristol.

But, in fairness, I have to say that it is not just the Tories who try to block new schemes such as this. It is also the Liberal Democrats. In Sheffield, it was against the opposition of the two-faced Liberal Democrats, who voted against the supertram project no fewer than eight times. In view of that, I find it hard to take them seriously when their "Pocket Guide to Environmental Policy" pledges them to

"encourage new schemes, using light railways and trams in cities."

To vote against something eight times is a novel way of encouraging it.

That brings me to London.

Mr. Edward Garnier (Harborough): Will the hon. Gentleman give way?

Mr. Dobson: No, I will not.

Nowhere in Britain better illustrates the inadequacy of Tory transport policy and their lack of an overall strategy to maintain the existing transport system and develop it to meet the needs of the 21st century than what is happening in London. My hon. Friend the Member for Greenwich (Mr. Raynsford) will deal with a large number of matters to do with transport in London, the Government's plans for London's buses, and the threat that the Government's plans pose to people's pensions.

But we are all entitled to ask, where is the Government's strategy for developing the railway system, underground and overground in London? They do not have one. It is a collection of piecemeal developments. They gave top priority to the Jubilee line extension, but it does not include the crucial station in north Greenwich. Then there is the Heathrow express, coming into Paddington, where it has poor connections with the rest of central London. Next there is crossrail—basically a good scheme, but only if it includes a connection with the channel tunnel link at Stratford and possibly at St. Pancras.

That brings me to the Northern line. Asea Brown Boveri, the Derby train makers, put forward their proposition for a leasing scheme for new trains for the Northern line as a follow-on order from the new trains for the Central line. That was delayed and obstructed by the Government, and by the right hon. Member for Enfield, Southgate (Mr. Portillo) in particular. He said that it was a bad bargain for the taxpayer.

Now, under pressure, the Government have allowed London Underground to invite tenders for negotiated contracts, but it is far from certain that the scheme will go ahead, because there is still the crackpot suggestion from the Treasury that ABB should take part of the revenue risks of operating trains. The Secretary of State for Transport should remember Winston Churchill's summary of the Treasury's attitude to anything new, which he described as "like inverted Micawbers waiting for something to turn down". The Treasury will turn it down if it can. All that is delaying getting new trains on the Northern line and is threatening jobs in Derby, where the trains will be made.

[Mr. Dobson]

One of the things that deters people, especially women, from using public transport is their fear of assaults while travelling on bus, train or tube, and even more so when they have to walk home from the station or bus stop.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): I am grateful to the hon. Gentleman for giving way. He seems to be under the impression that there is nowhere west of Cardiff. He has not mentioned Wales much, and has not referred either to Plaid Cymru.

Does he agree that it is very important that Plaid Cymru's ideas about the development of freight transport, connecting the Irish Republic with the channel tunnel, be developed, and that the current study of pilot actions for combined transport be followed by action to upgrade the track so that we can get connections between western Wales and the European continent?

Mr. Dobson: The hon. Gentleman kindly acknowledged that I had mentioned Cardiff. I am aware that there are parts of Wales both north and west of Cardiff, but I simply did not have time to mention them all. I do not claim any familiarity with the transport policies of Plaid Cymru. I apologise for that.

London Underground and the British Transport police have made a tremendous and successful effort to cut assaults on people on the tube, but it still remains a problem, and the Government have been doing little or nothing. The initiative has been left to people such as my hon. Friends the Members for Dulwich (Ms Jowell) and for Lewisham, East (Mrs. Prentice), both of whom have drawn attention to the problem of assaults.

My hon. Friend the Member for Dulwich has persuaded Network SouthEast to provide a £40,000 grant, in addition to the significant contribution from Labour-controlled Southwark council, to improve safety at four of the eight stations in Dulwich. *[Interruption.]* Let me answer the churlish inquiry about the whereabouts of my hon. Friend the Member for Dulwich. She is in hospital in my constituency, because she is ill.

One of the factors that have contributed to the rise in violence and vandalism is the reduction of staff on buses and trains, and in stations and station car parks.

Mr. Jacques Arnold: On a point of order, Madam Deputy Speaker. Is it in order for an hon. Member to refer to a churlish inquiry if there never was one?

Madam Deputy Speaker: The Chair is not responsible for the accuracy of points made by hon. Members—and a very good thing too.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): On a point of order, Madam Deputy Speaker. May I crave your indulgence for just two seconds? There is clearly an organised Conservative campaign to disrupt the speech from the Opposition Front Bench; I assume that, if Opposition Members intervene equally energetically during the speech of the Secretary of State for Transport, they will be allowed the level playing field that Conservative Members seem to think necessary.

Mr. Bob Dunn (Dartford): On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. I think that I may be safely left to judge whether noise or interruptions go beyond what is reasonable, and I think that the hon. Member for Holborn and St. Pancras is well able to take care of himself.

Mr. Dobson: Perish the thought, Madam Deputy Speaker.

Mr. Dunn: On a point of order, Madam Deputy Speaker—for the fifth time. Conservative Members are entitled to resent the point of order of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). The truth is that there is no organised Conservative campaign against the hon. Gentleman who has the Floor, and it is clear that there is no organised Opposition campaign in his support.

Madam Deputy Speaker: I have already made my views clear. I think that it would be for the good of the debate if everyone settled down a little more quietly.

Mr. Dobson: And I shall try to speak more quietly, Madam Deputy Speaker.

Having people around in uniform deters crime. The introduction of more and more automatic ticket machines may save on wages, but they have their disadvantages: there is still no recorded case in history of a ticket machine coming to the aid of a passenger being assaulted by a drunken lout.

All over the country, Labour people and Labour councils have been taking initiatives similar to those that I have mentioned. In Lancashire, the Labour-controlled county council has been funding part of the cost of raising station platforms to make it easier for pensioners, and everyone else, to board the newer trains whose doors are further from the ground. Now the money has run out, but the efforts of my hon. Friend the Member for Lancashire, West (Mr. Pickthall) may be paying off: British Rail has initiated talks on improvements to other stations.

Of course, not only transport services are suffering under the present Government. The staff have been badgered from pillar to post, and forced to accept lower pay and poorer working conditions to avoid being thrown out of work. Worse still, pension arrangements are threatened. People who thought that, whatever else happened, their pensions were secure are now not so sure. All over the country, existing railway and bus pensioners are getting jittery about what is happening to their pension funds, and they are right to be concerned.

The Government still have not presented the House with the pension proposals they promised. Until they do, railway pensioners in Eastleigh, York, Crewe and Derby —indeed, throughout the country—will not feel secure. At the very least, the Government should sort out the pension issue: they owe it to all the people concerned. They must not do a Maxwell by Act of Parliament.

Throughout our transport system, the lack of any long-term strategy is obvious. In recent times, the Government seem to have had little or no strategy for British merchant shipping, other than to make its life harder than that of its competitors by ending roll-over tax relief in 1985. I understand that today, having for years resisted and voted down Labour's amendments to secure roll-over relief, introduce capital allowances and secure other concessions to help British shipping, they have at long last announced that they will do something about roll-over relief.

We have taken our campaign out to towns and communities the length and breadth of the country—from

Dover to Liverpool, from Southampton to Hull and from South Shields to Aberdeen. In maritime communities, people have asked how a Government could sit back and watch the number of United Kingdom seafaring jobs fall from 40,000 in 1984 to fewer than 20,000 today.

The Government somehow give the impression that sending goods around the world by ship is no longer fashionable. That is not true: more goods are being carried by ship today than ever before. If today—in response to pressure from my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley)—the Government have finally acceded to Labour's call for roll-over tax relief, it is no credit to them; the credit belongs to those who have campaigned on the issue for so long.

Little or no strategy is discernible for the aviation industry. The development of regional airports is being deliberately held back, and we now hear that another madcap privatisation is on the cards—the privatisation of air traffic control. That should send a shiver down the spine of any sensible passenger. Just imagine the exchanges between cockpit and control tower: "Zebra Alpha to Group 4: are you receiving me?", or "Zebra Alpha: we cannot speak to you now. This is an answering machine. There is no one here to take your call at the moment. We are having a meeting with the receivers"—like the privatised Astra Training Services.

It is, however, in railway transport that the lack of strategy and investment is most obvious. Investment in the railways has declined as money has been diverted to investment related to the channel tunnel. Orders for traction equipment and rolling stock have almost dried up: just 164 vehicles have been ordered this year, compared with 841 in 1990-91.

Current British Rail orders run out this year, and no further domestic orders from British Rail or any of its successors are on the books of any British train builder. That is bad for rail users, but it is disastrous for both companies and work forces in Crewe, Derby, Eastleigh, Doncaster, Glasgow and Milton Keynes, and for Metro-Cammell in Birmingham.

The trouble is that the Government never consider the industrial consequences of their policies. We have a railway system denied new investment in rolling stock, without a fast link to the channel tunnel, with a decrepit west coast main line, and with an inadequate plan for European freight depots around the country. Getting those things right was the Government's responsibility, and they got them wrong. They have tried to shift responsibility on to the private sector, and it has not worked.

When the Government—a Tory Government; in a sense, this Tory Government—still accepted responsibility for major railway projects, the east coast main line was uprated; now, the west coast main line is left in limbo. For years, Labour said that the Government should raise money from the private sector—or allow British Rail to do so—to invest in the system. The Government refused. They used to mock my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) when he suggested it. Instead, they did nothing.

Now they say that they want private sector investment: it could be the answer to all their problems. They still cannot manage it, however. They have not a single penny piece of private money invested in the relatively straightforward channel tunnel link—so what are their chances of succeeding with the infinitely more complex west coast main line?

It is all so slow. It took Robert Stephenson just three years to build and start operating the line from London to Birmingham; on the Government's best estimates, it will take them 10 years to uprate it. That is why we say that their incompetence is not just bad for Britain now: its consequences will be with us well into the new century.

At every stage in its economic development, a society needs a transport system that meets the current needs of industry and commerce and allows individuals to get around easily so that they can enjoy its benefits. A good transport system is a prerequisite for a civilised and economically developed society. By those standards, the Government are failing the nation.

Unless they change their policies, our country and our children will be left with a transport system incapable of meeting the needs of the new century. I remind the House that that new century is just six years away.

4.59 pm

The Secretary of State for Transport (Mr. John MacGregor): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'strongly supports the Government's transport policies which are providing more efficient and effective delivery for all users, in particular through the programme of privatisation and liberalisation in transport which allows the market to provide the transport services users want rather than the services which central planners dictate they should have; believes that the Government's rail reforms will build on the improvements in passenger service quality already achieved under the Citizen's Charter and offer the best opportunity to transfer freight from road to rail; noting the increased levels of public investment in rail, road and London Transport infrastructure, welcomes also the innovative means of financing new transport infrastructure developed in the Private Finance Initiative; supports the initiatives taken by the Government in the European Union to deal with sub-standard shipping; and applauds the Government's drive to liberalise aviation in the European Third Aviation Package and elsewhere.'.

I am delighted that we are having this debate, because it is revealing in all its stark emptiness the poverty and paucity of the Labour party's transport policy. I have rarely read such an unimaginative Opposition motion. It is totally lacking in content and analysis and wholly negative—qualities matched only by the speech of the hon. Member for Holborn and St. Pancras (Mr. Dobson), who clearly does not know the facts. The hon. Gentleman accused us of lack of investment. I will show later that investment under this Government has been a great deal higher throughout than under the last Labour Government—particularly in relation to London Transport.

The hon. Gentleman does not understand either that our private finance operations are progressing extremely well and have received a tremendous response from the private sector. I will also demonstrate that. He accused us of neglecting safety. Yesterday, I announced the best road safety figures ever: there were fewer road fatalities than since records began, despite a fourteenfold increase in traffic. That was brought about by a heavy emphasis on all sorts of safety programmes. The same is true of rail, and I will refer later to our rail safety plans.

The hon. Gentleman's speech lacked consistency. At the beginning of it, he accused us of not making any investment in the channel tunnel rail links but towards the end complained that we were not investing elsewhere in the railways because we have been diverting public funds to the channel tunnel rail links. The hon. Gentleman is right

[Mr. John MacGregor]

on his second point, because we have spent £1.4 billion already on the channel tunnel rail links infrastructure. I suppose he does not think that that is very much money.

Mr. Dobson: Will the Secretary of State confirm that not one penny piece has yet been invested by the Government in the channel tunnel fast rail link?

Mr. MacGregor: The hon. Gentleman talks about the channel tunnel link. He must understand that we have invested—[Hon. Members: "Answer."] I am answering the question. We have invested £1.4 billion already in the channel tunnel rail links and the infrastructure, including nine freight terminals throughout the country—some £450 million invested—to capitalise on the channel tunnel. Those big sums have been invested already. The second channel tunnel rail link will meet the capacity available at the beginning of the next century, and we will have that capacity in place because that scheme is going well.The hon. Gentleman does not understand that a Bill must pass through the House before we can start incurring expenditure. Above all, the hon. Gentleman missed the point that a substantial amount of money has already been spent on the link.

Mr. Arnold: Is my right hon. Friend aware that my constituents are delighted that he invested time and money investigating an alternative route at Pepper Hill from which they could benefit? Had my right hon. Friend taken the advice of the Opposition's transport spokesman, a line would have been bulldozed under houses at Pepper Hill.

Mr. MacGregor: I am grateful to my hon. Friend for making that point. I decided to re-examine the situation at Pepper Hill and Ashford, but the hon. Member for Holborn and St. Pancras accused me of ignoring the needs of the community. In fact, the community and the councils asked me to take a further look, and I did so in their interests. The hon. Gentleman was wrong about that, too.

I am sorry that the hon. Member for Cunninghame, North (Mr. Wilson) is not present. I thought that he would be, and apologise for not giving notice of my intention to refer to him. His contribution and that of the hon. Member for Holborn and St. Pancras over the past week show up the sterility and triviality of their thoughts. They attacked the salaries of the chairman of Railtrack, the Franchising Director and the Rail Regulator. They fail to understand that if one is appointing people to top jobs that involve huge responsibilities, it is important to go for high quality.

I want Railtrack to be the most efficient and effective provider of track and signals possible. That is in the interests not only of all who use the railways but of those who work on them. If the management does well, the employees will do well. I want high quality and the best skills for the challenging and important post of Franchising Director, because it matters to passengers that he gets it right. The Rail Regulator will be there to ensure fair competition and to protect the consumer. The hon. Member for Holborn and St. Pancras lives in an old-fashioned, outdated world. If one wants high quality and the best skills, one must pay for them. That does not mean a big increase in cost—only a tiny increase. If the hon. Gentleman thinks that that is wrong, he cannot want the best management for the railways and the best skills for the jobs.

Privatisation costs for British Rail and Railtrack this year will be about £88 million, some £30 million of which will be valuable new investment, including investment financial and information systems. That is a tiny proportion of their costs. If one improves management and systems and achieves greater efficiency, one yields substantial savings.

British Rail's operating costs are expected to fall considerably in the year just ended, with something like a 7 per cent. reduction in operating costs because of improved efficiency. The costs of restructuring the railway system in one year are, proportionally, a good deal less than the savings that BR has already achieved this year, and which the rail system will continue to achieve as a result of the new management and systems. The hon. Gentleman got that completely wrong, too.

The other big contribution made by the hon. Member for Cunninghame, North in the past few days was to table an early-day motion—early-day motion 1040—on child safety in coaches and minibuses. It

"deplores the fact that the Secretary of State turned down this offer"—

of a meeting with the hon. Member for Holborn and St. Pancras—

"saying 'it would not be wise to consider making further regulations in this area'."

From that, right hon. and hon. Members would take it that I do not intend ever to make further regulations. In fact, my letter to the hon. Member for Holborn and St. Pancras dated 21 January, from which he quoted—and that shows how up-to-date he is in getting around to tabling his early-day motion—stated:

"However, as you may know we are currently reviewing the full technical and cost implications of seat belts in these vehicles. Until this review is complete and we have full reports of the tragic accidents which occurred last year, we feel that it would not be wise to consider making further regulations in this area."

That statement has been turned into an early-day motion that implies that I did not think it would be wise to make further regulations. That is the most disgraceful way of carving up a single sentence and is grossly misleading to the House. I hope that the hon. Gentleman will apologise.

Mr. Peter Snape (West Bromwich, East): The Secretary of State spoke of attracting top people. Is it true that the person appointed as chairman of Railtrack, and paid £120,000 for a three-day week, is the only BP chairman in that company's history to take it into a loss, and that he was forced out by the unanimous vote of BP's other directors? Is that the right hon. Gentleman's idea of a top person?

Mr. MacGregor: The chairman is an outstanding business man who is well regarded in the business community. Everyone in the business community knows that he is doing an extremely good job and is well worth the salary that he is paid.

Mr. Nigel Spearing (Newham, South) *rose*—

Mr. George Foulkes (Carrick, Cumnock and Doon Valley) *rose*—

Mr. MacGregor: Very well, but then I must make progress—I have already given way three times.

Mr. Spearing: I am grateful to the Secretary of State, who is courteous in these matters. In replying to the hon. Member for Gravesham (Mr. Arnold), he mentioned the Union Rail route. Is he aware that the Bill that he

mentioned will contain a provision for the tunnels to run underneath many hundreds of homes in Newham, instead of below the existing railway—which it does for part of the route? Is not that asking for trouble? Will the right hon. Gentleman examine that matter, because the Bill will surely be held up unless the route is changed to run below the existing line rather than underneath houses?

Mr. MacGregor: The hon. Gentleman makes a point that has completely escaped the hon. Member for Holborn and St. Pancras. To ensure the most effective route and one that takes account of local communities—and obviously it is not possible to meet everyone's requirements—an enormous amount of time and resources were spent and there were huge public consultations. A hybrid Bill will also be required to be passed by the House, and that will clearly take a great deal of time. The hon. Gentleman thinks that somehow or other we can do it just like that and we will have the railway system in place tomorrow. He completely ignores the two to three years that are involved in the process. That is the point at which some of the issues can be examined.

Mr. Heald: Before my right hon. Friend leaves his point about the early-day motion, and given that motion's clear inaccuracy, will he give the hon. Member for Holborn and St. Pancras (Mr. Dobson) the opportunity to withdraw his comment which is false?

Mr. MacGregor: I have made the position clear to the House. I have read out exactly what I wrote to the hon. Gentleman and I hope that he will now withdraw his comment.

My charge relates to matters much more serious than the trivial and misleading episodes to which I have referred so far—although the hon. Gentleman's speech contained a lot of other examples. My charge is both that he has no policy and that he is still attempting to mislead the country into thinking that he has. He spent almost his entire speech criticising our levels of investment, despite the fact that we have invested a great deal more than the previous Government.

The implication of that criticism—there was a complete roll-call which we will be studying carefully—is that a Labour Government would be engaging in all those programmes and carrying out all that investment. Recently, the shadow Chancellor said that the Labour party's so-called spending commitments simply do not exist—that there are no manifesto commitments to public spending at this stage.

Let me ask the hon. Member for Holborn and St. Pancras some questions. Has he secured from the shadow Chancellor an increase in the overall transport investment programme? He has already put forward the most enormous range of criticisms of spending and therefore, by implication, clearly expects changes to be made, and made quickly; he has complained about the speed of such changes. He ignored the fact that we have invested huge sums in the east coast main line; the west coast main line is the next priority. He seemed to think that both of them should have been done at once. There is a clear implication—

Mr. Eric Martlew (Carlisle): Will the right hon. Gentleman give way?

Mr. MacGregor: No, I am addressing the hon. Member for Holborn and St. Pancras, who expects a big increase in the transport programme. We shall simply cost the range of proposals that he has put forward today and be clear about what they are. If he does not have an increase in the programme, where will he make cuts?

The hon. Gentleman said little about the roads programme. In the House the other day, he described it as bloated—despite the fact that, as he knows, a large number of his colleagues on the Back Benches were urging me to get on with road projects in their areas. I assume that the hon. Gentleman will make savage cuts in the roads programme. He should therefore tell us exactly where he will make the big cuts.

He must then face this point.

Mr. Foulkes: Will the right hon. Gentleman give way?

Mr. MacGregor: I am still on the same paragraph. Even if overall passenger rail traffic could be increased by 50 per cent. as a result of the massive investment that the hon. Gentleman claims he would make, it would cut passenger road traffic by only some 3 per cent.—less than one year's growth at present. It would be a totally silly use of resources to cut the road programme savagely and switch over. That would add a great deal to what we are already spending. We are spending 40 per cent. of our programme on public transport for 10 per cent. of the traffic. The hon. Gentleman wants to make the big switch to spend 60 per cent. or 80 per cent. of his total programme on public transport. That would not only be a bad use of resources; it would disappoint a lot of communities around the country.

During our exchanges on the road review, the hon. Member for City of Durham (Mr. Steinberg) was at least honest. He said that he was not sure which way he wanted to go on my decision about the A167 western bypass at Durham: he said that he was sitting on the fence. The hon. Member for Bolsover (Mr. Skinner) said that he was on the roundabout, going nowhere but round and round. At least the hon. Member for City of Durham was honest in saying that he was sitting on the fence.

The hon. Member for Devon, North (Mr. Harvey) does not even admit that he sits on the fence. He has been extremely critical of the roads programme. Recently at the Liberal Democrat party conference, a resolution was passed drawing attention to the urgent need to shift the emphasis from road building to public transport.

The hon. Gentleman undoubtedly knows that almost all his colleagues keep fawning on my hon. Friend the Minister for Roads and Traffic urging him to get their road schemes through as quickly as possible. He knows that in different parts of the country his colleagues are saying that they want their roads urgently—he criticised the Government for not producing them. Those hon. Members want schemes cut back in different parts of the country, where other hon. Members are saying that they want their road schemes and that they want cuts made elsewhere. It is absolutely typical of the Liberal Democrats to be saying different things in different places. They have not made up their minds and are all at sea.

Mr. Nick Harvey (North Devon): When we have debated the roads programme on previous occasions I have, indeed, taken a hostile stance on the majority of that programme. The Secretary of State said, in a tone of astonishment, that I seem to be for some roads and against others. I put it to him that there is not one hon. Member in the House who is either in favour of or against all roads.

[Mr. Nick Harvey]

We have said consistently that we want a moratorium on motorway widening and a review of the roads programme. Clearly, local schemes can go ahead within that. It is the motorways with 14 lanes that we speak against, and we have done so consistently.

Mr. MacGregor: I am grateful to the hon. Gentleman because at last we have flushed him out: he is hostile to the majority of the roads programme. We will now tell all Liberal councils and councillors across the country, who call for increased and more rapidly spent money on the roads programme—in Newbury and in lots of other places—what the hon. Gentleman said. He cannot get away with saying that we must simply avoid widening the motorways. He must face the fact that the business congestion costs about which he complained are mainly concentrated on motorways. Ordinary motorists who want to journey around the country are being held up mainly on motorways.

If the hon. Gentleman does not propose to do anything about the motorways, we shall remind the country that in 10 years' time it will be the Liberal Democrats' policy to have our motorways as parking lots for cars with their engines running. That is entirely what the hon. Gentleman's policy means.

If this debate has achieved one thing, it is that it has shown us the transport policies of the Liberal Democrats. Now we know what those policies are and we will let the country know.

Several hon. Members *rose—*

Mr. MacGregor: No, I must get on.

My final point relates to the charge in the motion of the hon. Member for Holborn and St. Pancras that we have failed the country. That charge is defeated not only by the fact that we have greatly increased spending, and by the other things that I shall mention in a moment, but by surveys of informed overseas business men and companies.

I have in front of me a survey of European senior executives that was undertaken by Healey and Baker in connection with more than 18 capitals around the world. The questions in the survey related to the best cities in terms of external transport links and the best cities in terms of transport infrastructure. In each case, London came second out of the large range. That does not suggest that London is regarded as not having good links.

In a recent survey of foreign-owned companies operating in the United Kingdom, KPMG said:

"The UK's infrastructure and transport were highly rated with closeness to key markets, road, air and rail access all exceeding expectations."

The hon. Member for Holborn and St. Pancras always tries to shout down and talk down our transport infrastructure. Those who have experience of it regard it as one of our great assets. That is why the hon. Gentleman's motion completely fails.

The hon. Gentleman criticised the levels of capital investment. London Transport capital investment is nearly three times larger now in real terms than under the Labour Government and the GLC in 1978-79. The total investment in London Transport between 1974 and 1979 was less in real terms than capital investment this year. That is what we are doing now. It is no wonder that the hon. Gentleman does not like it. We are spending more now in real terms than was spent throughout the whole period of the Labour Government. Capital investment in the rail industry—*[Interruption.]* It is no wonder that Labour Members are trying to drown me out; they do not like to hear the facts.

Capital investment in the rail industry now is 50 per cent. higher in real terms than it was 10 or 11 years ago and is at among the highest levels for 30 years. Capital investment in national motorways and trunk roads is 87 per cent. higher in real terms than in 1978, yet the hon. Gentleman has the gall to say that we are not investing in our transport infrastructure.

I shall turn to other aspects of transport, not only the investment in infrastructure. Our transport industries are not only investing a lot in infrastructure; they are much more efficient and competitive. Compared with the completely public sector-oriented policy that the Labour party is pursuing—

Mr. Foulkes: Will the right hon. Gentleman give way?

Mr. MacGregor: No, I will not.

Mr. Foulkes: I have been sitting here all through the debate.

Mr. MacGregor: I am afraid that the hon. Gentleman will have to sit for a bit longer.

On long-distance coaches, our changes have multiplied choice and lowered fares. The deregulation of buses has produced an increase in bus mileage and has made services more flexible. There are more operators, and subsidies have been halved. There are good returns for those who were previously providing subsidies.

Mr. Foulkes *rose—*

Mr. MacGregor: As a result of privatisation, British Airways is now one of the most efficient, competitive and profitable airlines in the world. It is highly regarded.

Mr. Foulkes *rose—*

Madam Deputy Speaker: Order. I make the point to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), as I did to an hon. Member from the Government Benches: if a Minister, or anybody else who has the Floor, does not choose to give way, hon. Members must resume their seats.

Mr. MacGregor: I have given way a good deal more than the hon. Member for Holborn and St. Pancras did.

Our ports have been modernised, and they are attracting business again because of privatisation and the abolition of the dock labour scheme. That is the kind of transport policy to which the hon. Gentleman wants us to return. He complained about privatisation and deregulation, but they have worked in practice to increase investment and to provide greater choice and, in many cases, lower fares. The policy has worked and that is why the Opposition are now by and large refusing to reverse it.

What did the Labour party do? It failed to get investment and to reduce inefficiency, overmanning and restrictive practices in the transport industries, so failing the consumer. The Labour party opposed each and every one of the policies that I have just described, which brought such massive improvements. That is why I totally reject the motion on the Order Paper, and that is why the Government do not think that the hon. Gentleman has made his case.

Turning to the future, let me begin with rail. Everyone realises that there is a need for change and improvement on the railways. The system that existed before 31 March on British Rail had been ossified for too long. As a monolithic, nationalised industry, BR was not responsive enough to what its users needed. At the heart of our reforms are the interests of the users—the passengers and the freight industry.

I fully acknowledge that much improvement has taken place in recent years under Sir Robert and Sir Bob Reid, and their boards. The programme "Organising for Quality" and the impetus given by the passengers charter undoubtedly produced big improvements in the standard of service. The hon. Member for Holborn and St. Pancras laughs, but standards of improvement are coming through and that clearly motivates staff.

For example, the latest results show that, on average during the past year, 13 out of 15 commuter routes in the south-east were meeting or exceeding the punctuality standards set by the passengers charter. The London, Tilbury and Southend line has seen a performance turn-around, and it is one of the most punctual of all. That shows what can be done by changed systems, the targets of passengers charter and better management.

All of that took place before the large-scale investment. There has been a big turnaround, and major investment is now in hand. Work on a £83 million resignalling project is now under way.

Mr. Hugh Bayley (York): Will the Secretary of State give way?

Mr. MacGregor: I must get on. I have given way a great deal.

The franchising of passenger services is one of the key elements in our plans. The franchising targets which I set for the franchising director last month are ambitious, but achievable. They are based on my desire to see that railway passenger services in Great Britain are provided under the franchise agreements as soon as is reasonably practicable. It is through franchising that we will see an overall improvement in the quality of services that are available to railway passengers.

Today, the franchising director published his timetable for the programme. He sets out how he intends to meet those targets by awarding the first six franchises by the end of 1995 and by franchising over half of BR's current passenger services by April 1996. I am confident that franchising and competition will attract keen interest from the private sector from companies with experience of the transport sector, companies looking to diversify and from BR management-employee buy-out teams.

Since November, when the Railways Act received Royal Assent—it is only a short time ago—we have achieved, with the full co-operation of BR and Railtrack, a massive restructuring of the railway industry to get it into shape for our reforms. It is the most far-reaching reform of the industry in half a century. Railtrack is now a fully independent company, and passenger and freight-operating companies have begun to operate as units within the board. Those will emerge as separate companies in the next year or so.

The infrastructure maintenance has been put together under one management, and we are already seeing the benefits of greater management focus and transparency of accounting. Better decisions will be made that way, and that is a point that the hon. Member for Holborn and St. Pancras completely fails to understand. Passenger services in particular are beginning to demonstrate new creative ideas about the services that customers want. All this is happening well before the franchising and other privatisations get under way.

Mr. Dobson: Does the Secretary of State welcome the initiative from the new management of what is now called North London Railway artificially to re-zone Hampstead Heath station from zone 2 to zone 3, so that they can put up the prices by 36 per cent.? Does the right hon. Gentleman welcome that sort of initiative?

Mr. MacGregor: I am sure that the hon. Gentleman understands that when some zoning areas are out of line with the rest, they must be adjusted. That happened under the previous system: there have been a number of occasions on which it has taken place. I must tell him that that has nothing to do with our reforms.

Railtrack is another clear example of why our reforms will produce better management and better decisions. As the chairman, Bob Horton, made clear, Railtrack believes that a public service business must behave like every other modern business. I agree with that. Costs must be transparently sourced, and it is on that basis that Railtrack has derived the cost of running the network and apportioned it into access charges.

It is not in Railtrack's interests—nor is it in the interest of the public or the railways system—to make unrealistic charges. Railtrack has divided up the entire cost of running the network at around £2 billion. We are discovering—as a result of the efforts and resources about which the hon. Gentleman complained—where the costs lie and the ways in which they can be put right.

Railtrack has allocated around £2 billion according to the use made by particular operators. For the first time, users of the infrastructure will bear the true cost of running the network. The advantage is that they will see where the true costs lie, and that is the key to real management control.

There are other advantages. The arrangement enables depreciation to be covered, and track investment can be given a priority that it has not always had. At the same time, Railtrack has been set challenging targets to get efficiency gains, and also to get its costs down and to give a realistic return to invest in the development of its asset base.

On pensions, once again the hon. Gentleman made outrageous charges which, if they have any effect outside the House, can only frighten people and lead them in completely the wrong direction. For a start, the hon. Gentleman is wrong. We have made our proposals following discussions with the British Rail pension trustees, as we have said. We have put our proposals out for consultation and the hon. Gentleman indicated that he would like to see them. I must tell him that copies have been in the Library for some time, and are therefore available there.

Of course, the moment we finish consultation we will make our proposals to the House in the way that we have always been expected to. I expect orders to be laid in this House and in the other place in May. That is in time to enable us to have them in place before the arrangements come into operation in October.

[Mr. MacGregor]

I must make an important point to the hon. Gentleman. We have agreed with the trustees on all the absolutely key issues, and I am therefore confident that there are few issues—and they are not substantial ones—which remain unresolved. If there are any, they will be put to the House. The way in which the hon. Gentleman once again accused us of purloining funds was quite outrageous.

I want to mention the new regime of rail safety to which the hon. Gentleman referred. Railway accidents are rare, and rail remains one of the safest modes of transport. Building on that, the Government, Railtrack and British Rail are committed to maintaining and improving our enviable safety record. Both boards have my full support in ensuring that safety remains a top priority during the significant organisational changes to the industry.

This year's safety plan for the rail industry is published today, and sets out strategic safety objectives for BR and Railtrack for the coming year. There are also detailed arrangements for managing safety and reports on BR's safety performance in 1993-94. The safety plan is a comprehensive and forward-looking document which fully meets, and in some respects exceeds, current safety performance. It demonstrates a high level of commitment and resources which are being devoted throughout the industry to running a safe railway. The hon. Gentleman should have the grace to acknowledge that fact.

Mr. Dobson: What contribution to the improvement of safety does the Secretary of State think has resulted from Railtrack saying that it is unwilling to finance centrally the advisory service for children to keep them off the railway?

Mr. MacGregor: I understand that that is the responsibility of British Rail, not Railtrack. I should have thought that the hon. Gentleman would focus on the substantial funds that are being deployed to ensure that we have safe railways. If he looks at the safety plan, he will see that that is the case.

Mr. Dobson: Will the Secretary of State give way?

Mr. MacGregor: I must turn to roads. I shall be brief because we debated roads in March and the roads review has been published. I simply wish to make a few key points which are important in a debate on transport policy.

The roads review was one of the scheme priorities. There was a clear managerial need to establish priorities. To progress all the schemes in the programme with the same effort and often at much the same pace did not make the best use of resources. It wasted money and time and created uncertainty.

Mr. Dobson: The right hon. Gentleman says, apparently having been advised by his colleague—another expert on these matters—that responsibility for the anti-trespass and vandalism scheme is the responsibility of British Rail. Robert Horton, the chairman of Railtrack, wrote to the Associated Society of Locomotive Engineers and Firemen saying that the scheme was the responsibility of Railtrack and that Railtrack did not intend to discharge it centrally and would delegate it to individual managers. At least that is my understanding of the letter.

Mr. MacGregor: Perhaps we can clarify this comparatively small point. I am happy to clarify for the hon. Gentleman where the responsibility lies. I think—I shall have to check—that the responsibility lies with the British Transport police, of which British Rail is the employer. However, it is extremely important that the hon. Gentleman withdraws his accusation about lack of attention to safety on the railways. That is the key issue.

I was saying that the aim of the roads review was the better use of resources. The review has resulted in savings of up to £100 million a year which would otherwise have been committed to preparation and holding inquiries too early. That money could be better spent elsewhere in the roads programme. I should also make it clear that there is a high level of road building. Even with that, it was clear that some schemes would not have entered the construction frame for a very long time. So I felt that it was realistic to withdraw some of the schemes. I understand the concerns of those who have complained about the withdrawal of schemes, but it was clear that construction was a long way away.

For all the schemes which remain in the programme —the vast bulk—the review has not resulted in delays. The priorities assigned to the schemes made public what would have happened in practice. I took the opportunity of the review to consider an up-to-date assessment of the balance between the different environmental and economic considerations. That is why I decided to withdraw some schemes such as the M12 and the trans-European network from Stansted to Oxford.

In addition to the roads programme review, many other effective, important and often radical policies are being pursued. That, again, is why the hon. Gentleman's motion is so wrong. First, the delivery of the roads programme is being speeded up. We have set up the Highways Agency, which will certainly ensure better delivery. I have already referred to road safety. I strongly attack the hon. Gentleman for suggesting that we have not devoted resources or a great deal of attention to road safety. The evidence is all there in the results.

All our policies reflect the importance that we attach to getting the balance right for the environment. To give one example, the Government have recently published planning guidance which seeks to reduce the need to travel. Our sustainable development strategy published in January sets out our thinking on how to reconcile society's need for access to an ever wider range of goods and services with our ability to sustain the quality of life for future generations.

Then there are the initiatives on electronic motorway tolling and the design, build, finance and operate programmes, the next stage of which I have taken forward in the past month. That leads me to another important point.

Mr. Foulkes: While the right hon. Gentleman is shuffling his papers, will he give way?

Mr. MacGregor: I do not want to go on for too long so I am throwing away some of my notes. I prefer to concentrate on the important points. The hon. Member for Holborn and St. Pancras misunderstands the nature of the private finance initiative. He suggests that the Labour party has invented the idea of bringing private finance into the system. However, he gave the game away in his criticism of the Northern line proposals and of what Asea Brown Boveri and the other tenderers in that competition are being asked to do when he said that it was wrong that they should take on some of the risk.

It is clear that the Labour party's idea of private finance is not to transfer the risk but simply to engage in off-balance-sheet financing to get round public expenditure controls. That is another way in which the hon. Gentleman simply piles up expenditure on the public expenditure programme. That is also why his policies for the future simply do not add up.

Mr. Dobson: Will the Secretary of State give way?

Mr. MacGregor: I shall not give way because the hon. Gentleman took a long time.

To accuse us of not getting on with the private finance initiatives is a gross travesty of what is happening. I have here a list of schemes that are already being constructed under the private finance initiative. They include the Jubilee line, the Dartford-Thurrock bridge, the second Severn bridge, the Heathrow express rail link. The hon. Gentleman clearly does not realise that a £400 million private sector contribution has been made to the Jubilee line.

Mr. Dobson: Will the right hon. Gentleman give way?

Mr. MacGregor: I shall not give way.

In order to get the initial feasibility study under way, Railtrack launched the west coast main line competition. More than 40 organisations responded and Railtrack has appointed the winner. That is the first stage of the project. It has created tremendous interest and it is going ahead.

We are taking forward the second channel tunnel rail link and crossrail as joint ventures. I hope that the Private Bill Committee which is considering the Crossrail Bill will get through the House. It has the Government's full support. We can then get on with that project. We are moving fast on the competition to find a private sector promoter to design and build the second channel tunnel rail link and to operate the international services on it; 74 organisations have already responded and requested the pre-qualification documents. We shall move ahead with issuing the full tenders in June. Many other private finance projects are in the pipeline. Those projects also show where the Government's policies are working.

I want to speak briefly about shipping. I agree with the hon. Member for Holborn and St. Pancras about the importance of shipping. We are pursuing five specific measures to assist the industry. I hope to announce them in greater detail more publicly but I shall outline them quickly now. First, I announced a package of measures to the House on 15 December. It was targeted specifically at the competitiveness of United Kingdom shipping and included new regulations which are now in force. The regulations simplify ship registration law and enable ships on bareboat charter to be brought on to the United Kingdom register for the first time.

Secondly, I announced consultations on changes to the officer nationality requirements for United Kingdom vessels. Those changes should be in place by autumn. My announcement came shortly after the Baltic Exchange approached me with a proposal for a British open register. After carefully considering the proposal I decided not to proceed with it for the present. I am worried about the impact that opening the new register would have on the existing United Kingdom shipping register. It would be better to assess the effectiveness of our new, much freer regime for the existing register over a reasonable period before considering whether to go further.

The third measure is connected with the important subject of seafarer trading. The 15 December package included proposals to extend the financial assistance for that.

Fourthly, we have made it clear on several occasions that it would not be in the best interests of the industry, the consumer or the taxpayer to offer blanket financial assistance to shipping. Nevertheless, we recognise that British shipping can be at a disadvantage when competing with foreign shipowners who benefit from various fiscal measures.

As the hon. Member for Holborn and St. Pancras said, after careful consideration, my right hon. and learned Friend the Chancellor of the Exchequer has announced today that he proposes to introduce a provision which will allow capital allowances, being balancing charges for ships, to be rolled over for up to three years: that is, roll-over relief. We estimate that the measure will benefit the shipping industry by up to £20 million per annum in a full year. Subject to our obligation to notify the Commission, my right hon. and learned Friend will introduce the necessary legislation in next year's Finance Bill with retrospective effect from today.

The fifth important matter to which we have given close attention is substandard shipping. I have focused strongly on that matter since I became Secretary of State for Transport. We have encouraged the European Commission and the Council of Ministers to do likewise. I am delighted that we are making real progress on it in the European Union, where action on the subject has been positive.

We welcome and support the International Maritime Organisation's efforts to improve flag state control and to ensure that all states apply and enforce the agreed international standards. However, until all states meet their international responsibilities, we shall have to concentrate on enhancing our own port state control measures. We inspect more than 30 per cent. of the foreign flag ships that visit our ports. Last year 6 per cent. of the 2,000 ships inspected—some 120 vessels—were detained.

There will be a meeting of European Ministers later this year to discuss improvements to the regional port state control system. I have spent much time on the matter with European Union representatives because it is important for a variety of reasons. We shall work to bring all initiatives together in the coming months, to ensure that our actions and those of our international partners together increasingly deter substandard ships from using our waters and that those that continue to do so are identified, inspected and dealt with effectively.

That five-point programme contains nearly all the points on which the shipping industry has urged us to take action and I am happy to announce them as a complete package.

Mr. Richard Ottaway (Croydon, South): Does not my right hon. Friend realise that the British open register proposed by the Baltic Exchange, which I advise, was not designed to help not the British shipping industry but maritime London and its institutions, such as the Baltic, Lloyd's and so forth? I hope that my right hon. Friend does not rule out reconsidering that proposal.

Mr. MacGregor: I said that I was prepared to review it after a time and I well understood that that was the point of the proposal. Having talked to many people about it, the evidence showing whether it would have such an effect

[Mr. MacGregor]

was slim and it could have caused problems for the existing register. In addition, the changes that I announced in December could well meet some of the objectives of the Baltic Exchange proposal. We must therefore wait and see whether they have that effect. My hon. Friend will know that many people at the Chamber of Shipping were extremely doubtful about the proposal and worried about it. If the changes do not have the desired effect in wider areas we must consider the criticisms. I made it clear that I am prepared to review the situation, but we have considered the matter carefully.

On aviation, we have been guided by privatisation of airlines and airports and liberalisation of aviation systems in the European Union and beyond. There can be no doubt that our privatisations of British Airways and the British Airports Authority had tremendously positive results. As a result, BA is one of the world's most profitable, successful and competitive airlines. At the Transport Council in Luxembourg this week one of my colleagues complimented us on what we did and clearly implied that he wished that his country had acted to restructure and privatise the aviation industry when we did that with British Airways; he recognises that we have realised the benefits.

As for the BAA, there has been a much greater increase in investment than would have taken place if it had remained in the public sector and a sharpening-up of services for all those who use the BAA airports as a result of dynamic enterprise.

On liberalisation, the United Kingdom has played a leading part in securing the third aviation package to open up the skies in Europe. It is important to ensure that that package is implemented in two ways: first to ensure that there are no transgressions of the package; secondly, to ensure that there are no unfair state aids, or that they are phased out as quickly as possible. I have spent much of my time during the past few months dealing with both, and that is a formidable task.

We have secured that package, which has great benefits for all air passengers, and it is important that we continue on that course. I assure the House that I will be very vigilant about any transgressions of the third aviation package and will pursue them and the state aid question with the Commission and in the Council.

On aviation and the United States-United Kingdom negotiations, we remain committed to liberalising transatlantic air services. We tabled a wide-ranging liberalisation offer last December. Liberalisation tends to be viewed differently in this country and in the United States. For the United States, increased access for its airlines to Heathrow is the important issue. For us, it is opening up the United States domestic market to access to other airlines so that competition can be fair. For that reason, we have emphasised the British Airways-United States air deal. Approval for that deal was one of our key objectives in the negotiations.

I am very glad about another development—the recent proposed deal between Virgin and Delta, which involves closer co-operation in several areas, in particular code-sharing on Virgin's flights to Heathrow. We and the United States Administration are examining the proposal, which appears to show an increasing acceptance of the realities of capacity constraints at Heathrow. As I told the House, I very much regret the fact that the talks with the United States have stalled and I am trying to get them going again. The proposed deal between Virgin and Delta gives us another opportunity to do so.

I shall be responding shortly to the Select Committee on Transport about regional airports. Under this Government such airports have prospered and expanded dramatically. The hon. Member for Holborn and St. Pancras will also know that, in my proposals to the United States, I gave prominence—I put them right up front—to granting access to regional airports, because I understand the importance of that.

Mr. Tony Banks (Newham, North-West): What about Stansted?

Mr. MacGregor: As well as to Stansted. I am constantly trying to find out whether we can make a mini-deal that involves regional airports and Stansted, even if we cannot get the full deal quickly.

I apologise for the fact that I have taken some time, but I have given way to—

Mr. Foulkes *rose—*

Mr. MacGregor: I have given way to many interventions and I shall not give way to the hon. Gentleman.

My summary shows that we have a co-ordinated and coherent transport policy—a policy that depends on getting the infrastructure that we require for the 21st century; giving transport users the opportunity to respond to market forces; and enabling our industries to be among the most competitive, in some cases in the world and certainly in Europe—for example, the road haulage and coach industries.

Mr. Dobson: What about the railways?

Mr. MacGregor: And the railways. Under our reforms railways will be increasingly competitive. The taxpayer will not be burdened with the colossal burdens that German and French taxpayers have to bear because of their railways. Our policies are doing the same for aviation and shipping. We have many measures contained in a substantial programme. Our policy is full of measures—many radical—to ensure that we are up to date.

We heard from the hon. Member for Holborn and St. Pancras about a transport policy that is rooted in the past. He pretends that the cost will be met by a significant increase in public expenditure. In the months ahead we will probe to find out how much his colleagues would support him to carry through the substantial extra investment that he was urging. We know that he cannot count on their support, which is why he is putting a bogus prospectus before us. That is why I totally reject the Opposition's transport policy, such as it is, and the motion.

Mr. Harry Cohen (Leyton): On a point of order, Madam Deputy Speaker. During the opening part of the Secretary of State's speech, he said that he would say something about London Transport. I heard one general sentence about investment, but then he moved on. He did not speak about London Transport, so that was a dishonest statement.

Madam Deputy Speaker: I have already explained that the occupant of the Chair is not responsible for the contents of Members' speeches.

Mr. Michael Bates (Langbaurgh): On a point of order, Madam Deputy Speaker. I seek your guidance on a matter of procedure. Is it the case, as outlined in "Erskine May", that when a Member criticises another Member through an early-day motion and it can be proved that he or she knew that the criticism was inaccurate, under the Standing Orders the Speaker is vested with the power to amend the early-day motion or to insist that it be withdrawn?

Madam Deputy Speaker: I advise the hon. Member that if he has a grievance he should discuss it with the Clerks at the Table.

Mr. Heald: Further to that point of order, Madam Deputy Speaker—

Madam Deputy Speaker: There are no further points of order on that subject. If the hon. Gentleman has a different point of order I will hear it.

Mr. Heald: Page 325 of "Erskine May" deals with early-day motions and makes it clear that a matter concerning the conduct of an hon. Member can be dealt with only through a substantive motion, which allows for a distinct decision of the House. In the early-day motion in question—

Madam Deputy Speaker: Order. I have issued guidance on that matter and I expect hon. Members to take it.

As many hon. Members have said that they want to speak and Madam Speaker has already announced a 10-minute limit on speeches between 7 pm and 9 pm, unless hon. Members exercise considerable self-restraint before that time, many Members will be disappointed this evening.

5.49 pm

Ms Kate Hoey (Vauxhall): I am delighted to be called so early—what have I done to deserve it?

I want to say a little about an aspect of transport in London that has not been mentioned today—the use of the River Thames and river transport. London has one of the widest highways in Britain—a highway which is extremely under-used for freight and passenger transport, as becomes apparent when we consider the ways in which other European cities with equally important rivers make use of their rivers.

The Minister for Transport in London, whom I am pleased to see sitting here today, announced in 1992 a new working group to encourage freight and passenger traffic to use the Thames. I welcomed that announcement, as I welcomed the subsequent work of the group, and since then he and I have entered into some conversations about certain aspects of river usage and we had a meeting about the subject. I know that the group has received many responses to its consultation exercise.

It is disappointing that there was not one mention in the Secretary of State's speech today about the river, the initiative and its progress. When the Minister replies to the debate, he should say what is happening to the working group. It seems that since the launch of the initiative very little has happened and there has been very little progress.

Following the launch of the working group, one of the first things that happened was that the river bus service in London collapsed—I am sure that it was nothing to do with the setting up of the working group. That was disappointing because the river bus was just beginning to turn around and to attract passengers and to work up to being a reliable and regular service and it was greatly of use not only for commuters but for tourists and for people who wanted to travel in and through London without using the roads.

If we consider freight transport, about 23 million road miles are saved by the Thames barges that take away our domestic rubbish. Cereals, sugar, paper, steel, wood, oil products and even coal are still brought into London by river. Although I am sure that everyone, including the Minister, would wish that that traffic could be doubled, why do not the Government more seriously consider measures to bring that about? The Government are not adverse to dictating which heavy goods vehicles can use which roads at which times. Surely the logical extension of that would be to integrate those considerations with alternative options for use of the Thames.

The problem is that the Government's approach to the Thames is a mass of contrasts. There is no overall co-ordination. Although there may be some commitment to getting the Thames used more, the enthusiasm among some of the Ministers has not been passed on to the Department and some of the agencies involved.

There is a great contrast between what happens in London and what happens in other major river-based cities. I know of an example of a firm with headquarters in Bombay, which wanted to find a place along the river front here to import rice. The firm was considering three areas in the Greenwich part of the river. One site in which it was interested was owned by British Gas, which wanted a huge amount for it—between £400,000 and £500,000 per acre. That meant that it was out of the question. The firm immediately went to Rotterdam, obtained support, received help from the Government and was able to locate there.

Surely we should be able to make it more attractive for companies to set up operations here. A grant is available to attract businesses such as the one that I have just mentioned, but in that case the process took six months from when the firm first applied and it had to negotiate so many different bits of bureaucracy that, by the time that it got anywhere near the end, it had already been offered the base in Rotterdam. Therefore, we lost another opportunity to bring the river more into use.

Let us consider commuter and passenger transport. Let us remember—it is worth remembering—that in 1905 the former London county council set up a river steamboat service for commuters travelling between Greenwich and Westminster. In 1906, it carried about 3 million passengers. Sadly, the service was closed, but in 1948 a new service was established between Kew and Greenwich. At its height, before closing in 1962, it still carried 2.25 million passengers a year.

Mr. Tony Banks: Who closed it?

Ms Hoey: Does my hon. Friend wish to intervene?

Mr. Banks: Yes, I do. I was hoping that my hon. Friend would complete the story, because that successful river bus service was closed down by the newly elected Conservatives on the Greater London council.

Ms Hoey: My hon. Friend is always very clear and he is quite right in this case.

The London river bus service could have continued operating if more support had been given by the

[Ms Hoey]

Government. Subsequent ventures in 1963, 1972, 1973, 1974 and the most recent river bus partnership all suffered similar fates, due in large part to financial constraints, a matter which I want to discuss. The start-up costs for such new businesses are prohibitive and the running costs can prove crippling.

I know that the Minister knows that I am not an opponent of the private sector being used properly to get new initiatives going, but I hope that the Government will accept the basic principle that that form of public transport on the river should receive equal consideration for public subsidy with rail, London Underground and bus services. The river bus failed because it did not receive even the basic subsidy. The travel pass could not be used on the river bus so people who used the London underground and the bus could not simply convert to the river. Overall, no one was responsible for promoting the river as an asset.

Lady Olga Maitland (Sutton and Cheam) *rose—*

Ms Hoey: I will not give way. I think that the hon. Lady wants to make a speech, as does every hon. Member. I will carry on.

River-borne transportation has definite environmental advantages. One million tonnes of London's rubbish shipped from Wandsworth and the City of London by river to Thurrock takes 4.2 million lorry miles off London roads. No transport network is better placed to deliver the construction materials to developments in the east Thames corridor or to remove construction debris in an environmentally friendly manner than that on the Thames. We should do more. It is a question not only of resources and of sustained effort. It is important that there is co-ordination but, most important of all, there must be some faith, some conviction and some will.

As a result of the way in which the responsibility for the river is fragmented between the Port of London authority and various organisations, no one has overall responsibility. That brings me back to the fact that, from whatever angle one considers transport in London, one cannot fail to recognise that London still suffers from the lack of a strategic authority. Economic regeneration, business development, commuter transport, tourism and leisure, the environment, planning permission and even policing are all handled by diverse agencies or are simply not handled.

Although many organisations do their best to promote the river, the London Rivers Association produced a wonderful document called "The Working Thames: an Agenda for Action". Every single bit of that document, if adopted by the Government, could get our river used, and not only for transport and freight. With the right use of imagination, we could do that.

Finally, I pay tribute to the work of the Thames river police because they play a tremendous role in policing the river. Members might not be aware, or may have noticed, that as a result of the continued security alerts, which we are now so used to, a good proportion of the available personnel is occupied on the river round this area at any given moment and there are always river police there. Could extra resources be given to the river police for their additional work?

The widest highway in Britain runs through the centre of its capital—never mind the proposed 14-lane M25 motorway—and it is virtually traffic-free. That is crazy, and the Government should do much more to get people to use the river and give everyone an opportunity to travel as they wish—in a pleasant manner on the river.

5.59 pm

Sir Geoffrey Pattie (Chertsey and Walton): It is important that, in a debate on transport, something is said about motorway development. I shall make my points as briefly as possible because many other hon. Members want to speak.

I declare an interest as a car driver and frequent user of motorways, so I am not anti-motorway or anti-motor car. I recognise that congestion occurs and must be dealt with. Many hon. Members have cherished projects for bypass schemes in towns and villages throughout the country and they have often been successful in relieving congestion. I wish all those hon. Members success in their projects.

My constituency, however, already has the benefit of the M25, which is expanding to two four-lane highways, making it an eight-lane motorway. The Department of Transport plans shortly to extent it further to 14 lanes. Although many of my constituents have written and, in the next few weeks, will write again in their thousands to the Department of Transport to express their views on those proposals, it is not just a local issue. Obviously, it is a local issue for those whose houses will disappear but the national question is whether our motorway provision should head in that direction.

Clearly, nobody wants a motorway at the bottom of his or her garden, whether it is a six, eight or 14-lane motorway. However, I have been impressed in recent weeks by the number of people who have written to me from all over the country, who are not directly impacted by the loss of property or by noise. Naturally, I do not knock people who complain about those matters, but there is now a widespread feeling of unease, and a belief that we should not go in the general direction in which such a proposal takes us.

The Department of the Environment's "UK Sustainability" report says:

> "If people continue to exercise their choices as they are at present and there are no other significant changes, the resulting traffic growth would have unacceptable consequences for both the environment and the economy, and could be very difficult to reconcile with overall sustainable development goals."

The Government realise that their problem is how to reconcile people's ability to move around with their desire for peaceful environment and a sensible quality of life. When we leave this place tonight, we shall all want to jump into our cars and use the motorways but, with our other hats on, we do not want to destroy the countryside in the process.

Germany has a more sensible approach. Germans have greater car ownership than people in the United Kingdom, but they use their cars less. They appear to have found a way of providing and costing transport opportunities so that people can work out a better and more sensible way to get around.

The fundamental point, which the Department of Transport has not yet conceded although it understands it well enough, is that new provision always attracts more cars to take it up. That has been proved time and again, and the M25 is a good example. It was conceived as an orbital road around London to take traffic from the Channel ports away from London and it has worked well in that sense. It was not realised that people would take jobs at

extraordinary distances. We have all met people who work in Guildford but live in amazing places like Braintree—*[Interruption.]* Whichever town one chooses, the journey would have been unachievable before the motorway was constructed.

Many people are now tempted to drive, so more traffic is dragged in. That major question must be considered for the future. The 14-lane link road proposal will work in exactly the same way. If it is built—I hope that it is not—we shall have traffic jams on it in 2006, or whenever it may be.

On 24 January, Runnymede borough council, which is responsible for the area in which the first widening scheme will take place, produced a package of alternative proposals. I shall not go through it in detail, but it includes such proposals as high occupancy vehicle lanes, certain elements of road pricing, speed cameras, speed controls and better junction and carriage way management. All those measures are, to an extent, palliatives but the Department is trying them in various places.

The high occupancy vehicle lane proposals have been used in the United States and Holland. Will the Department recognise, if not in this debate then soon, please, that it should not automatically assume that the only way to meet congestion is by laying more concrete, although it may be right to do so in many cases? If the Minister says in winding up that that is the right approach, I shall be delighted. People outside have the clear impression that it is not how the Department deals with the problem.

I hope that, when the public inquiry takes place into the widening of the M25, Runnymede borough council's proposals will be properly assessed and sanity will then prevail. Those measures are worth trying before one indulges in the colossal environmental damage of laying more concrete and I hope that that will be the outcome of the public inquiry. It is a long time to wait but I am prepared to have a side bet with the Secretary of State that the achievement of the proposals will never see the light of day.

6.7 pm

Mr. Nick Harvey (North Devon): I, too, welcome an opportunity to debate the issue but regret that it has not been in Government time. In the two years that I have been in the House, the Government have not provided time for a comprehensive debate on transport issues across the board because, while they undoubtedly have some piecemeal transport policies, they lack an overall vision or objective for the transport sector as a whole.

I wish that the Government had issued a Green Paper or White Paper on their transport policy, as that could have lead to debate in the nation and in the House, but they resisted the opportunity to explain their overall transport policy. During the passage of the Railways Bill, the point was made that Britain was the only European country not to have an overall railways policy. The Government resisted any effort to develop one, saying that they did not want some glossy document. Whenever somebody tried to move amendments to broaden the terms of reference of the Secretary of State, the Rail Regulator or the Franchising Director to look at the overall part which the railways should play in our society, environment or economy, they were resisted by the Government.

I am not suggesting that the Government can do everything in the transport sector, but they should be willing to lead, to take the initiative, to plan ahead and, crucially, to set targets and stimulate investment. Public investment and private enterprise in tandem can deliver what the public want. The theme should be that of enabling and giving people the tools, opportunities and support to make the most of their life and enjoy the best possible standard of living. All we seem to get from the Government is blind worship of the unfettered market and an over-enthusiastic devotion to road building. The market, unaided, cannot deliver a transport network.

I shall suggest some long-term targets that could be set for road development, rail and bus services, as well as suggesting how they might be financed. Nothing so typifies the Government's approach to our railways as the saga of the channel tunnel high-speed link. Seven years after the deal was struck and the plans made, we are effectively back to square one. Millions of pounds of taxpayers' money have been wasted on options that have subsequently been discarded.

I accept that the interests of communities alongside any of the proposed routes should rightly and properly have been looked at in great detail, but the country that led the world in steam locomotion has only just reached the point of agreeing a route. The fact that the link will not be open and running until the year 2002 at the earliest is not so much a disappointment as a disgrace.

During the privatisation debate the Government offered only the fond belief that the private sector would modernise and make good the years of under-investment in the railways. All the marketing skill in the world will not make an inherently expensive service attractive to the private sector. Evidence of that can be seen in the excessively high charges that Railtrack is to charge any company wanting to come on to the rail network.

The Government should set a target—I would suggest doubling the number of rail passengers in the next 10 years. Another objective could be to double the amount of long-distance freight haul at the same time. To achieve that, we need a national network of road-to-rail depots. For a relative pittance—by comparison with the money going into the roads programme—it would be possible to reconnect every town with a population of 23,000 or more to the rail network.

Setting such targets would set the scene to boost investment. They would prove the Government's commitment to the environment and quality of life.

Mr. Gary Streeter (Plymouth, Sutton): Will the hon. Gentleman give way?

Mr. Harvey: No, I shall not give way as Madam Speaker has urged everyone to keep their remarks short and I intend to stick to her guidance.

The Government remain firmly committed to a policy of building more roads. The Department of Transport has finally recognised that more roads will lead to more traffic. The big challenge confronting us is the projected doubling in road traffic by the year 2025.

Lady Olga Maitland: Will the hon. Gentleman give way?

Mr. Harvey: I shall not give way.

Towns are congested and the growing evidence of pollution leading to asthma and other health problems presents us with a challenge that we must meet. We must develop a response. Should we simply pander to the fact

[Mr. Harvey]

that traffic is set to double or should we say that enough is enough and we must put a stop to the increase in traffic? One does not have to be anti-car or anti-road to regard the figures as unsustainable and to say that the decisions that we make now will determine whether we reach that statistic by the year 2025.

We should freeze the motorway widening programme and conduct a comprehensive review of the roads programme. We should proceed with roads only where there is no public sector transport alternative. We need a switch of the funds that would otherwise go into road-widening programmes.

Mr. Nigel Waterson (Eastbourne): Will the hon. Gentleman give way?

Mr. Harvey: No, for the reason that I have given, I shall not give way.

We need to switch some funds from the roads programme into public transport. If Liberal Democrats from around the country write to the Minister for Roads and Traffic asking for 14-lane motorways in their constituency or for road programmes where the Department of Transport is willing to fund a public transport alternative, I hope that the Department will write back reminding the authors of the letters of Liberal Democrat policy. If the Department cares to let me know about such letters, I shall gladly do the same.

The Secretary of State mentioned the possible congestion on our motorways in 10 years. If the Government are willing to freeze the motorway programme and switch the money to public transport alternatives, I shall happily return in 10 years and have that debate with them. If they will not, we should return in future to consider the growth in car usage figures. That is the challenge that, together, we must face.

I do not believe that the Government have carried out a comprehensive review of the roads programme. I think that they have had a change of heart on one or two schemes because Conservative Members such as the right hon. Member for Chertsey and Walton (Sir G. Pattie) have made clear how unacceptable the road programme is to their constituents, once the implications of it at a more local level are understood.

The Government have been rattled by seeing protests on their television screens, not from the sort of people whom they are accustomed to seeing protesting but from retired military folk of the country districts who are traditionally Conservative voters. The time has come to say that enough is enough. The Government should listen to the views of the Confederation of British Industry, the business community and the private sector in general, all of whom are urging that public transport should be improved.

Buses are the most cost-effective and flexible, the cheapest and quickest way to improve public transport. The contrast between the state of the bus service in London and that in the rest of the country proves what a disaster has been the total deregulation of buses in the countryside. Passenger journeys have gone down—in Wales by 18 per cent., in Scotland by 15 per cent. and in shire England by 16 per cent. But in London, where there is still some strategic planning and a passenger authority effectively buying services on behalf of the travelling passenger, there has been a rise in passenger journeys of 10 per cent. When we allow liberalisation, but within a regulated framework, we see a model for successful bus services throughout the country. At the same time, costs have been driven down by 30 per cent.

Instead, in the countryside there is a free market hotch-potch of jumbled journeys. A sensible objective to map out in the bus industry would be to return to 1985 levels of usage by the end of the century. The Government should establish targets for a comprehensive bus priority system in every town, for grants to modernise the bus fleets, for increased revenue support grants for comprehensive service networks in every area—[HON. MEMBERS: "What about finance?"] I am coming to the question of finance. There should be modern information systems and user-friendly terminals throughout.

I wish to mention the light rapid transit system. I was surprised that the hon. Member for Holborn and St. Pancras (Mr. Dobson) referred specifically to the city of Sheffield. He knows as well as I do that everyone in local government is restricted by the financial straitjacket imposed by central Government. The Liberal Democrats in Sheffield are, of course, committed to public transport, but they are also committed to every other public service. They have to battle for their financial priorities within the straitjacket imposed by central Government. I find it as surprising as it is disappointing that the Labour Front-Bench team hide behind the Tories' handling of local government finance to score a political point.

As Conservative Members have been saying, the policies to which I have referred cost money. I recognise that the transport budget has grown. Whichever party holds office in the next few years, pots of public money will not be available to spend on public transport. We clearly need private money to be invested—but the market alone will not deliver it. The Government say that they regard privatisation as freeing British Rail and the new operators from the dead hand of the Treasury. The point has to be made that the Government make Treasury rules—they are not made by act of God.

Although the Secretary of State tried to score a point at the expense of the hon. Member for Holborn and St. Pancras by referring to his suggestion for the new Northern line train system as an accounting device, I rather agreed with the Secretary of State that there should be some transfer of risk. But even the accounting device which he accused the hon. Gentleman of using would be better than absolutely nothing at all.

The Government should look at the way in which other countries are financing their public transport. I think that they will see some obvious solutions to the financial conundrum in which we find ourselves. I have already referred to some possible solutions, such as switching money from the road programme and using revenue from road pricing. The Government should explain exactly where the revenue from road pricing will go. They should examine some models from abroad, as they would find that there are policy alternatives.

For example, in America bonds are frequently issued for infrastructure projects. In San Francisco a business rate supplement to be used for transport improvement was widely accepted by the business community. In France there is a generally accepted payroll tax for the improvement of urban public transport. Sir Alistair Morton, the chairman of Eurotunnel, has called for the establishment of a transport investment fund to be paid for by a pollution tax.

Of course, there is still the relatively unexplored area of taxation hypothecation. The public might be prepared to pay more if they were convinced that as a result there would be an improvement in public transport networks.

The Minister for Transport in London (Mr. Steve Norris): The hon. Gentleman is in important territory, although he is meandering a little in getting there. Given that the most popular routes in London, according to passengers, are those operated on tendered routes by private companies and given that the most obvious way of injecting private capital into bus services is to sell the nationalised bus companies—which are an anachronism, as I am sure the hon. Gentleman acknowledges—do I take it that the Liberal Democrats support the privatisation of the London bus subsidiaries?

Mr. Harvey: I am happy to confirm that the Liberal Democrats would support the privatisation of the London bus subsidiaries.

Mr. Snape: Unless it proves to be unpopular.

Mr. Harvey: Bus deregulation has been the cause of the disaster; without that, the question of who owns the buses is of much lesser importance.

Mr. Marlew: Will the hon. Gentleman give way?

Mr. Harvey: No. I have given way to the hon. Gentleman on the Front Bench but, on the basis of what Madam Speaker has said, I will not give way now.

We need a public transport system that is clean, reliable, safe and cheap. For all the Government's big schemes and for all the fun that they have had announcing again and again that some of them would go ahead, absolutely nothing has happened. The picks and shovels lie dormant. There is no movement, there are no jobs and nothing is being put in place for the future.

The market cannot deliver unaided the transport network that we need. The Government need to have an overall vision and plan. A combination of public investment and private enterprise could build a network that would be the envy of Europe and a pleasure to use.

6.22 pm

Mr. Bob Dunn (Dartford): I listened with some incredulity to the speech by the hon. Member for North Devon (Mr. Harvey) and I will pick up one point he made. He said that all towns with a population in excess of 23,000 should have the right to be linked automatically to the national mainline railway route.

Mr. Harvey: It could be done.

Mr. Dunn: Is that the hon. Gentleman's policy or is it the policy of his party? In this place, we are used to hearing Liberal Members of Parliament making statements which are then denied by the party.

Can the hon. Gentleman tell me how many towns in England, Wales, Scotland and Northern Ireland with populations in excess of 23,000 would have to be connected automatically to the main line? What would happen if a town with a population in excess of 23,000 which did not enjoy a connection to the main route was surrounded by an area of outstanding natural beauty, such as the Peak district, parts of Yorkshire, or parts of East Anglia, which are represented by my colleagues on this side of the House? Would the link go through irrespective of the wishes of the local people, if population were the only trigger?

I think that the hon. Member for West Bromwich, East (Mr. Snape) was right when he said that it would happen unless it proved to be unpopular. It will be a very expensive proposition, not only in financial terms but in terms of the environment, public accountability and democracy, but the point is that it is the official policy of the Liberal party.

The Liberal party is also in favour of an energy tax, which would increase the price of petrol. Petrol charges are important for a variety of reasons well known to us all. The rural dweller—perhaps someone from north Devon—needs a motor car perhaps more than the urban dweller, who has easier access to shops, schools and places of leisure. But the policy of the Liberal party is to increase the energy tax, and therefore increase the cost of motoring for the country dweller. The Labour party spokesman, who is no longer in the Chamber, declared his personal interest in transport.

Mr. Streeter: Before my hon. Friend moves from the contribution of the hon. Member for North Devon, is he aware that the hon. Member not only would trample on his constituents by introducing an energy tax which would increase their fuel costs, but also has called for the closure of major road programmes—despite the fact that north Devon has benefited from the north Devon link road, which has brought untold inward investment to his constituency? Is that not a double standard?

Mr. Dunn: My hon. Friend is right. We are sick and tired of Liberal spokesmen, of whatever level, saying one thing in this place and another thing back home; one thing in the council chamber and another thing in a different village; and one thing in one street and something different in the next street. The policy of the Liberal Democrats is "all things to all men".

Mr. Waterson: Will my hon. Friend comment on a document that was recently released by the East Sussex county council, which is currently controlled by a Lib-Lab pact? The document is entitled "Time is Short", and has the temerity to criticise the Government over the slowness of their trunk road improvement programme in East Sussex.

Mr. Dunn: My hon. Friend makes a very valid point, to which I am sure he will return when he catches your eye, Madam Deputy Speaker, later in the debate.

The hon. Member for Holborn and St. Pancras (Mr. Dobson) rightly and properly declared an interest in the debate. He said that he is a member of the Transport and General Workers Union, and was proud to be a member, as were his father and grandfather before him.

We know that the Labour party represents the monopoly interest—the supplier/provider interest. I, too, want to declare an interest: I declare that I represent the people of Dartford, and I represent the commuters of Dartford who have suffered at the hands of monopoly providers for decades. My constituents, along with those of many of my colleagues, look forward to the full impact of the Government's privatisation policies in breaking the monopoly control over transport.

I have looked forward to debating the motion proposed by the official Opposition on their Supply day, but when the shadow Cabinet meet to discuss their success or

[Mr. Dunn]

otherwise in today's debate, they will have to consider it a failure. There are 39 words in the Opposition's motion, but it says nothing. The speech by the hon. Member for Holborn and St. Pancras also said nothing. The motion says nothing, it does nothing and, quite frankly, it is nothing.

I turn to a number of aspects of Government policy. Over the years, we have seen the effect of massive liberalisation on a number of transport institutions. One example is the port of Felixstowe, which was set free in 1988 and has gone from success to success since then. In 1967 the number of fixed container units moved through Felixstowe was 18,522. By 1993, the figure had increased out of all recognition, to 1,137,947. The success of the port continues.

I ask the Government, however, to ensure, in the Council of Ministers, that the unfair subsidies that European port authorities receive are terminated. In Rotterdam, about $28 billion of public money is to be spent on infrastructure, plus $4 billion or $5 billion of private money. That is an unfair, unwarranted and probably illegal subsidy—yet all the advances that are to be made at Felixstowe will be financed by the port itself. There are a number of other successful examples across the UK.

I should like to remind the Minister of the success of the Dartford river crossing. Some time ago, legislation was introduced to this House to allow the private sector to develop, build, run and finance the Queen Elizabeth II bridge. Since it was opened, the bridge has been a huge success for Greater London and the home counties. The project was completed and opened on time and within budget, to the benefit of the road and commercial users of the south-east.

Equally, the success of the Government's policy of introducing Networker trains on the Kent lines is proving of immeasurable benefit to the people I represent. As more and more Networker trains are introduced across the southern region, many of our constituents who have had to suffer a poor and unreliable service for many years will benefit.

I want to pick up a point made by the hon. Member for Vauxhall (Ms Hoey), who referred to the need for a new Greater London council. I believe that it is now the official policy of the Labour party that such a council should be set up again. [HON. MEMBERS: "You are behind the times, Bob."] Well, it was announced in the newspaper today, as part of Labour's London election campaign, that the Leader of the Opposition now backs such a council.

Lady Olga Maitland: What will it cost?

Mr. Dunn: Not only that: what will it do? When I was a Minister in the Department of Education and Science I was involved in the abolition of the GLC, and I personally abolished the Inner London education authority. *[Interruption.]* These events took place a long time ago; let us just say that there was a difference of opinion—and I am still here.

I should like to ask the hon. Member for Greenwich (Mr. Raynsford) some questions which he may answer when he winds up the debate. He is a courteous and well informed man, if philosophically wrong, but I am sure that he will do his best to answer my questions.

What will a new GLC cost; what will it do; and, significantly for the people of Kent, where will its boundaries be? We all know that the old GLC boundaries extended to Bexley, and Kent extended from Dartford thereafter—

Mr. Terry Lewis (Worsley): Why does not the hon. Gentleman talk about transport?

Mr. Dunn: I am talking about it in the context of the GLC, which would be a transport body, and I want to know about the boundaries. Will they come down at the M25, meaning that half my constituency will be under the GLC and the other half not? Will it extend further, to Maidstone; or will there be a super new regional authority, ending at Boulogne? I should like answers to these questions.

To return to the Liberal party: I am sorry for the hon. Member for North Devon, who has had to be here alone all day today—

Lady Olga Maitland: Where are they all?

Mr. Dunn: Perhaps it is indelicate to ask. The truth is that the Liberal party is becoming a hokey-cokey party. I am sure we all remember the old children's game: "Put your right arm in, your right arm out; in, out, in, out, shake it all about. You do the hokey cokey and you turn around: that's what it's all about." Or perhaps the Liberals are the zig-zag party—they seem to have different ideas on each succeeding day.

The hon. Member for Holborn and St.Pancras—to return to the Labour party—talked about the problem of car congestion in London. As with much of the rest of his speech, he defined some problems, made some rhetorical statements and huffed and puffed in the way we know, love and have to cope with, but he did not tell us what the Labour party is going to do about the problem—he made no suggestions about what the Government should do to ease car congestion.

There are, of course, many ideas—park-and-ride facilities, enhancing public transport, perhaps making better use of the Thames, as the hon. Member for Vauxhall rightly suggested. But what would Labour actually do, given its contempt for red routes and other useful measures that are already in full force? The answer is that Labour Members want to tax the motorist.

Interestingly, the hon. Member for Holborn and St. Pancras mentioned a number of by-election constituencies, but he failed to mention Dagenham. Why? Because the policies of the Labour party do not sit well in Dagenham, because Dagenham is the centre of the Ford Motor Company. The workers in Dagenham do not want to hear about policies that would affect the sale and manufacture of motor cars, because they would mean fewer jobs.

Mr. Nick Raynsford (Greenwich): I shall answer some of the hon. Gentleman's questions later, but to help him out of his suspense and agony, I had better put him right on one thing now. The Labour party will be fighting a number of by-elections in the seats of hon. Members who have died. We do not regard a significant number of them as contests into which we need to put an enormous amount of effort, because they are Labour-held seats. We are, however, putting an enormous amount of effort into Eastleigh, and we intend to win it.

Mr. Dunn: I look forward to getting my answers later. The point of an Opposition Supply day, surely, is to

highlight what they perceive as weaknesses in Government policy and to give the Opposition a chance to set out their own wares. They have singularly failed to do the latter today.

Finally—[Hon. Members: "Hear, hear."] I might, however, go on—I should like to end on a constituency note. The Minister knows that both I and my hon. Friend the Member for Gravesham (Mr. Arnold) are extremely attached to the need for a new international station at Ebbsfleet. It would have an enormous impact on the region that I represent. It would regenerate rundown areas and provide opportunities for commuters from west Kent to enter London more conveniently. I hope that it will not be too long before we have a response to the Minister's undertaking of a while ago that he will announce which of the sites he intends to endorse for the international railway station.

I have been disappointed with the quality of the speeches by Opposition Members this evening—we have learnt little from them, but that is hardly surprising. Our policies are working in transport as elsewhere, and I commend them to the House.

6.39 pm

Mr. Terry Lewis (Worsley): It will come as no surprise to Ministers that I shall confine my remarks to the M62 bypass, which was proposed a long time ago. I also want to draw attention to the duplicity of Ministers and officials in the way the whole affair has been conducted so far.

It started life as the Greater Manchester western and northern relief route, which appeared first in the 1989 White Paper which, as most White Papers do, first saw the light of day at the end of July, just before the summer recess. It was not until the end of that year that I had time to have a close look at the White Paper, and realised that my constituency and neighbouring constituencies in the trans-Pennine corridor would be afflicted with yet another motorway.

It was always going to be a major motorway development—in fact, a new motorway—but the duplicity of Ministers came about when, piecemeal, they dripped out three stages of different motorways, which were to become one big motorway. They talked about the A580 bypass, which was to be phase 1, the M56-M62 relief road, which was phase 2, and the M62-M66 relief road, which was phase 3. Taken together, the three phases meant one huge new motorway where one already exists.

A subsequent Minister promised that the whole project would be put together and not be in three parts, following pressure from myself and other hon. Members. The Government subsequently reneged on that promise, and we were left with two sections of the Greater Manchester western and northern relief route to be taken together.

Ministers argued throughout that the route from the M6 to the M66 was vital. However, when the second part of the route was treated separately—this is where Ministers made fools of themselves—it was dropped, ostensibly because there were 6,000 objections. The original concept had gone, so they had to find a new title for what has turned out to be a 14-lane highway through the village of Worsley in my constituency and through the constituencies of other hon. Members, resulting in the destruction of about 500 houses and blight on properties throughout the Greater Manchester conurbation.

What sticks in my craw about the whole business is that Ministers and Departments do not seem to talk to each other. The whole justification for a 14-lane highway going through a picturesque village is that the Department of Transport insists that there will be 140 per cent. growth in road traffic between now and 2010. Contributing to that growth, the same Ministers have granted permission for a sub-regional shopping centre at Dumplington, which is three miles south of junction 13 of the M62, with 14,000 car parking places.

Even Ministers in this Government will realise that, if there are 14,000 parking spaces, silly people will drive cars to park on them, and then they will go back again. It is my contention, and that of anybody who uses the roads in the area, that the current congestion is caused not by commuter traffic from Hull to Liverpool or by people using the motorway to get to Manchester airport; it is local commuter traffic.

I drive 35,000 to 40,000 miles a year. I use the motorways, but most of my journeys are short hops from one part of my constituency to another, or to go shopping locally in adjoining towns. Local traffic causes the problem. The Government and Ministers are increasing the problem by allowing the Manchester Ship Canal Company, which happens to fist money to the Tory party, to build a sub-regional shopping centre that nobody wants —not local authorities or the people who inhabit the area.

In addition, three miles north, the same Manchester Ship Canal Company, through a subsidiary, plans to build two 18-hole golf courses to replicate the Belfry in the midlands, with international golf tournaments that would draw people in from all over the world.

The proposed 14-lane highway will need to be a 20-lane highway before I retire—I am absolutely sure of that. Those are the inconsistencies. The planning system has gone mad when Ministers cannot recognise that it is a self-fulfilling prophecy to say there will be a sufficient increase in traffic in the area to justify the building of a 14-lane highway.

On the question of the amenities in the area which would be devastated by the building of such a highway, let us talk briefly about pollution. It is my view, corroborated by people who know more about these things than I do, that European limits on pollution are already exceeded by the traffic on the M62.

There are already enormous asthma problems. At one school alongside the existing motorway, the incidence of asthma far exceeds that which one would expect in an inner-city school. I am talking about what is by and large a country area. It would be irresponsible in the extreme for Ministers to ignore that.

I should like to pay tribute to Salford city council, which, despite the fact that it has been crucified by the Government in terms of what it can spend ratepayers' money on, recently invested in a very expensive laboratory system which matches any monitoring and analysis carried out by the Department of Transport. If it comes to a public inquiry, I can assure Ministers that the weight of evidence that will be produced on pollution will be at least as powerful as anything the Department of Transport can produce.

Mrs. Dunwoody: Is my hon. Friend aware that pollution is not the only danger? A recent road check of vehicles carrying hazardous materials on the M62 revealed

[Mrs. Dunwoody]

that 60 per cent. of the vehicles were breaking the law, and one was carrying 22 tonnes of explosive ammonium nitrate.

Mr. Lewis: I am grateful to my hon. Friend for that. I was about to mention some of the difficulties that I have experienced in following those loads on the M62. That takes me nicely on to the other problem of congestion in the Irwell valley.

When the vehicles to which my hon. Friend referred reach the Irwell valley, congestion is caused as soon as they get onto the gradient. It is no good talking about crawler lanes, as there are far too many vehicles to be accommodated in that way. As soon as they get onto the gradient, everything else is backed up behind them. What is the solution—another six lanes on the same gradient? Instead of having eight lanes with heavy vehicles causing back-ups, the same problem will be replicated in another six lanes.

The cost of all that is £29 million a mile. According to Ministers, 11 miles of motorway will solve all the problems of congestion on the M62. It is a pity that the Secretary of State is no longer in the Chamber. He asked where the money would come from for Labour party policies. The answer is simple. I will save the Minister £320 million now—mind you, I would not mind giving lengthy odds that it will be very much more than £320 million before it is actually built, if it ever is built.

If that £320 million were spent on other projects to take people such as me off the motorway, it would be money far more sensibly spent. That is the debate we want, but that is the debate that Ministers are avoiding, and they do so by using the rhetoric that the Secretary of State used this afternoon.

Let me talk about one of the alternatives. My hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) mentioned the Manchester metrolink. In its first year, that saved 1.5 million car journeys from Bury and Altrincham into Manchester—two of the main commuter routes to Manchester from the surrounding towns. Those people left their cars in Bury and Altrincham. Their wives or husbands took them to the station and they travelled to work and back on the metrolink.

If the Minister wants proof of that, I invite him to go to the multi-storey car park at the Chorlton street bus station, where three years ago one did not even look for a space but drove straight up the ramp to the top because it was full. If one goes now at any time during the day, one can park on the second floor; that is because people have chosen to leave their cars at home.

Local bypasses are a good idea. The Irlam bypass, the second phase of which has again been stalled by the Government, could easily, for an insubstantial amount of money, result in fewer journeys.

As I have said, a section of the Government's intended road was dropped because of the weight of objections. Answers to questions that I have tabled in the past week reveal that the scheme has attracted the second highest number of objections of any scheme at any time in the country. The M6-M1 link in Yorkshire attracted the most, and this one has attracted no fewer than 18,500 objections to date.

In addition, well-established organisations oppose the scheme, including Residents Against the Motorway in my constituency, which has objected to it for four years, even before its details were known, because we knew that its effects would be devastating. I suspect that Ministers will not have proper regard to those, as they have been so determined all along, come what may, to develop the arguments in favour of the road.

The failures in Conservative transport policy are manifest in our area. The deregulation of buses has clearly put more people into cars on the road. The Government have failed to recognise the merits of metrolink, and the need to extend metrolink to other towns in the area such as Bolton, Wigan, Leigh and Salford should be taken on board, but I cannot see Ministers doing that.

Those failures have been manifest during the past few weeks, when the Conservative party has found it difficult to raise a candidate in the safest Conservative ward in the whole of Salford, which happens to be in my constituency. It was only two days before the election that one was found. I can see that you are getting restless, Mr. Deputy Speaker, so I shall stay on the point.

That may have been because Conservative activists do not need to be elected these days; they simply have to be appointed to quangos. But the Government's problems in Salford have more to do with their loony transport policies and the threat to put a 14-lane highway through what still remains a picturesque part of the Greater Manchester conurbation.

I urge Ministers to rethink. Do not let us have to go through the trauma of a public inquiry. The road is not wanted, the weight of opinion is against it, and if Ministers were democrats, they would drop the scheme now.

6.54 pm

Sir Peter Fry (Wellingborough): I hope that the hon. Member for Worsley (Mr. Lewis) will not mind if I do not follow him through the intricacies of the M62. In the time available we should consider the wider transport issues.

I welcome the Opposition's choice of subject today, but I do not welcome much that has come from the Opposition Front or Back Benches. It is incredible that the hon. Member for Holborn and St. Pancras (Mr. Dobson) could table a motion for a debate on transport and speak for about 40 minutes without mentioning the means of transport used by an overwhelming number of people in Britain—the motor car. It is incredible and alarming.

At least the hon. Member for North Devon (Mr. Harvey) was honest about the Liberal Democrats being anti-car. I suspect that the hon. Member for Holborn and St. Pancras is equally anti-car, but perhaps he is not quite so naive as the Liberal Democrats and intends to keep that fact well away from the electors during the next few weeks.

The Opposition's motion does not deserve much consideration. One need only consider transport as a whole to realise the enormous advances that have been made in recent years. For example, we should be proud that our airlines receive no subsidy. British Airways is a much smaller airline than the three great airlines in the United States, yet it can compete and cause the American airlines considerable problems, as a result of which, fares across the Atlantic are probably the lowest that they have ever been in real terms. Many of our fellow members of the European Union would be glad if they could say that their airlines did not need any further Government subsidy.

I pay tribute to my hon. Friend the Minister for Transport in London, where the red routes have been

highly successful in speeding up traffic and reducing emissions, and they have been a great advantage to the travelling public. With regard to the channel tunnel, let us not underestimate the importance and significance of the fact that we have been able to finance the one great civil engineering project of the end of the 20th century without the expenditure of public money. That is very much to the credit of my right hon. and hon. Friends.

Let us not forget the great movement for those people who are not so well off. It was the Government who revolutionised coach traffic in Britain, enabling people with modest means to travel much further much more often and much more reasonably than ever before. Despite the fact that the number of bus passengers has dropped, more route miles are being served now and the public has a better service than it has had for many years in many parts of the country.

Another delight of the Opposition is the light rail system, and the Government deserve credit for the start of light rail systems in certain cities. But above all, the Government have recognised that the British people have voted not with their feet but with their steering wheels. They want to use their motor cars. It is the Government who say that we must live with the motor car. Our policies are designed so that the British people have the choice. But we are taking action on matters such as the use of lead in petrol, exhaust emissions and ways in which to control rather than prevent the undue use of the motor car.

Over the years I have made a number of contributions to these debates. During that time I have seen many Secretaries of State for Transport and Opposition spokesmen, and I have put forward one or two ideas which I have been rather surprised and pleased to see accepted.

For example, I suggested many years ago, first, that we divide the operation of the rail track from the running of services. I am delighted that that is now Government policy. Secondly, at the end of the bus Bill, I suggested that many areas should have a kind of franchised competitive tendering. I believe that it is as a result of the Government adopting that policy in London that London buses are so successful now and will be in future.

Thirdly, I suggested that we should introduce shadow tolls on our motorways. I remember a debate with my right hon. Friend the present Chief Secretary to the Treasury in which he did not think very much of the idea. I am delighted now to hear my right hon. Friend the Secretary of State say that it is part of Government policy. I do not mention those things to boast—

Mr. Snape: No?

Sir Peter Fry: No. The hon. Gentleman knows that I am not like that. I mention it because I believe that these debates provide Back Benchers with the opportunity to suggest some new ideas, which, hopefully, will be considered by Ministers and might well form part of future policy. I believe that to be the function of Back Benchers, not to make snide and personal remarks across the Floor of the House.

Before I sit down, I shall make one or two suggestions for consideration. The Government's amendment to the Opposition motion calls for

"more efficient and effective delivery for all users"

and says that that should be the key for transport policy in this country.

We all know what the problem with aviation is at the moment—too many operators want to come into Heathrow and there is a shortage of slots. The much delayed forecast that all the aircraft that would be landing would be 747s and, therefore, that one could reduce the distance and time between aircraft of different types, has not come about. Some years ago, I witnessed the cross-runway operations at a number of US Air Force bases. I believe that, with increased efficiency of air traffic control, we could look at that again to see whether that could be a relief for Heathrow.

Secondly, we should look also at the possible use of Northolt airport for general aviation, which would reduce a considerable number of slots and help to solve some of the disputes that are taking place nationally and internationally over civil aviation.

I have long been aware that the problem of rail financing in this country, certainly in terms of revenue support, is not InterCity, or even Network SouthEast, but the cross country regional routes, which, except in a few cases, are so very expensive and costly to the taxpayer. I suggest to my right hon. Friends that perhaps the time has come to see whether responsibility for the more local rail routes should follow the responsibility that already exists for bus routes, or be devolved to local authorities.

If local people want the survival of those branch lines, I fail to see why the rest of the taxpayers and the rest of the country should necessarily justify it. If the argument is that those lines are feeder routes into the new main lines, for the first time those people who are operating the new routes will be able to see whether that is a worthwhile contribution and whether they should put any money into the pot to subsidise the purely local lines.

Thirdly, let us look at light rail. I believe that only a limited number of projects can come forward, but we are running into some problems with financing. For a while, I acted as a consultant to south Yorkshire passenger transport executive. The problem there is that, although the Government guarantee the original capital investment, at a later stage, moneys have to be paid in by component councils, and often the choice is whether they make their full contribution, or whether, perhaps, they make a teacher redundant, or take on an extra crossing patrol. I suggest that, in those cases, where we are dealing with a large project, perhaps the expenditure on those light rail schemes should be ring fenced.

The biggest area of concern, as I said earlier, is urban congestion and the use of the private car. Most people in this country are not aware that we are still well behind many other countries in the number of cars per thousand that we own. We are way behind the United States, and are still behind Germany, France and Italy—just to mention three more; and that at a time when the number of people travelling on our railways has remained static for some 30 years and the number of people travelling on our buses, despite the extra route miles, is dropping.

I believe that any transport policy that does not recognise the desire of the mass of our people to have their own personal form of transport and be able to use it will be doomed to failure. That is why I welcome the Government's road programme. It is realistic. The widening of the motorways means that not only are we serving the economic causes of this country but we are enabling people to get about it in a fairly easy manner. I reject the arguments that we should not widen the motorways. It seems to me that, in the long run, the only alternative is new motorways driven across open country. Most people do not want that.

[Sir Peter Fry]

There are one or two things, however, that the Government should do. In the urban context, we should avoid, at all costs, bullying the motorist. Before we think about road pricing, we should examine every other option to make public transport more attractive to the motorist. Park and ride has been suggested, but in London it would be exceedingly expensive to implement. One would need extra slip roads off the motorways, large areas for parking, many car parks would have to be built and a high degree of security would be necessary. Let us not underestimate the cost of what is needed, but that would make a very great contribution.

I regret to say that one of the areas in which money is still wasted is that we still cannot get the Treasury to agree the projected traffic flows of a road rather than those that it maintains are there at the moment, and what it will finance. I shall cite two cases. On the A45, in my constituency, a separated junction had to be built three years after it was made a dual carriageway road because of the high number of accidents. The dualling of Higham Ferrers bypass will now go-ahead in the next year thanks to my hon. Friends, but which should have been dualled in the first place.

But perhaps the most significant case is that which affects my right hon. Friend the Member for Kettering (Mr. Freeman), who will reply to the debate, and myself—the A1-M1 link, the A14, for which he had to fight tooth and nail to get dualled in the first instance. Originally, it was to be a single traffic road with passing places. I suggest that by looking a bit further ahead and by the Treasury being more realistic, we could save public money and, indeed, have a better public transport system.

I do not want to delay the House any further. I am aware of the large number of people wishing to speak, but I hope that I have put forward one or two ideas that my right hon. Friends might consider. I believe that the job of Ministers is to be prepared to listen to new ideas, be willing to be original —they have shown that in many respects in recent years—at the same time show concern for the needs of the economy and, above all, for what the people of this country want.

Those are the basics for the right kind of transport policy. From all that we have heard this afternoon, I have no confidence in the Opposition parties being able to supply that and every confidence that my right hon. and hon. Friends will fulfil those conditions. Therefore, I have great pleasure in supporting the Government's amendment.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. I remind hon. Members that from the present time until 9 pm, speeches will be limited to 10 minutes.

7.8 pm

Mr. Keith Hill (Streatham): It might charitably be said that the tenor of the speech of the hon. Member for Wellingborough (Sir P. Fry) was one of premature super-optimism, given his description of the triumphs of the Government's transport record in recent years. He congratulated them on the success of their red routes programme in London; he will clearly be surprised to discover that only one pilot red route is in existence, and that the remainder will not come on stream for another two years. I rather doubt whether they will prove quite the success that the hon. Gentleman imagines. He was right, however, to draw attention to the problem of urban congestion—although his conclusions were wrong.

After 15 years of Tory rule, the defects of our transport system are still draining the nation's economy of a ruinous £15 billion a year in congestion costs. That estimate was published by the Confederation of British Industry three or four years ago and, as far as I am aware, the Department of Transport has never seriously challenged it. In real terms, the figure is doubtless higher now. The transport system is in a mess and it is getting worse.

Since bus deregulation in 1985, travel by bus in cities has declined by 25 per cent. In many cities, travel by bike represents fewer than 6 per cent. of all journeys, which reflects the appalling lack of facilities and the risks faced by cyclists. It has been observed that nowadays travel by bus and train in any combination requires military-style planning and perseverance; and, for the vast majority of women, public transport outside peak hours is a no-go area because of the loss of staff offering security and surveillance.

Our children are effectively denied the option of walking or cycling to school because of the unacceptably high levels of traffic danger to which they are now routinely exposed. The crazy consequence of that is that at least 25 per cent. of traffic on urban roads during the morning peak hour consists of cars taking children to school. It is a vicious circle and, given current indications, it can only get worse.

It is all very well for the Secretary of State for the Environment to launch his famous planning policy guidance 13 initiative against the "great car economy". The Department of Transport is still persisting with its forecast of an increase of between 83 and 142 per cent. in traffic growth by the year 2025. There is no sign of a change of heart and every sign that the Department is still stuffed full of "old believers"; given the evidence so far, some of them are sitting on the Government Front Bench. Traffic growth on that scale will spell disaster for our great cities, not least London.

Two years ago, in my maiden speech—which I am sure hon. Members well recall—I noted the logjam in infrastructure developments in London. Since then, we have seen a faltering start on the docklands extension of the Jubilee line—the scheme, incidentally, with the lowest cost-benefit assessment in the central London rail study. There is still no progress on Thameslink 2000—which had the highest cost-benefit assessment—or on the east London line, and we are now receiving ominous signals about the future of crossrail. If the Government use traffic forecasts as an excuse to scupper that scheme, it will constitute an enormous vote of no confidence in the future of London's economy and an enormous blow to commuters.

Paris is about to embark on its fifth cross-regional railway. The French take the view that investment in the public transport infrastructure is a positive and creative contribution to the economy. We should adopt the same approach. In any case, all the evidence points to the fact that new transport infrastructure generates its own traffic. Look at the M25—if you can bear it. What is true for the M25 will also be true for crossrail. The Government should get on with it straight away.

My constituency needs those priority central London schemes. We want them on stream, so that a start can finally be made on the extension of the Northern line to

Streatham which the people of Streatham were first promised in 1926. The truth is that there is a vast need for more investment in public transport and bike and pedestrian facilities in London and elsewhere, which is simply not being met.

Of course, the Government will throw up their hands in protest and claim that they are spending loads of money on public transport in London and elsewhere. According to the famous statistic of the Minister for Transport in London, for every £1 spent on roads in London, £3 is spent on public transport. What the Minister omitted to say was that the £1 does not include local council spending on roads and that the £3 includes all spending on Network SouthEast from Peterborough to Exeter. That is a nonsensical statistic.

Mr. Tony Banks: The Minister should get on his feet and answer that.

Mr. Hill: No, I have no time to give way.

Then there is the Secretary of State's claim, made three weeks ago in the House when he announced his trunk road review, that real spending on London Underground is six times greater now than it was in 1979. He amended that claim this evening, stating that it was three times greater: I always observe a certain shakiness in the right hon. Gentleman's approach to statistics.

Mr. Banks: And the Tories were in county hall in 1979.

Mr. Hill: My hon. Friend is right: the Secretary of State was comparing the present position with what was happening at a time when the Conservatives were in charge of London's public transport spending.

Capital, the transport campaign for London, has made a careful analysis of spending on the London underground in the 14 years since 1979. That analysis reveals that the real increase is 10 per cent., not the 600 per cent. claimed by the Secretary of State. That is peanuts in the context of the needs of an aging London underground system: the Northern line has had no new fleet since the second world war.

Mr. Norris: Will the hon. Gentleman give way?

Mr. Hill: Very briefly.

Mr. Norris: Will the hon. Gentleman simply specify how much more money he is committing his party to spend in London this year, next year and the year after that? I am sure that the House would be grateful if he could tell us.

Mr. Hill: That is a perfectly reasonable question for the Minister to put to me, and to other Opposition Members. Given that we want to increase spending on public transport, it is entirely reasonable to ask how we would pay for it. I rather think that I am reflecting the views of those on my Front Bench when I say that, under a Labour Government, spending on the roads programme must be subjected to greater scrutiny than has been applied over the past 15 years.

The truth is that, notwithstanding the trunk roads review announced by the Secretary of State on 30 March, road-building expenditure will remain at £2 billion over the next three years. There is still £20 billion in the overall roads programme. Indeed, the Secretary of State was rather proud of that: I very much hope that he squared it with the Secretary of State for the Environment.

The Government justify their road-building programme on the basis that it is a way of cutting industry's costs; yet road building is extremely poor value for money. Transit costs typically amount to only 2 per cent. of industry's output costs. The lack of importance of road building to British business was reflected in a 1992 survey carried out by the British Institute of Management, which found that only 15 per cent. of managers in this country supported extra public expenditure on the building of new motorways.

As a job creator, road building is certainly poor value for money: pound for pound, it creates far fewer jobs than spending on, for instance, housing and public transport. The Government may make wide-ranging claims for the economic benefits of road building, but in reality they make no effort to discover whether such benefits exist.

Dr. Jeremy Vanke, author of a major study on the road-building programme, wrote to the Department of Transport asking about the economic implications of the completion of the M25, apart from the number of construction jobs created. His letter attracted the following illuminating response from the Department:

"The statement made by the Secretary of State referred only to jobs created in construction work. I regret that I cannot answer the other questions you raise as the Department does not keep any information of this type. I am sorry that I cannot be of more help."

That is scarcely the most persuasive case in favour of the economic benefits of the road-building programme. The programme is enormously costly in its own right—

Mr. Deputy Speaker: Order. Time is up.

7.18 pm

Mr. Alan Haselhurst (Saffron Walden): It is evident from every Opposition speech, not least that of the hon. Member for Streatham (Mr. Hill), that the Opposition are all about spending money. It is no coincidence that the debate was inspired by the Opposition shortly before local government elections. Even the hon. Member for Vauxhall (Ms Hoey) pleaded for greater expenditure, but no clear impression was given of where the money is to come from, unless from an attack on the roads programme.

Listening to the Liberal Democrat spokesman, the hon. Member for North Devon (Mr. Harvey), we were even more baffled about alternative policies. The hon. Gentleman demonstrated that the Liberal Democrats do not know what they want or to which audience they are playing. In 1991, a Liberal Democrat policy document stated that they wanted to reduce the need for transport. By 1993, the Liberal Democrats called, in another policy document, for substantial investment in local public transport, additional electrification of various rail routes and more transport in rural areas.

Today, we heard from the hon. Member for North Devon that for a mere pittance, to use his expression, every town with a population of more than 23,000 could be connected to the rail network. I should like that spelled out in detail. The hon. Gentleman suggested additional taxes, such as more business rates and a payroll tax. I suspect that the Liberal Democrats face every which way. They are suspicious of road projects in general, but in favour of every one that is put to them.

Recently, a Liberal Democrat luminary in my constituency wrote to me that it was time that the Department of Transport stopped acting as a lobby for the road construction and haulage industries and put a halt on further road construction. Not far from where that gentleman lives, local Liberal Democrats are agitating for

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road expenditure on the new A120 to be speeded up. Liberal Democrats hold totally different views within the same constituency and local authority area.

Much nonsense has been talked about road and rail. The contradiction that I described exemplifies the ghastly over-simplification that one can simply halt expenditure on roads and spend it all on the railways. The rail network does not present a choice in many parts of the country, whether in terms of industry wanting to move freight or the private individual's personal travel. That was true even before Dr. Beeching. The idea that one can have an alternative rail network throughout the country to match the road network is absolute moonshine. Neither Opposition party can demonstrate how that could be achieved.

There is no evidence that the public would be enthusiastic about new rail routes and connections, because they have shown that they are as often disturbed about the environmental impact of new railways as about new roads. There are serious questions to be asked about car usage and its growth, but we must face the fact that few of the people we represent are yet aware of grave difficulties in future. They are strongly in favour of the freedom to use their motor cars, and they cherish that most.

It is not a question of no public transport alternative being available. The public prize highly the freedom that car ownership brings. There are no circumstances in which Essex or East Anglia are likely to be criss-crossed with railway lines that would make car or long road journeys unnecessary. It would require the most improbable number of bus routes and frequency of services for the public to abandon their cars.

Goodness knows what would have to be spent to achieve the utopian society described by the hon. Member for North Devon. Perhaps he wants to revive the scheme abandoned in Cambridge for providing free bicycles. Perhaps that is the Liberal Democrat vision of the future.

Opposition Members must get real and understand that it is all about freedom of choice, which is why the Government's approach is infinitely more sensible. Many people, as citizens rather than as car owners, want more roads, where they would bypass towns and villages. Letters that I receive from constituents vilifying over-emphasis on road construction are far outnumbered by those demanding new and better roads.

In some parts of the country, however, there is a sensible choice and, in those circumstances, it is right to influence the situation in favour of public transport. If it becomes more expensive to use the roads and the railway appears more efficient and reliable, the public will make decisions accordingly. But they will do so for themselves. That is the better approach, rather than Labour's proposal to ram public transport down people's throats as the only form of transport that they should have.

I conclude by concentrating on the last two words in the Government amendment, "and elsewhere", in the context of air transport policy. The Government have given a positive lead towards achieving liberalisation of air services in Europe—even Opposition Members might acknowledge that. Outside Europe, my right hon. Friend the Secretary of State for Transport has played a good hand in trying to improve the liberalisation of air services with the United States, in the current bilateral talks. It is not his fault that they have become stuck for the moment.

Part of the problem overshadowing those negotiations is our airports policy, which does not fit with the Government's desire for greater liberalisation and competition in the provision of air services. When my right hon. Friend the Secretary of State made a statement on the trunk road programme review on 30 March, he said:

"It is no part of the Government's policies to tell people when and how to travel."—[*Official Report*, 30 March 1994; Vol. 240, c. 929.]

When it comes to providing airport capacity, the Government are dangerously close to contradicting that admirable sentiment. There is no doubt from any analysis, such as that made recently by the Select Committee on Transport, that a heavy preponderance of people travelling to and from London by air want to use Heathrow. Equally, there is no doubt that people in East Anglia, albeit in smaller numbers, would like to travel to the United States from Stansted, and that there is undoubtedly a market for more transatlantic business based on Manchester and Birmingham.

The key to liberalisation of air services with the United States and, I suspect, with other countries that want more rights in the UK, is to find the answer to the Heathrow conundrum. I join my hon. Friend the Member for Wellingborough (Sir P. Fry) in commending to my right hon. Friend the Secretary of State the Northolt option. It is right to explore the opportunities for extending the capacity of Heathrow using Northolt. I do not believe that it is part of the answer to expect the three existing London airports to accept more and more night flights. I cannot believe that that is the right approach.

It is hard to get that part of our air transport system ready for the 21st century and it is small wonder that the Liberal Democrats are ducking that issue. Their official policy is to expand airports outside the south-east while freezing further development at Heathrow, Gatwick and Stansted. That has not percolated down to Thaxted, where Liberal Democrats stated in a recent issue of *Focus* that, if another runway is required, it should certainly be located at Heathrow or Gatwick.

Official Liberal Democrat policy flies in the face of both the Civil Aviation Authority and the RUCATSE group, which concluded

"the scale and location of demand are such that regional airports cannot be an effective substitute for more south-eastern capacity."

We must face the problem of Heathrow and how it might be extended in a way that does not offend the people who live nearby.

Neither the Labour party nor the Liberal Democrats offer an effective substitute for Government transport policies, and the absurd Opposition motion should be defeated.

7.28 pm

Mr. David Clelland (Tyne Bridge): Because transport has such a major effect on people's lives, the Government should do more than merely hand everything over to the private sector. Their philosophy is based on the mistaken belief that competition will automatically result in efficiency.

Transport policy should ensure that the various forms of transport complement each other rather than compete. That

would be real efficiency. Planning policy should ensure that the transport implications of development are also fully considered.

A classic example is the development of the Metro shopping centre in Gateshead. Although it is undoubtedly a huge commercial success and popular with the public, it has brought massive transport problems for the nearby community. The Department of Transport's answer to that is to propose a bypass to a bypass, cutting a huge swathe through some of the finest greenbelt land in the area, demolishing homes and condemning thousands of people to live on a traffic island. This is the simplest—although suprisingly for this Government, not the cheapest—option, and a classic example of the Government's failure to look at the total situation.

As Gateshead council has suggested, the way to deal with the congestion problem on the A1 western bypass caused principally by the Metro shopping centre is to introduce a combination of improvements to the existing road network and various traffic management initiatives. One longer-term measure to assist with this problem would be to link the Metro centre up to the metro light rail system serving the Tyneside conurbation.

The efficient and popular metro transport system provided by local Labour councils was opened in 1980 and was an immediate success—so much so that, within a year of its opening, the pressure on car parks at various stations meant that they had to be enlarged and, in at least one case, doubled in capacity, proving the theory that people will get out of their cars and use public transport if it is right. The system was recently extended to Newcastle airport and a few weeks ago, a ceremony took place to mark the beginning of plans to extend it to the city of Sunderland. The region would benefit enormously from further extensions to the system.

The biggest blow to the efficiency of the system came with the deregulation and privatisation of local bus services. That separated the operation of bus services from the operation of metro services. At a stroke, the integrated system that had been initiated when the service opened, and for which it was designed, was brought to an end. Buses now run alongside metro trains, duplicating services, competing with the metro and competing with each other. There is little evidence of any huge benefit to passengers as a result. What we have is hugely increased congestion and the consequential deterioration in the environment.

Queues of buses line our high streets, holding up traffic and belching out fumes from diesel engines. It is now recognised that they are much more harmful to health and the environment than traditional petrol engines which are fitted with catalytic converters.

When the late Lord Ridley was Secretary of State for Transport, he told me in an exchange in the Chamber that, as a result of deregulation, buses were queueing for people, rather than people queueing for buses. That is the sort of flippant remark for which he was noted, but it is hardly an example of efficient transport policy where co-ordination, rather than competition, is surely the key to efficiency.

The people who have clearly benefited from privatisation are senior company executives whose salaries escalated while the wages of workers were cut and fares were increased. Now, the Go-Ahead Group, which was bought from the public sector for £2.9 million, is to be floated on the stock market for an estimated £40 million. After the payment of debt, that will leave the tidy sum of about £20 million almost entirely in the control of only three men.

For weeks now, the local press has speculated that the three directors who were part of the original management buy-out would become millionaires overnight as a result, thus repeating the pattern that we have become used to with privatisations, where the most obvious change is that a few people are made richer. It is little wonder that the managing director was one of those who wrote to local newspapers during the general election campaign advising people to vote Tory.

In a gesture of generosity, we have been told that the three directors have set up charitable trusts, the details of which they would prefer to keep secret. We have also been told that a new bonus system will be introduced for staff, the details of which have yet to emerge. However, the pressure that has been put on the three directors by local newspapers, trade unions and politicians may have brought about a change in thinking, as hints of sweeteners have begun to emerge recently.

Some benefit to the community certainly could be possible if the directors are genuinely looking for transport-related, useful ways to invest moneys generated from the flotation in the region. Perhaps they might talk to the Tyne and Wear passenger transport authority, which is looking for private support for financing the metro extension to Sunderland. That important line will cost about £46 million and under current conditions will have to be funded by a combination of the private and public sectors.

Public sector funding, including European funds, will be heavily influenced by the Government. I hope that the Minister can tell us that, even though it is early days yet, at least the Government have sympathy with the scheme and will co-operate in trying to find financing. That in itself would be an enormous encouragement to the private sector.

Last week, my right hon. Friend the Member for Derby, South (Mrs. Beckett) asked the Prime Minister what his Government have against pensioners. Of course, her question arose from the rationing of health services on an age basis, but it also applies in transport. The Labour-controlled authorities in Tyne and Wear were among the last in the country to be forced by the Government's restrictive policies to abandon free fares for pensioners—a policy which helped to fill empty buses during off-peak periods. More importantly, it brought a new freedom of movement to thousands of people.

Even though the standard 15p fare which has been introduced could be considered small, for every journey there is a return journey, so the standard in reality is 30p. Once a charge is levied, we know that the pressure will be on to increase it. I look forward to the day when we might seriously consider reinstating the free service to our senior citizens.

As has been said, transport includes our regional airports. I draw the Minister's attention to early-day motion 662 which calls for the urgent granting of rights for additional United States airline services to regional airports. Newcastle international airport in particular is an example of successful local enterprise through public ownership and investment. The airport was built from virtually nothing to a thriving international terminal by north-east local authorities. It has overtaken Luton in passenger throughput, having passed the 2 million mark,

[Mr. David Clelland]

and recent independent forecasts see that number rising to 3.5 million by the year 2002 and 4.5 million five years later.

Extensions to the passenger terminal are currently under way, but much more needs to be done to meet the forecast demand. However, Government borrowing restrictions mean that all major capital works must be financed from reserves. That is yet another example of how the dead hand of Whitehall and Government dogma restrict the ability of public services to meet the demands placed on them.

The policies and priorities of any Government, especially this one, are not always the same as those that are aspired to in the regions. That is why I am a believer in regional government and the devolution of powers from the centre. Transport is one of the key areas that would be most appropriately devolved to regional and local levels.

A regional government for the north would give priority to improving the A1 north of Newcastle to Scotland and coast-to-coast routes by the A66 and the A69, which would open up links between east and west ports. It would be a powerful lobby for accelerating the provision of a direct rail route around London to the channel tunnel, improving the regional rail network and promoting and improving our regional airports.

There is a great deal of good will and co-operation across the region and a determination to work together in the interests of the region and its people. Our manufacturers are working hard to improve performance. The manufacturing challenge, as part of the drive to double the productive base of the regional economy, aims to treble manufacturing exports over the next 10 years. It was observed in a feature on regional exports in the Newcastle *Journal* this week:

"Without the best (transport) links, manufacturers will suffer a disadvantage over other regions of Europe because of our geographical peripherality."

Under this Government, we are peripheral not only to Europe but to Whitehall as well.

Our transport priorities are different from those of the Government, yet we must live with the consequences of their decisions. That is not good enough. There should be more flexibility and more variety within our democratic system. That is why a Labour Government would introduce elected regional government into the English regions, an elected authority for Greater London and national governments in Scotland and Wales. One of the areas of public policy which would be an immediate beneficiary of such a change in our constitution is transport.

7.38 pm

Mr. Stephen Day (Cheadle): I shall comment briefly on the speech of the hon. Member for Tyne Bridge (Mr. Clelland). I would have thought that the last thing the north-west needed was another layer of government. I can think of no time in my seven years as a Member of Parliament—I am honoured and privileged to serve the Cheadle constituency—that I have ever been approached by anyone asking me for another layer of government; if anything, quite the reverse.

First, I shall mention something that relates specifically to my constituency. I see that my hon. Friend the Minister for Roads and Traffic is on the Front Bench; the matter relates to his brief. Within my constituency, there is a road scheme which has been awaited for some 20 or 30 years. It has massive public support. Initial work has just started on the central section.

The road to which I refer is the M56 to A6 link, known locally as the Manchester airport eastern link road, or MAELR. The central section of the road has been built in advance of the rest, and the whole scheme is not being built together. In Woodford road in my constituency, there is a junction where no junction was supposed to be, and a road that was supposed to be of benefit to my constituents will initially cause problems, particularly for the villages of Bramhall and Woodford.

My question to my hon. Friend is, when can we except a firm date for completion of that road? I appreciate that it may be linked with the A6(M), but if he could comment now I would welcome his intervention.

The Minister for Roads and Traffic (Mr. Robert Key): I can reassure my hon. Friend that only yesterday I discussed MAELR with the chief executive of Manchester airport and the chief executive of the Highways Agency. I shall be in Manchester next week looking at transport in that part of the country, and I can assure him that the road has a high priority and my close attention. I cannot at this stage give him a definite date, but I hope that it will not be long.

Mr. Day: I thank my hon. Friend for his comments. *[Interruption.]* I hear my hon. Friend the Member for Luton, North (Mr. Carlisle), but, as usual, I shall ignore him.

I raise my other point in my capacity as co-chair of the west coast main line group. Hon. Members of all parties have a keen interest in the west coast main line. It is vital throughout the west of country, the west of Scotland, the north-west, the midlands and elsewhere. The Government recognise its priority, and I would like to pay my compliments and give thanks to the Minister for Public Transport for the way in which he has always responded to requests from the group to meet us. He has been co-operative in that regard.

A problem has been drawn to my attention which I have been asked to bring into the debate, particularly by those hon. Members who represent Northern Ireland constituencies. I am told that, on 31 March, a contract was lost by Railfreight to carry 100,000 tonnes of steel per year, which was to be distributed for the whole of Ireland via the west coast main line and through Stranraer.

I understand that that contract has now gone to road hauliers, and the steel will be shipped through Heysham. I appreciate that it is a commercial decision, and I would not wish the Minister to intervene directly—indeed, he does not have the power to intervene. I will just make the point to my hon. Friend that it emphasises the importance of the west coast main line.

If we lose contracts such as that, obviously the whole viability of that important line could be put in doubt. I hope that my hon. Friend will make himself aware of the situation, and will find out the reasons why that came about. I also hope that he will make sure that it has nothing to do with the viability of the west coast main line itself. It will be of great concern to many hon. Members if it has.

I regret the tone of the speech by the hon. Member for Holborn and St. Pancras (Mr.Dobson), and his comments

about the west coast main line. The hon. Gentleman had nothing constructive to say. The Government have made great strides on the matter, and it is their top priority.

Government Back Benchers wish the Government well in their efforts to secure finance from the private sector. I believe that the private sector will come forward with the necessary finance for that line. I do not believe that it helps the Government if doubt is cast upon the scheme by somebody who would wish to be a Minister one day. God forbid that the hon. Gentleman is ever in that position.

I would like to point out to the hon. Gentleman that I have never heard anybody in the all-party group question the need for the scheme to succeed in the way in which the Government have proposed it. Most hon. Members who have an interest in the west coast main line do not much care where the money comes from, as long as we get it. I am sorry that the hon. Member for Holborn and St. Pancras has found it necessary to make the issue a political football —for the first time, in my experience.

It serves nobody's interests whatsoever, and the west coast main line group has never dealt with it in that way. We have no intention of allowing the hon. Gentleman to make it a political issue, which would destroy the unity of the all-party group. If anybody will bring pressure to get success for the west coast main line, it will be the all-party group and not the Opposition Front Bench.

The hon. Gentleman seemed unclear what he was telling the House about the Opposition's approach to transport. I could not make out whether he was in favour of private investment or not. The Labour party recently boasted that it thought that there was a role for private investment in roads and in rail. However, the hon. Gentleman seemed to carp at every proposal which the Government made to achieve objectives which I would have thought we all shared.

That also suggests to me that, as usual, the Labour party has only one solution to the problems of transport—to throw more money at them. That is the same solution as it has for every issue. It never tells us where the money is coming from, but it is easy—it is other people's money, so it does not matter. I find incredible the idea that the Labour party has changed its spots since the election.

There were tax increases in the Budget. However, if the hon. Member for Dunfermline, East (Mr. Brown) was in charge of the finances of this nation, people would be facing not only tax increases to pay for the Budget deficit, but the £35 billion of extra spending which the Labour party promised before the last election. In addition, they would have to pay for all the other promises which the hon. Member for Holborn and St. Pancras has made on transport.

The Labour party must get its act together on what it is telling the country. Of course, that is the last thing that the Labour party will do. The Government's policies on transport are quite clear, and they will have my support in the Lobby tonight.

7.46 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The west coast main line is having money spent on it. Of course, it is not being spent on improving the line. Of course, it is not being spent on re-signalling. It is certainly not being spent on improving facilities for the passengers. It is being spent on the setting up of a competition for people to look at ways of introducing private finance into one of the most vital railways in the United Kingdom.

It is becoming clear that the Government have a clear transport policy, and it is in effect one of double taxation. When they are asked whether they understand the economic implications of providing a first-class infrastructure for both the economic and political life of this country, they say, "Of course, but it is vital that we should have a partnership between private industry and the state." Their definition of a partnership is similar to that of the medical profession many years ago, when the senior partner got all the money and the junior partner did all the work.

It is quite revealing that today we have been given, in addition to a number of questions about rail privatisation, very little clear idea of what the three-day chairmen of the various quangos will do to bring in this great new surge of investment into the railway system. Mr. Robert Horton, when giving evidence to the Select Committee on Transport, said that he saw his role as generating interest among opinion-formers. He said that he wanted to convince people like me that investment was needed in the west coast main line.

I must say that, while I do not have an overweening idea of my own importance, I would have thought that even Mr. Horton would have noted that one or two Opposition Members were asking for investment in the west coast main line when Mr. Horton was still trying to make money out of fossil fuels. I find that difficult to understand, but I find it particularly difficult to understand when I look at some of the answers we get from the Secretary of State for Transport and his Ministers.

I asked if he would list

"the percentage of public funding to British Rail that has been used for restructuring of British Rail in preparation for privatisation".

I also asked what was his estimate for next year and what funds were made available to British Rail for reorganisation. The Minister answered:

"In 1992-93 British Rail reported that around £10 million was spent on reorganisation. In 1993-94, we understand that British Rail expects to spend around £56 million. In 1994-95 British Rail and Railtrack have estimated that they will require an additional £50 million for running costs and up to £30 million for expenditure on new equipment and systems in support of reorganisation."—[*Official Report*, 21 March 1994; Vol. 240, c. *100*.]

The Minister says that it is because of the Government and reorganisation that not only greater efficiency but new information systems and an improvement in management techniques have come about. I do not know where the Minister has been.

The reorganisation of British Rail has happened not once but consistently, long before any suggestion that Railtrack would be created. The improvement in the use of information technology has been led by people in British Rail, whose only fault was that they did not have enough common sense to tell the United Kingdom what a marvellous job the men and women in that industry were doing. In case anyone has any concern, yes, I am a sponsored Member. I am proud to be a member sponsored by the National Union of Rail, Maritime and Transport Workers. I want to make that clear.

The Government are seeking to isolate expenditure on transport in a particular way. Interestingly enough, they are doing so not only for railways. It is clear from what has been said today that Railtrack will see as its function not only to apply what the Secretary of State said was a proper

[Mrs. Gwyneth Dunwoody]

overhead sum to its economics. The right hon. Gentleman said that he wanted transparency, and wanted people to understand how much their services cost.

Let us have no doubt what that means. The Government will put in place a sophisticated game. First, they will put up the cost. Then they will say that everyone should know what a particular rail service costs. Then they will say that it is too expensive, and it would be much cheaper to run alternative services such as privatised coaches.

In case anyone has any doubt about the efficiency of privatised coaches, let us consider what is happening with the Deregulation and Contracting Out Bill. The Government are removing restrictions which protect health and safety in road transport. The Minister does not seem to know. Let me help him.

When the legislation was being debated, local authorities expressed anxiety about the removal of the right of traffic commissioners to prevent the use of operating centres with planning permission. They pointed out that ordinary people would have considerable difficulty in the future. Everyone in the industry pointed out that, if there were continuous licensing, members of the public would find it difficult to question those who ran public service vehicles. It is not a small problem. Once there is continuing licensing, how will we monitor those who drive school buses and coaches, who have many lives in their hands?

It is clear that, in many traffic areas, public service vehicles do not reach the required standards. Let us take the traffic commissioner's annual report for the north-eastern traffic area. Some 30 per cent. of all public service vehicles failed the initial MOT test. In the west midlands, the number of PSV cases brought for public inquiry for disciplinary matters, which include maintenance and a wide range of points that would affect any woman using a bus driven, perhaps, by someone who was not 100 per cent. in control, increased by 500 per cent. between 1991-92 and 1992-93.

In south Wales, the number of PSV companies called to inquiry increased by 90 per cent. The overall total of operators of PSVs called for disciplinary action increased from 362 to 412—an overall increase of 14 per cent. The public do not realise that deregulation means that they face a deteriorating service, and certainly deteriorating controls on those involved.

I asked a series of questions about what the Ministry did about checking whether people who were granted PSV licences had any convictions. I was told that, because of the lack of resources, Department of Transport staff did not check the declarations given by applicants. If an applicant ticks a box stating that he or she has no criminal convictions, no check is made. A total of 17,922 objections were received to goods vehicle operator licences.

The Transport Select Committee highlighted in its report the dangers of privatisation of the Department of Transport agency work. The Department is doing two things. It is setting up independent quangos that will use the taxpayers' money supposedly to attract investment from private funds outside. In order to do that, they will use the taxpayers' money again to hand over considerable sweeteners. There will be no control over those people or over the quality of the transport provided. Increasingly, there will be no real investment in the infrastructure that is not in the form of double taxation.

Not one Conservative Member today has said that it is the intention of the Government to go for road pricing in the form of either shadow tolls or more direct forms of tolling on motorways, and perhaps even on urban roads. The Government know how to make money out of the transport infrastructure, but they are not prepared to put it back. They are happy to commit the taxpayers' money at every level, preferably twice, but they are not prepared to come to the House and announce that they will put money into creating a first-class transport system.

We need the west coast main line. We shall have an emergency by the end of the year, because we know that the machinery and infrastructure will cease—

Mr. Deputy Speaker: Order. I call Mr. John Carlisle.

7.56 pm

Mr. John Carlisle (Luton, North): I am grateful to be called in what has been a strange and mixed debate. Listening to some of the whinges and whines from the Opposition Benches, one would think that we ground to a halt every time that we left this place and that we did not have motorways which were relatively unclogged most of the time and did not have an excellent rail and air system within Britain.

The hon. Member for Holborn and St. Pancras (Mr. Dobson)—probably hinting at what I might say to him—made an extraordinary speech in what should be a serious debate. As my hon. Friend the Member for Wellingborough (Sir P. Fry) said, the debate should be on a wide range of subjects, but inevitably comes down to constituency interests. So I promise the House that I shall speed through my remarks, as a Vauxhall Cavalier would through the highways and byways of this country, so that other hon. Members can participate in the debate.

It is inevitable that transport policy in Britain, as the Government's amendment suggests, should be market led. It is nonsense for Opposition parties to try to force people on to forms of transport that they do not want and which, by their own volition and choice, they have avoided. I become extremely cross at the anti-car policies pursued by hon. Members from both major Opposition parties. As I represent Luton, I have a constituency interest in ensuring that that great town continues to thrive and boom. Its greatest industry, Vauxhall Motors, is very much part of that.

I remember being asked by one or two people when I was first elected what constituency I represented. I must admit that when I said that I represented Luton, some people's faces fell. Some said, "I have been through it." I suppose that, to an extent, that is what Luton is all about. We can boast probably some of the best systems and examples of what the Government have done in terms of transport facilities and structures in the 15 years since they were returned to office.

The country's major motorway runs through the middle of my constituency. We also have a thriving airport. Although it has recently been surpassed by Newcastle—the hon. Member for Tyne Bridge (Mr. Clelland) gave the numbers—once it gets into private hands it will continue to expand. I assure my hon. Friend the Minister that I would support legislation that forced Luton borough council to sell the airport into private hands to ensure that it continues to expand and is better used.

Luton airport has a great future and might go some way to relieving the problems that my hon. Friend the Member

for Saffron Walden (Mr. Haselhurst) mentioned in connection with Heathrow, when he discussed Northolt and Stansted.

Luton also has excellent rail links, with passenger trains to London every 10 minutes at peak times and in some cases even more frequently. The old British Rail invested money in much better facilities, and we are proud of our facilities in Luton.

Good transport is one reason why the town is beginning to boom again and why people are coming to our part of the world. Obviously, links to London are good and, as our closest large centre of population, London was always familiar territory, but links are also good to the north and to other parts of the country. If Opposition Members want to visit a place where transport is working and which epitomises the best of Government transport policy they should come 30 miles up the M1 to see us.

It ill befits the Opposition to continue their extraordinary anti-car policy and it exasperates many car manufacturers and people in the motor trade. Significantly, the hon. Member for Holborn and St. Pancras mentioned the constituency of Eastleigh several times, but he did not mention that of Dagenham. I wonder whether he would have made quite the same speech if he had visited Dagenham or Luton and described his policies to Vauxhall workers.

Mr. Raynsford: Will the hon. Gentleman give way?

Mr. Carlisle: I shall not give way because the hon. Gentleman knows, and I know, that it will not be worth my while to do so.

The Opposition, supported in most cases by the Liberals, continue to propose an incredible policy, but it will not go down well in a town that relies heavily on the motor car and the motor trade.

About 10,500 workers in and around my constituency are employed by General Motors. The company is a success story partly because it has been encouraged by the Government's excellent road-building projects during the past few years. It is a success story which has also brought enormous benefits in terms of car quality to its customers. General Motors has espoused a sensitive policy on the environment, pollution, noise control and so forth and has been in the forefront of such developments.

As other hon. Members have said, we must accept that our people should have the freedom to have a motor car if they so wish. It ill befits Opposition Members to deny them that privilege. Since I came to this place about 15 years ago, the car park, which was relatively empty then, has become full to bursting mainly because Opposition Members—including many London Members, some of whom are sitting opposite at this very moment—come here in their cars. They enjoy owning motor cars, but would deny ownership to others.

I crave your indulgence for a few minutes, Mr. Deputy Speaker, to put a word in the ear of my hon. Friend the Minister about widening the M1. As he knows, I fully accept the need for widening, and welcome it. The M1 is our major trunk road and carries about 100,000 vehicles a day through the heart of my constituency. Road widening is necessary and to be welcomed, but I must bring several matters to his attention which he may wish to deal with tonight or by post at a later date.

There is talk of the road widening being delayed by about 12 months for all sorts of reasons. The worry, nuisance and concern that widening is causing people who live near the motorway is such that they would rather that we got on with the work and got it out of the way as quickly as possible. I know that that would be my hon. Friend's intention, provided that the public inquiry agrees. I hope that there will be no further slippage in time. I am not blaming anyone for it, but now that the road has been widened to junction 9, it is important for wideaing to continue as far as junctions 10 to 12 as quickly as possible, although I understand that my hon. Friend and his colleagues must go through the diplomatic process.

The second problem is noise pollution and I make no apologies for mentioning that subject, because it is extremely important. My hon. Friend the Minister may not have seen a recent letter that I wrote about people who have lived near the motorway from the start and were there before it was built about 30 years ago. At that time, they were not given grants for noise insulation, because, when the M1 was built it had virtually no traffic on it. Some hon. Members may have seen pictures of it.

An anomaly exists whereby grants for noise insulation can be given only to people for whom the level of noise will be reduced when the motorway is completed. I am not talking about many homes—probably about 100 or even fewer—but under the 1975 noise regulations, about which we have corresponded, there is an anomaly. Some of my constituents and those of my hon. Friend the Member for Luton, South (Mr. Bright) will be affected and will not get compensation even though the noise levels that they are suffering are totally out of proportion to the levels existing when their houses were built more than 30 years ago.

My plea to my hon. Friend the Minister is that, when he receives my letter, he should look at it carefully and possibly come back to me with a somewhat kinder reply than he gave a month ago. That would help those poor people, who are genuinely caught in a trap that only my hon. Friend can alter, possibly through a statutory regulation.

Having said that, it gives me enormous pleasure to support the Government and their policy and to condemn the attitude of the Opposition parties, which has been remarkable this afternoon. The motor car is here to stay and the trunk road should receive—

Mr. Deputy Speaker (Mr. Michael Morris): Order. I call Mr. Peter Snape.

8.6 pm

Mr. Peter Snape (West Bromwich, East): My only comment on the speech by the hon. Member for Luton, North (Mr. Carlisle) is that it is typical of the present Conservative party. Having seen all their policies collapse around them, all Conservative Members can do is to use their usual scaremongering tactics and say that other parties are anti-car. Most Opposition Members drive motor cars. The unrestricted use of private cars at certain times of the day is the cause of major congestion throughout the country, however, and Government transport policy should be directed towards curing that congestion and not to the sort of silly yah-booing that we have heard from so many Conservative Members.

In the short time available, I must mention two points, but must first declare an interest as a member of the RMT, the National Union of Rail, Maritime and Transport Workers, and as a non-executive director of the employee-owned West Midlands Travel.

[Mr. Peter Snape]

The railway industry is my first concern, especially the locomotive and rolling stock manufacturing industry. Recently, we have heard much about the acquisition of British companies by European firms, but not much about the acquisition of British rolling stock and locomotive manufacturers by European concerns.

The former British Rail Engineering was privatised and was taken over by Swedish-based ABB Transportation. Our other major manufacturer, GEC Alsthom, is a largely French concern. Certainly, for Birmingham-based Metro-Cammell—part of the latter group—times are tough, although at least the Washwood Heath factory in the city of Birmingham is involved in work on channel tunnel Eurostar trains as well as those for the Jubilee line extension. However, like firms in other parts of the country, it has no work for British Rail, or the core British Rail business, beyond the end of this year.

May I draw the attention of the Minister for Public Transport to an article in the *Birmingham Post* of 29 March in which the deputy business editor reported on

"an industry in danger of going off the rails".

Under the heading, "Locomotive industry rolls nearer to cliff edge of BR privatisation", Mr. Barber points out that that

"venerable industry now faces one of the worst crises in its illustrious history."

He leaves his readers in no doubt who is to blame and writes:

"The prime culprit behind the current plight is rail privatisation."

He sets out starkly that

"order books have dried up as uncertainty over privatisation casts a virtual freeze on investment in Britain's railways."

The article quotes a spokesman for the Railway Industry Association, who stated:

"the bleak outlook is hitting not only the big manufacturers but also specialist subcontractors and general engineering companies,"

throughout the country, but especially in the midlands. Total employment, for example, at ABB's works in Derby, Crewe and York has been slashed from 8,500 in 1989 to just over 5,000 today.

We have heard a great deal during the debate about the need for investment in the west coast main line. I remind the House that that line lost out in its bid for £150 million of Government money last year to lease 15 new InterCity 225 trains. The more cynical among us were not surprised when that order went instead to Network SouthEast for new rolling stock on the London-Kent commuter services. We in the midlands did not only lose out on the benefits of railway modernisation. Metro-Cammell, for example, lost out, as it would no doubt have manufactured those new trains.

The article from which I quoted earlier is a gloomy one and points out that the Railway Industry Association is quick to dispel hope that the private sector will come to the industry's rescue by ordering gleaming new rolling stock for the newly privatised railways. I know of no operators wishing to acquire franchises, and we still wait to hear from the Government of any who do. I am willing to bet money that no franchisee, with a seven, 10 or even 15-year franchise, will make the huge investment necessary in new rolling stock. The concluding words of the spokesman from the Railway Industry Association in the article are:

"It is difficult to come up with an encouraging scenario."

With the opening of the channel tunnel shortly, the future for Britain's rolling stock manufacturing industry could well become much worse. Given that what is left of the industry is in foreign hands, the tunnel will make it much easier for the French to use the French arm of GEC Alsthom to meet any new British rolling stock requirements in the years to come. What can the Minister say tonight to give us some hope that that vital sector of British industry, especially in the midlands, has a future?

During the debate on the Finance Bill a couple of days ago, I drew to the House's attention the need for the go-ahead for the midland metro, especially as it affects the west midlands region. I reiterate that plea today, for if we are to begin to tackle congestion in the Wolverhampton-West Bromwich-Birmingham corridor, a fast, modern metro system is, in our view, the only way to tempt motorists out of their cars.

I emphasise to the Minister for Public Transport, who has made supportive noises, although has not come up with the cash, that the agreement with the private sector, which was so applauded by the Government, expires in 1996. Given the long delay, it will not be surprising if, at that time—if the go-ahead has not been given—the private sector walks away from it on the basis that the Government have no real interest in the project going ahead.

With or without the metro system, the bus will continue to play a major role in moving large numbers of people around the conurbation. We are all familiar with the decline in the industry that has taken place since deregulation in 1986. In spite of some of the nonsensical comments that we hear from Ministers, fares have increased countrywide and bus fares and timetables change with bewildering rapidity. The average age of vehicles has increased remarkably and the British bus-building industry has all but collapsed.

We now learn that what the Ministers used to call "the benefits of deregulation" are to be denied Londoners. Lucky old them, in the view of many of us on the Opposition Benches. May I inquire of the Minister why the rest of the country is forced to suffer from the ideological nonsense that is deregulation while the capital escapes? I am sure that it is not that ministerial limousines are considered too important to be delayed by the congestion that deregulation has brought to busy routes in the west midlands and other parts of the country.

No reputable operator in the bus industry objects to competition, provided it is competition that can be seen to be fair. However, in the west midlands, for example, where things have been reasonably stable in recent years, we are now witnessing an influx of smaller operators who buy clapped-out, high-mileage vehicles from other regions, repaint them and run them up and down the busier routes of the conurbation between 7 am and 7 pm. They do not operate late at night or early in the morning unless specifically paid to do so by the transport authority; nor do they operate on Sundays.

Those people are not competitive—they are parasites. By undermining the profitability of major network operators, they make those operators' marginal services less competitive and less profitable. If that type of conduct is not to be allowed in London, where the more sensible route franchising system is to operate, why is it encouraged in areas such as the west midlands and other parts of the country?

Needless to say, those companies are not known for the enlightened nature of their working hours, conditions of

service or rates of pay. I have here a contract from one of those small companies for its bus drivers. It speaks about remuneration:

"You will be paid for each duty worked at the rate for the duty (a standard duty of approximately 12 hours is paid at the rate of £50, shorter duties pro rata)."

It speaks about holidays—that is a brief part of the contract:

"During the first year of employment—Nil

During the second year of employment—2 weeks (ie 10 days if employed to work 5 duties per week, otherwise pro rata) . . . No payment will be made for Christmas Day, Boxing Day, Bank Holidays or Public Holidays unless required to work."

Ebenezer Scrooge, where are you today? He would be proud of companies such as that.

Under the column, "Deductions from wages", any damage to the vehicle due to an accident, however caused, means a deduction of up to £100 from the driver's wages, in any one month limited to 10 per cent. of that month's gross pay—so there is a bit of heart there. The balance of any difference between cash paid in and the amount shown as due by the ticket machine is deducted from the driver's wages. Those are the type of people who have been attracted into the industry, yet are being specifically kept out of London because deregulation is not to apply here.

The Department of Transport should acknowledge the real contribution that the bus can, and does, make to the reduction in urban congestion, and work with local authorities and passenger transport authorities to fund bus priority measures, guided bus systems and natural gas-powered vehicles.

As we have seen for many years in the west midlands conurbation, people will not tolerate massive urban road building any longer. If we are to avoid complete gridlock, some of the money that the Department throws at the road building sector—that £20 billion referred to by my hon. Friend the Member for Streatham (Mr. Hill), for example—must be diverted to fund the type of bus priority measures and public transport improvements demanded for many years by the Opposition. Only when that type of common-sense decision is taken will we make some progress to alleviating congestion throughout the country, and only then will the Government be able to say that they have a transport policy.

8.16 pm

Mr. David Lidington (Aylesbury): My right hon. Friend the Member for Chertsey and Walton (Sir G. Pattie) pointed out that motor car ownership was now a blessing and a curse.

Car ownership has brought about a democratisation of the freedom to travel when and where one wants—which, until comparatively recently, was only available to a small, wealthy elite. The value of car ownership is well known to any parent who has had to struggle to travel, not only with a small child, but with the nappies, potties and pushchair that go along with being a parent of a small child.

Nevertheless, the car and its growing use have brought noise, pollution and the destruction of large areas of countryside to make space in which those greater numbers of vehicles can travel.

It is obviously a cause for concern that present forecasts are that private vehicle ownership is on course to double between now and 2020 or 2025. If that trend is realised, no amount of good environmental policy, no number of catalytic converters or lean-burn engines, will stop the sheer number of vehicles on the roads from overwhelming the Government's correct attempts to implement important international commitments about limits on vehicle and other emissions.

The Government have rightly said that they will not try to build sufficient roads to accommodate all the traffic that is forecast. Therefore, if that greater number of vehicles is manufactured, bought and used at present rates, we shall experience increased congestion, with all the additional burdens and costs which that means to British industry.

We cannot disinvent the car, but we have to find ways in which that growth can be checked. I do not believe that it can be stopped, and that means finding ways in which we can discourage unnecessary journeys, especially short journeys, by motor vehicle. It is worth pointing out that about a quarter of vehicle emissions come from the first four to five miles of a car journey, when the engine is cold. Therefore, we should try to deter those journeys which will have the greatest impact on vehicle emissions.

As hon. Members on both sides of the House have pointed out, good public transport is one way to achieve that objective. I welcomed the Government's private finance initiative to try to get the resources that are needed for public transport.

The hon. Member for Streatham (Mr. Hill), who is no longer in his place, complained that his constituents had been promised an extension of the Northern line since 1926. That illustrates the problem of keeping public transport capital spending entirely in the public sector.

Each year, the Minister for Transport must go to the Treasury and argue the case for public spending on transport. In doing so, he is competing with his colleagues who are asking for money for hospitals, schools and pensions. In the bargaining on public expenditure, the amounts allocated for transport are often settled by means of a compromise based on horse trading, rather than a proper business assessment of the capital that is needed and can be commercially justified.

I especially welcomed my right hon. Friend the Secretary of State's reiteration of the Government's support for the crossrail project, in which I have a particular interest. I hope that the reason for the absence from the Chamber now of the hon. Member for North Devon (Mr. Harvey) is that he has nipped out to telephone Liberal Democrat-controlled Tower Hamlets council and ask it to drop its campaign of opposition to the crossrail project, which is using up a lot of time and costing local council tax payers many thousands of pounds in expensive barristers' fees.

It is appalling but not surprising that Liberal Democrat spokesmen should champion a public transport project in the House of Commons when Liberal Democrats outside are leading opposition to the project in practice.

Better public transport will not be a panacea. My right hon. Friend the Secretary of State pointed out that an increase of 50 per cent. in rail passenger traffic would cut road passenger journeys by only some 3 per cent., so we should look to other policy measures as well. Those include ensuring that transport policy is integrated with land use planning.

That is why I strongly welcomed the issuing of planning policy guidance note 13 earlier this year, with its firm advice to local authorities that they should use their local regulatory and planning powers to ensure a sensible balance in their localities of different modes of transport. They could be achieved through traffic management schemes, traffic calming measures and park-and-ride

[Mr. David Lidington]

schemes. It is right that the Government should require those systems of traffic management to be driven according to local circumstances, rather than impose a nationally drafted blueprint that would not be appropriate in all parts of the country.

As my right hon. Friend the Member for Chertsey and Walton said, the Government should look with an open mind at the use of national regulations to discourage unnecessary road journeys. They could include the use of speed limits to ensure a better use of the existing roads, and designating lanes for commercial traffic, public service vehicles or cars with more than one occupant. I am, however, well aware that such proposals entail enormous opportunities for avoidance and difficulties of enforcement. I only hope that my hon. Friends are prepared to look with an open mind at some of those suggestions.

I hope that the Government will push forward with their policies on road pricing and taxation, even though they will not be popular. The Government have been right in recent Budgets to shift the tax burden from car ownership to fuel consumption, a policy that should be maintained. They are also right to look to the introduction of road pricing. I agree with the suggestion by an Opposition Member that road pricing could be appropriate not only on motorways and trunk roads but in certain urban areas, although the decision must be taken in the light of local circumstances.

Politicians must be clear and honest about the consequences of road pricing. A wealthy car owner will be able to afford the extra charges; somebody driving a company car could probably be reimbursed; and a commercial company could pass the charge on to customers. But relatively poor car users will be most affected. That is why, before pursuing such a policy, it is important to look carefully at its practical consequences and why, for road pricing to become publicly acceptable, the Government must ensure that the revenues from it go not only into road maintenance and building but into other forms of transport.

There is no single solution to the challenge posed by the exponential growth in car ownership, but a judicious mix of the measures that I have suggested might enable us, over the next couple of decades, to strike the right balance between personal freedom and the need to ensure for all our citizens a pleasant and civilised environment in which to live.

8.25 pm

Mr. John Heppell (Nottingham, East): Like the hon. Member for Aylesbury (Mr. Lidington), I accept the need to achieve a balance. Having listened to the debate, however, I believe that the chances of the Government achieving a balance or coming up with a coherent transport policy are seriously hampered by two things. First, as a number of hon. Members have already mentioned, they are hampered by the dead hand of the Treasury. The Government's transport policy is dictated more by the Treasury than by Ministers responsible for transport.

A good example is the roads programme. The reason for the Government's cutting the roads programme was not, as some hon. Members may think, because of environmental concerns or as a result of a real assessment of the programme. I have talked to people in my regional office of the Department of Transport, who say that they found out about the cuts in the review by reading about them in the newspapers. Official confirmation arrived a few days later.

Nor is the reason for the cut in the roads programme to give priority to genuine bypass schemes, or to divert money from the roads programme into public transport. It is simply because the Treasury wants to take money back. That is the only reason that I can find.

Secondly, the Government are hampered by their obsession with and blinkered approach to privatisation, which seems to be their answer to everything. They are so inept that they save £500 million on the roads programme and spend £500 million on privatisation. That money is frittered away, when it could be used in many other areas. Examples have already been given of how it could have been spent: 220 new locomotives or 29 new InterCity trains could have been bought with the money that has been spent in preparation for privatisation.

That is important in the context of what the Central Transport Consultative Committee says. The CTC chairman, Lennox Napier, said:

"I share the grave concern of the RIA"—

the Railway Industry Association—

"that apart from the £150 million worth of leased Networkers ordered in 1993, no further orders for rolling stock have been placed since 1992, and as far as we know are unlikely to be placed in the near future. The railways in this country are facing a double problem—if new orders are not placed soon, many thousands of passengers will be condemned to travel in trains that are already well past their 'use by' date with the resulting unreliability. At the same time, we face the real prospect of this country's railway manufacturing industry becoming so run-down that we might well lose the capacity for building trains in Britain."

That is of particular importance to places such as Eastleigh, as my hon. Friend the Member for Holborn and St.Pancras (Mr. Dobson) mentioned. The rail workers in the works at Eastleigh want to see orders coming in, and think that the Government should be prepared to give them orders.

The Secretary of State told my hon. Friend the Member for Holborn and St. Pancras that the pensions issue was finished, and there was no problem. I know that the Secretary of State met people about railway pensions today —or it may have been the Minister—

The Minister for Public Transport (Mr. Roger Freeman) *indicated assent.*

Mr. Heppell: The Minister met the trade unions today, and I understand that he met the trustees this afternoon. I understand that the Government will introduce statutory instruments towards the end of May.

It seems strange that, after two years of prevarication and an inability to resolve the pensions issue, all of a sudden, just before a by-election in Eastleigh—where many workers are employed by the railways and are worried about their pensions—the problem is solved. That typifies what the Government are all about.

We see nothing about transport, but we see press releases and publications. The Government may have organised the demise of BR, but they have certainly not organised the demise of PR. Instead of public transport, they are concerned with public relations. Glossy brochures are produced on rail privatisation, the Highway Agency and the Marine Safety Agency, to which I shall refer later, if I have time.

The Government have less time for transport than any other Government in the past. Spending through the 1980s was at least £2 billion less than spending through the

1970s. The public service obligation—which is not a subsidy—to try to ensure that we keep the 11,000 miles of track we now have, has fallen steadily. Some £3 billion has gone from the public service obligation since 1983. The Government have bragged about the fact that they now give less money to keep open socially beneficial lines.

I know that the Minister will come forward with statistics to show how much investment the Government have put into the railways, and how much money they have spent on trying to retain the viability of public transport. That will not wash with the people in Nottingham any more. When Ministers say that they think that it is justifiable to lie to Parliament some of the time—*[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Gentleman might wish to rephrase that.

Mr. Heppell: I am sorry, Mr. Deputy Speaker. I was not suggesting that the Government would lie to Parliament; I was saying that a Minister in another place has made that allegation—

Mr. Deputy Speaker: The hon. Gentleman could avoid getting into difficulty if he used a different word. We do not want the word "lie" being banded about.

Mr. Heppell *rose—*

Mr. Snape: What about "inaccuracy"?

Mr. Heppell: Yes, inaccuracy—if a Minister is prepared to give inaccuracies to Parliament some of the time, people realise that the Government are prepared to give them inaccuracies all the time.

The public see what is happening in the transport sector, and see that no investment is being made in the railways. People no longer refer to Nottingham station, but to Nottingham sidings. They see that less money is being spent in that area. It is no longer one of the InterCity stations. Every time that a new timetable comes out, we see that another train has disappeared. Tonight, I would have been able to catch the 10.30 pm train back to Nottingham, but it has disappeared from the timetable, and I shall have to catch the later one at 11.30 pm.

I do not want to dwell too much on the railways, as I recognise that there are many other sorts of transport. Buses are still the cheapest and most reliable way of providing public transport in this country.

I owe my credibility to the Minister and the Government. During the mid-1980s, I campaigned to try to stop bus deregulation, and I was called a scaremonger. I said what would happen—I said that there would be leapfrogging of buses, congestion and problems in the streets. Unfortunately, after deregulation, none of that happened—it was easy, and there were no problems. But since then, the bus wars have begun in Nottingham, and there are headlines in the papers such as

"Bus stopper! 'War' could hit services".

Mr. Deputy Speaker: Order. The clock system is not working quite as it should. I shall be fair and check exactly what is happening. Speeches are still limited by the 10-minute rule. I call Mr. Nigel Waterson.

8.35 pm

Mr. Nigel Waterson (Eastbourne): I am grateful for the opportunity to speak in today's important debate. I begin by welcoming the announcement of my right hon. Friend the Secretary of State earlier today on measures to help the shipping industry, which will go a long way to deal with the concerns that many of us have had over a number of years. I also declare an interest as a maritime lawyer. I am sure that those important measures will be widely welcomed in the British shipping industry.

The Government are to be congratulated on their roads policy for various reasons—principally two. First, they had the courage to produce a prioritisation statement and dropped 49 schemes. Secondly, they have proposed measures to improve and streamline planning procedures. It is a scandal in this country that it can take up to thirteen and a half years from the original proposal to the opening of a new road.

I wish to dwell particularly on the roads policy of the Liberal Democrats. We are all aware of their eccentric approach to policy-making. It seems to boil down to knocking on doors and asking the first person what they want and believe, and saying that that is what they too want and believe. It does not matter if the person next door takes a different view, as that is also what the Liberal Democrats say they want and believe. It is not merely that their views and policies differ from one part of the country to another: they can differ from one part of the same constituency to another. Nowhere is that more true than in relation to roads.

Earlier, the hon. Member for North Devon (Mr. Harvey) spoke of the Liberal Democrats' relentless hostility at national level to road improvement schemes. He came out with the immortal comment that he was hostile to the majority of the Government's roads programme—a view that he backed up eloquently in his speech. Nationally, the Liberal Democrats oppose roads, but they never say to which part or majority of the roads programme they are hostile. But that attitude is not always carried through locally.

The hon. Member for North Devon was reported in the *Mid Devon District Star* as saying:

"Unfortunately, at its"—

the north Devon link road's—

"inception, wiser voices calling for a dual carriageway were overruled".

I assume that those wiser voices included that of the hon. Member for North Devon.

We have to decide what the national policy of the Liberal Democrats is, and then see whether it is carried through locally. The answer, as on so many other matters, is that it is not. There are some exceptions. The Liberals in Somerset have been doing their bit to fulfil the national policy by cutting £2.6 million from the roads and highways budget. I imagine that they thought they were following party policy. In my next life, I want to be a Liberal Democrat, because it is an easy way of making one's way through the political jungle.

There are important road schemes in my area.

First, the Government have recently announced a transport supplementary grant of £25 million for the A22 new route. I am very grateful for that decision, especially in the midst of a tough spending round. There were many representations from local politicians, authorities, businesses and people in favour of the scheme, and I led a delegation to meet my hon. Friend the Minister for Roads and Traffic.

[Mr. Nigel Waterson]

A member of the delegation was Councillor Skinner, the chairman of the management and finance sub-committee of East Sussex county council—which, for the moment at least, is controlled by a Lib-Lab pact. The council gave its enthusiastic support to the scheme.

It is an important scheme for Eastbourne. It will cure much congestion and improve the environment. It will assist tourism, including the Sovereign Harbour development, and in due course it will help with access to the channel tunnel. The scheme will provide more access for business and industry in my constituency. It has been estimated that some 2,000 jobs have been lost over the years because of poor access. It is the last piece in a jigsaw of important road schemes in our area.

A second very important scheme is the Polegate bypass. I am chased regularly by Liberal Democrat councillors who ask why the scheme is not proceeding. However, I am pleased to say that it is on the reserve list for a start in 1994-95. Thirdly, and perhaps most importantly, there is the A27 Lewes-Polegate road improvement. I know that my hon. Friend the Member for Lewes (Mr. Rathbone) has been a doughty campaigner for that scheme.

The link is vital for all of East Sussex. However, views about its importance do differ—not least among Liberal Democrats in different parts of the county. In a recent letter to the *Coastal Leader*, Councillor David Rogers, the Liberal Democrat leader of East Sussex, said:

"The County Council supports the proposed trunk road improvements, and wishes them to be constructed as soon as possible.

Poor trunk roads discourage inward investment and are a severe handicap to many existing businesses".

I could not agree more. But Councillor Rogers wrote the letter in answer to comments by Councillor Norman Baker, who is in fact the Liberal Democrat leader of Lewes district council.

Councillor Baker has a rather different view of the scheme. In a press release, he expressed "severe uncertainty" about its impact, and said that the route will have a "devastating effect". He continued:

"It will also have an adverse effect on the whole of the South Downs between Lewes and Polegate and many of our local communities."

That is a typical piece of Liberal democracy—a real example of leading from behind.

Councillor Baker said:

"we will continue to support whatever action the public wants us to take over the preferred route proposal."

That is a very courageous and clear-cut political lead from Councillor Baker.

But the scheme is a vital link in the road network in our part of East Sussex. It is remarkable that there are almost as many views—whether general or specific—about road programmes as there are Liberal Democrats. There is a national policy, about which we have heard already this evening, and then there are local policies. The county councils seem to favour the road schemes, but then the Liberal Democrats in Lewes take the opposite view.

Finally, I turn to the Labour party. The Labour party spokesman said very little about roads. Labour is also hypocritical on roads issues. Labour Members oppose roads programmes in general, but are in favour of them in particular.

I ask the spokesmen for the Liberal Democrats and the Labour party simply to do what the Government have done—publish a list of the road schemes that they wish to see discontinued, axed or scaled down. That is all I ask; it seems a very reasonable request, in the real world of planning and transport policy. Then we and our constituents can know exactly what their policies on roads are. I am very pleased to oppose the motion.

8.44 pm

Ms Glenda Jackson (Hampstead and Highgate): I begin by declaring a personal interest in the debate, as I am the sole Member of Parliament sponsored by the rail union, ASLEF—a sponsorship which I carry with some pride. I also declare a special interest in the debate. As is not the case with previous speakers from Tory Benches, 56 per cent. of the people who live within my local authority have no access—nor will they ever have any access—to private transport. Therefore, public transport is a major issue for my constituents. I have no doubt that, given recent events in my constituency, they will be delighted by the timing of this debate on transport.

Hon. Members will remember that on 1 April—a date which says as much about the Government's presentational skills as it does about their transport policy—Britain's railways were privatised. On 8 April I received a letter from the newly created North London Railways train operating unit informing me and my constituents that, from the beginning of May, Hampstead Heath station, which under British Rail had been classified a zone 2 station for travelcard purposes, would be classified a zone 3 station.

The effect of that move has been to increase fares for commuters using Hampstead Heath station by £168 a year—an increase of more than 30 per cent. Presumably this is what the Secretary of State for Transport meant in his statement of 28 March when he welcomed what he called a "new era" on the railways and pledged:

"franchises will seek to attract new passengers by creating new standards of care at competitive prices."

I would be interested to know how a fare increase by 12 times the rate of inflation will attract new passengers and by which criteria a price rise of 30 per cent. can be judged to be competitive.

I should add that North London Railways, under its new guise as a train operating unit, is making great efforts and some progress in improving the quality of the service that it delivers to its passengers. However, it is being hampered in its efforts by a new operating regime that places the need for a commercial profit above the needs of the passenger.

Sadly, the railway within my constituency is not the only system to have suffered in recent days from the Government's disdain for the public transport network. Yesterday, the lift shaft at Hampstead tube station, which at 181 ft is the deepest on the network, suffered a mechanical failure which resulted in 19 passengers being stuck within a lift for more than one and a half hours. They were rescued only when the lift was winched manually back to ground level, after which two people required oxygen from the emergency services. Thankfully, there were no serious injuries, but what is happening on our underground system when lift breakdowns, power failures and electrical short circuits start to become not isolated but monthly and almost weekly occurrences?

On 25 March an article appeared in my local newspaper, the *Hampstead and Highgate Express*, which revealed that London Underground did not have the necessary resources to replace the wooden escalators at Highgate and Swiss

Cottage underground stations as recommended by the Fennell report into the King's Cross fire, which was in 1987.

Seven years later, with the underground approaching the 21st century, how can it be that the world's largest tube network does not receive sufficient finance to replace wooden escalators with escalators that do not represent a fire threat to the travelling public? Putting aside the safety implications, do the Government have no sense of shame? That is a rhetorical question because I can answer it myself: no, they do not.

Is there not even an ounce of contrition among those on the Government Front Bench about the fact that the nation's capital city—a city that the Secretary of State for the Environment recently described as a beacon that attracts investment and visitors and competes directly with Paris, New York and Tokyo—cannot even afford a tube system in which elevators do not trap passengers for hours on end and in which escalators are not under constant threat from a carelessly discarded match?

Yesterday I read the debate on the Government's response to the Fennell inquiry in 1987. The debate was concluded for the Government by the then Minister responsible for public transport, the right hon. Member for Enfield, Southgate (Mr. Portillo). On that day, the right hon. Gentleman boasted of the increased investment that London Underground had received and praised London Underground for its remarkable response to the Fennell report. Seven years on, the Chief Secretary no longer praises London Underground but attempts to bury it under financial restrictions.

The Government's attacks on our capital's public transport infrastructure do not stop at allowing sky-high fares to jostle with rock-bottom investment. As anyone who has been following the progress of the Deregulation and Contracting Out Bill will be aware, while the travelling public are denied the opportunity easily and speedily to travel in their own capital city, heavy goods vehicles are about to be given the run of London, 24 hours a day, seven days a week, thanks to Government proposals to abolish the London lorry-ban permit system.

Last week my constituents were given a reminder of the cost of that proposal when I received a copy of a letter from Mr. Brian Marsh, chair of the London Boroughs Transport Committee, addressed to the Minister for Transport in London. That letter, which describes the Minister as possessing a striking dearth of understanding of the operation of the permit system, goes on to warn:

"It is patently obvious that London's environment is not your first concern and that proposals to abolish the permit system reveal that your Department would find acceptable a substantially reduced level of environmental protection for Londoners."

That, in a nutshell, is the Government's transport policy: lorries on the loose, tubes on the blink, train fares up, investment down. For my constituents whose homes lie in the path of those lorries, whose trips to work are delayed by mechanical breakdowns on an aging tube network and whose household budgets continually dwindle as a result of rising fares, that is an unacceptable state of affairs.

Ministers are fond of telling the House that there is no such thing as Government money, only the people's money. Well, the transport system of the capital also belongs to the people. Their money paid for the railway services that are now being sold off at knockdown prices to private investors. Their money paid for the buses that constantly adorn our roadsides with their bonnets up and their "not in service" signs displayed and for the tubes that have difficulty making it from one station to another without hour-long pauses.

Having paid for those things, the people of London have a right to see them work. If Ministers fail to maintain, invest in and modernise our transport system, making it one that Londoners can look on with pride rather than trepidation, then they will find themselves paying as heavy a price as those who do battle with the transport system every single working day.

8.52 pm

Mr. Peter Luff (Worcester): It is not just because I am an adviser to the Chamber of Shipping that I want to begin by warmly welcoming what the Secretary of State had to say today about changes to the taxation regime for roll-over relief for shipping companies. On both sides of the House there is a strong consensus that the importance of shipping to the United Kingdom economy cannot be overstated—not simply because of the 90 per cent. of our foreign trade that it carries to and from our shores but because of the 26 per cent. of domestic trade that shipping companies carry in this country.

It is a shame that this debate, like so many others on transport, has understated the importance of shipping to the United Kingdom by overstating the importance of road freight, not making allowance for the fact that more than one quarter of all domestic freight is carried by sea. Besides this direct contribution to our transport, the shipping industry makes its contribution to the marine equipment industries that supply it and it underpins the City of London and all the marine services there.

I think that the hon. Member for Holborn and St. Pancras (Mr. Dobson) would have been more impressive in his rather brief and peremptory remarks about shipping if he had praised not just the role of the hon. Member for Stoke-on-Trent, North (Ms Walley). I freely admit that she has played an interested role in the debate about the future of our shipping, but it would have been helpful if the hon. Gentleman had also praised my right hon. Friend the Member for Worthing (Sir T. Higgins) and my hon. Friends the Members for Pudsey (Sir G. Shaw), for Shipley (Sir M. Fox), for Dover (Mr. Shaw), for Slough (Mr. Watts), for Bridlington (Mr. Townend), for Dartford (Mr. Dunn), for Eastbourne (Mr. Waterson), for Blaby (Mr. Robathan) and for Southampton, Test (Mr. Hill)—not to mention my right hon. Friend the Secretary of State. They have all consistently and convincingly argued the case for British shipping.

The measure announced today to the House will help some sectors more than others, but it will still help the whole industry. It is part of a series of measures that the Government have taken which will have an important cumulative effect on the fortunes of the British shipping industry. I now ask my right hon. Friend to conduct with the utmost vigour his battle against state aids in the rest of Europe. Although the playing field may have been somewhat levelled, there is still quite an imbalance. I particularly ask my right hon. Friend to deal with the attempt by the French Government to provide £1 billion-worth of subsidy to Compagnie Generale Maritime —a classic example of subsidy if ever there was one.

In this debate my right hon. Friend the Secretary of State demolished a number of the myths that are often peddled about public transport. He demolished the myth

[Mr. Peter Luff]

that it is possible to remove the need for new road building by increasing the use of rail. The startling figure that a 50 per cent. increase in rail traffic would lead to only a 3 per cent. reduction in road traffic speaks volumes about that myth. My right hon. Friend also demolished most effectively the myth that the Government do not fund public transport adequately. With 90 per cent. of United Kingdom traffic going by road and 40 per cent. of his budget spent on public transport, it is clear that that argument cannot be sustained either.

I was slightly surprised, however, that one myth did not surface in the debate—the myth that it is possible to achieve the chimera of an integrated transport policy. Had anyone referred to the need for that, I would have happily referred him to the famous episode of "Yes, Minister", in which Jim Hacker is charged with the task of bringing about an integrated transport policy—described by the Cabinet Secretary in his diary as

"a bed of nails, a crown of thorns, a booby trap".

In the event the Minister falls for it.

The reason why such a policy is a crown of thorns is later revealed by Sir Humphrey, who says:

"Formulating policy means making choices. Once you make a choice you please the people you favour but you infuriate everyone else. This is liable to end up as one vote gained, ten lost. If you give a job to the road services, the Rail Board and unions will scream. If you give it to the railways, the road lobby will massacre you."

It is perhaps this fear that lies behind the total inability of the Opposition parties to make any reasonable choices about the future of transport in this country. The Government face up to those choices, and I believe that they consistently take the right ones.

There was a previous attempt to provide an integrated transport system, but unfortunately we had to repeal it in the Railways Act 1993. My friend Robert Adley, then the Member for Christchurch, and I were saddened by the repeal of the four Railway Road Transport Acts of 1928 and the four Air Transport Acts of 1929. The rail companies fought hard for those eight Acts, which gave them powers to co-ordinate road and rail transport and to take cross-shareholdings and other transport interests. The Great Western Railway took shareholdings in many bus companies and reduced its own operations. As a result of its experience, it began to experiment with diesel multiple units and produced the first diesel railcars.

Those Acts of Parliament were delivering co-ordinated transport through market forces and that process should have been allowed to continue, with proper scrutiny by the competition authorities. War, recession and the motor car all made the railways' task more difficult. It was the Labour party that finished the process off, with its ideology and dogma and its nationalisation of the railways.

That ugly monster, the British Transport Commission, created on 1 January 1948, was to blame. As a result of the Transport Act 1947, it had the duty to provide an integrated system of transport in Britain. However, as "The Great Western Railway History" published in 1984—the official history—reveals:

"Sir Cyril Hurcomb, Chairman of the BTC, . . . made the mistake of organising rail, road and water in five separate Executives and . . . selected incompatible people for the Railway Executive, which left him with no hope of integrating road with rail, and no chance of integrating the four railways."

Nationalisation finally destroyed the proper hopes of an integrated public transport system in Britain. However, we should be seeking not an integrated system but a balanced one. In my constituency of Worcester I am happy to report that the combination of Government policy and market forces has achieved precisely that and enormous benefit is now flowing to our local economy as a result.

The widening of the M5, completed on schedule and within budget last year, has made an enormous contribution to relieving local road bottlenecks. I am appalled to hear that the Liberal party wants a moratorium on such widening. What do the Liberals think that failure to widen the M5 would have done for communications from the south-west to the midlands and north of our country?

Investment in rail is also proceeding. The Cotswold Line Promotion Group, in its winter 1993-94 newsletter, described the effect of £3 million of investment in new rolling stock:

"The new service of modern Class 165 and 166 Turbo trains through to and from Paddington is now beginning to pay handsome dividends. Mike Haigh, District Manager for Regional Railways (Central) has recently told the Group that passenger numbers, since the introduction of the trains in May 1993, are 25 per cent. up and revenue is 32 per cent. up on the same period last year".

That is Government money.

I am glad to report that we have good private sector bus services. Deregulation of bus services in my constituency has not produced any of the dire consequences predicted by the Labour party. Since the liberalisation of air services, Birmingham international airport is steadily expanding its range of international services, making the area attractive to inward investment.

In my constituency, there is clear evidence that the Government's policy is delivering a balanced transport policy in the interests of all my constituents. A number of my hon. Friends have spoken about the democratic imperative of having good transport policies. Freedom of movement for all—those with cars and without cars—is almost as important in the modern world as another great democratic freedom—freedom of speech—and we are achieving it.

9 pm

Mr. Roy Hughes (Newport, East): Transport is central to people's lives and, understandably, it is high on the political agenda. It should be looked at in its entirety, not piecemeal. For instance, we need a transport system that gives access to people without cars: that means bus or rail, and deregulating bus services did not help. The cost of privatising British Rail is enormous, as my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) pointed out.

Money should be spent on electrification, rolling stock and upgrading lines. Instead, the Government are lining the pockets of consultants, advisers, merchant bankers and brokers in the City. How wasteful and irrelevant is the Government's action in relation to Britain's real transport needs. Money can be frittered away in that manner, yet in my constituency of Newport, East we cannot get the pittance to provide a simple rail halt at Magor, which could do so much for the transport needs of the area.

A look at public transport as a whole reveals 15 years of underspending on infrastructure, despite all the revenue from North sea oil and the massive receipts from the sale of public assets. The Government are hostile to public

investment, subsidies and planning. Profit is the principal objective and consequently Britain is left with probably the worst transport system in western Europe.

I should be the first to recognise that we need a transport system to meet our economic needs. Goods have to be transported quickly and efficiently so that we can compete in world markets. Likewise, we should recognise the need to spread economic growth throughout the country instead of confining it to the south-east of England.

We must face reality. Where would south Wales be today without the M4 motorway and the Severn bridge? It would be an industrial wasteland. All the pits have gone and steel has suffered massive cuts in manpower. Our manufacturing sector tends to be based on motor components: Ford engines in Bridgend; Lucas Girling in Cwmbran; Bosch, the major German company, in the Vale of Glamorgan, and many more besides. Without a modern road network, none of those firms would now be based in south Wales.

We need to get as much freight as possible on to the railways. With the channel tunnel, British Rail has the opportunity to prove that it can move long-distance freight expeditiously and competitively. At present, 89 per cent. of freight miles are travelled by road. If we succeeded in doubling the volume of freight that goes by rail—an enormous task—it would make little impact on the tonnage travelling by road.

In the retail sector, people have become accustomed to fresh produce, wide choice and full shelves in stores and supermarkets. The requirement is for huge amounts of stock at the point of sale and at the right moment. In reality it is only the lorry that can give that flexibility. For short-distance deliveries, for service calls, for trips with multiple destinations, the choice is invariably the car or van.

Some 90 per cent. of passenger miles are travelled by road. Compared with other countries of western Europe, Britain has a relatively low level of car ownership, but the proportion of travel by car in the United Kingdom is the highest in Europe. Germany has far more cars per head of the population, but their owners use them less and travel is far less car-dominated. The Government therefore have a clear duty to encourage commuters and those travelling in urban areas to use cars less and thereby cut congestion on our roads. They could help, too, by providing better public transport.

People are understandably concerned about the environment but some go over the top on that subject and are misleading many sincere people. The claim has even been put about that Britain is being concreted over. In fact, all roads cover only 1.5 per cent. of land. Even if the full road programme were completed, it would cover only 1.6 per cent. of land. The largest part of land is taken up by roads that have been part of the landscape since Roman times or the middle ages. They have been added to by road widening and the bypasses that are so helpful to the environment.

Nevertheless, I agree that we should all be concerned to minimise the intrusion into the countryside. People today value their mobility. A motor car provides the personal transport that was once the prerogative of the rich. The prosperous countries of the world—led by the United States followed by Germany—have the highest rate of car ownership. By comparison, Poland has the lowest rate, and we all appreciate the depth of economic depression in that country.

I am one of those who regularly use public transport. In London I travel daily by bus. Down in south Wales I use the train frequently; it is a most agreeable form of transport. I end where I began. Transport should not be treated in a piecemeal fashion. The Government's free market dogma has not helped. Likewise, it is no answer to throw out the roads programme. Our competitors, Germany, France and the Netherlands, are investing heavily in their road networks. Despite Jim Hacker, we need an integrated transport system linking road and rail in the public and private sectors. That is the way to a sound economy and the road to prosperity.

9.8 pm

Mr. Edward Garnier (Harborough): The hon. Member for Holborn and St. Pancras (Mr. Dobson) started on what I thought would be a well-considered discussion of the various transport issues facing us today. For a while, I was not disappointed, because he began to make an attack on the Liberal Democrat party—indeed, he made a vitriolic and excoriating attack on it. I thought that I could agree with much of what he said, but then I thought a little more about what he had said and realised that he was perhaps being unfair. In the few moments that are left before those on the Front Benches wind up, let me explain why I think that, by drawing attention to what has been going on in my county of Leicestershire and what the Opposition parties have been doing about it.

In my constituency there is a road called the A427, which goes from Market Harborough and crosses into the constituency of Blaby at a village called Kilworth. On its way there, it passes through villages such as Lubenham, Theddingworth and Husbands Bosworth. There is a crash nearly every day on that road. Either a lorry goes into someone's garden or house, or a car crashes into another car and endangers the life of one of my constituents. It is a county council road, not a Department of Transport road, and thus comes under the auspices of those on the county council transport committee, which, I regret to say, is run by the Labour party and the Liberal Democrat party. They are in an unholy alliance on the council.

That is why I think that the hon. Member for Holborn and St. Pancras was being just a touch unfair to the Liberal Democrats: outside the House, in my county, the Labour party is in alliance with the Liberal Democrats—

Mr. Dunn: And in Kent.

Mr. Garnier: It may well be in my hon. Friend's constituency, too.

When the hon. Member for Holborn and St. Pancras made his terrible attack on the Liberal Democrats, he was clearly not advised by those who write his speeches for him that, not so very far away from the House—just 100 miles north of here—a county council is running a transport system and a road system that fall into the trap that he has set himself. The county council has refused to place the A427 at the top of its list of priorities for road improvement. Every time I write to complain, it uses, day in and day out, the mantra, "We are waiting for the completion of the A14—the A1-M1 link."

The A1-M1 link is much needed and will soon be completed. It goes from just west of Huntingdon across to the M1 just south and west of my constituency. I am happy to say that the Department of Transport has made sure that the funding for it is there and that the project will shortly

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be completed. The road will make a tremendous difference to the economic well-being of my constituency, where, only yesterday, it was announced that the unemployment figure is now as low as 1,937—a reduction of nearly 29 per cent. from this time last year.

One of the reasons why the unemployment picture in my constituency is so good is that the Government's transport policies have ensured that the Government's end of the transport system in my constituency is well looked after. The fact that communications are good attracts business and investment and allows people in my constituency to do business and trade and therefore increase employment. The Liberal Democrats and the Labour party on the county council refuse to improve the A427, however, so, until they are removed from the county council, we will have to carry on listening to the lorries and the cars crashing about on that road.

What else have the Labour party and the Liberal Democrats done in my constituency to improve the public transport or road infrastructure? They have failed to complete the eastern district distributor road, which goes around the city of Leicester. It is all but complete. The bit that is not complete is the two to three-mile section in my constituency. I am sure that it is a coincidence that my constituency is represented by a Conservative Member of Parliament, while the city council is run entirely by Labour and the county council is run by Labour and the Liberal Democrats; doubtless that is not the reason for the councils' failure to complete the road but it is a fact, and one about which the House should know. Two much-demanded public transport schemes have thus been neglected by the Opposition parties, which makes the vitriolic and excoriating attack made by the hon. Member for Holborn and St. Pancras on his allies in my county doubly unfair.

Hon. Members may ask whether I would like to compare that record with the Government's policies, which have produced good transport developments in my constituency. The Market Harborough bypass, for instance, was opened by my right hon. Friend the Minister for Public Transport 18 months or two years ago—[HON. MEMBERS: "How exciting."] It is exciting. I am sorry that it embarrasses Opposition Members, who have nothing useful or constructive to say about the issue.

The Market Harborough bypass is of great value to my constituents. Not only does it serve a useful transport purpose; it is environmentally beneficial. A huge number of trees have been planted alongside it, and Market Harborough itself has gained tremendously from the absence of smoking lorries queueing up in the high street and destroying the infrastructure, buildings and general pleasantness of an ancient market town. Would that Labour and the Liberal Democrats would do the same, and improve the A427.

The other Government-sponsored road in my constituency is the A47, the Leicester to Peterborough road. It, too, has had the benefit of Government money, and I am happy to say that it is another of the many roads throughout the country that have been greatly improved by the Government. It is a pity that the Opposition's friends in county hall, be they Liberal or Labour, have not had the foresight to organise their priorities to the benefit of the constituents whom I have the honour to represent. I say that it is a pity, but perhaps it is not surprising: most Liberal and Labour county councillors live in the city or represent wards in it, and most Conservative wards are outside the city. All the money is therefore sucked into the city, and none of it is spent in the county.

My rural villages are being denied the bypass at Theddingworth that is so desperately needed. As I said earlier, the people of Theddingworth are daily having to deal with the detritus of car crashes; the health service is daily having to send out ambulances, and the police service is daily having to send out policemen to deal with the accidents. The cost benefits that would result from a bypass are so obvious as hardly to require analysis.

I have had the honour to represent my constituency for two years. In that time, I have seen great improvements in its economy—brought about, as I have said, by the transport benefits conferred by the present Government. I often look in my local newspaper to see what the Liberals are doing at county hall; I look across at them in the Chamber, and wonder what on earth they think they are doing.

I used to believe that rotation was something to do with the management of crops, but I have now concluded that it is nothing other than the policy stance of the Liberal county council, which changes day in, day out, week in, week out. What the Liberals say in the House is different from what they say in the county council; that is different from what they say in the borough council; what they say differs from street to street. I think that that is the experience of other Conservative Members.

I should like the Government to warn the members of the county council in my constituency that, unless the A427 is improved and placed higher on the list of priorities when the council applies next year for transport supplementary grant, it will be denied further funding for projects outside the southern half of Leicestershire. For too long, Government money has been going into the city and near-city without any benefit to my constituency. Those whom I represent have just about had enough.

The hon. Member for Holborn and St. Pancras opened the debate by attempting to criticise the Government; he spent 40 minutes saying an awful lot but exuding more heat than light. I have no doubt that we shall hear something of interest from my right hon. Friend the Minister for Public Transport when he winds up. I hope that he will take on board my concerns about the A427 and will ensure that its improvement goes ahead.

9.20 pm

Mr. Nick Raynsford (Greenwich): This debate has exposed the inadequacy of Government transport thinking and highlighted the alarming absence of any coherent policy. We heard the continuing neanderthal voices of those Conservative Members who believe that more and more road building, irrespective of the social and environmental consequences, is the Department of Transport's only purpose. We heard in excellent speeches from my hon. Friends example after example of the decay and rundown of public transport services because of lack of investment and failed Government policies.

We have witnessed at first hand the Government's confused and bungling approach to Britain's transport needs. There is no vision, strategy or sense of direction. We get only a jumble of unco-ordinated ad hoc responses to

short-term crises. We have seen also sad attempts to put into practice some of the barmiest ideas ever to emerge from the intellectual morass of right-wing think tanks.

Nowhere is that lack of strategy more evident and damaging than in London and the south east. When we highlight transport problems in Scotland, Wales, the north-east, Manchester, Birmingham and many other parts of the country, most Conservative Members show little or no interest. They probably switch off because they have little or no experience of those areas transport needs.

They cannot, however, ignore the transport needs of London and the south-east. Whether they are stuck in a car or taxi in a traffic jam, delayed because their train to London is late, trying to survive a power failure on London Underground, stuck waiting in the rain for a bus that shows no sign of arriving and generally experience the day-to-day horrors of transport in London, Conservative Members know what a mess the Government have made of London's housing policy. [*Laughter.*] I mean, London's transport policy. They certainly made a mess of London's housing policy, but also of transport policy.

What a different prospectus existed when the Government, in their characteristic high-handed fashion, took control of London's public transport from the Greater London council. Moving the Second Reading of the London Regional Transport Bill in December 1983, the then Secretary of State for Transport, the late Nicholas Ridley, did not mince his words:

"The purpose of the Bill is to enable us to provide the most convenient, attractive and efficient service possible for London's travelling public."—[*Official Report*, 13 December 1983; Vol. 50, c. 865.]

That was the Government's promise more than 10 years ago. We know their unenviable reputation for wildly misleading election promises, that their forecasting is—to put it mildly—rather wide of the mark and their predilection is for being economical with the actualité. Given that, yesterday, the Palace of Westminster was yet again surrounded by *Evening Standard* billboards proclaiming "Thousands hit by tube chaos", it is difficult to imagine any other field of activity in which people who so manifestly failed to deliver their promises would not have been hounded from office years ago.

I am pleased to say that the people of London will be voting in two weeks' time. In doing so, they will undoubtedly be casting a richly deserved verdict on the representatives of the Tory party. That is the party which took away from London its right to determine its own future through a democratically elected citywide authority. It is the party which arrogantly claimed that it knew best how to run London's services. It is the party which promised that it would deliver,

"the most convenient, attractive and efficient service possible for London's travelling public".

Let us look at the reality. Yesterday's further disruption on the underground, which was caused by a derailment on the much-troubled Central line, was only the latest in a long series of incidents, the most serious of which effectively shut down the eastern section of the Central line for a whole week last November.

The catalogue of failure is depressing. There were more than 2,000 incidents on the London Underground last year which resulted in passengers having to wait for more than 20 minutes. On average, just under 10 per cent. of London Underground escalators were out of action during 1993 and on some lines the figures are much worse; more than 15 per cent. were out of action on the Piccadilly line.

In an excellent speech, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson) rightly highlighted the horrifying experience of her constituents who were trapped yesterday in the lift at one of the stations on the underground. In 1993, nearly 1,500 stations were closed for more than 20 minutes, more than 100 were closed for more than one month, and Mornington Crescent station was closed throughout the year—and it remains closed now.

I sometimes suspect that the Government have a vendetta against those who live in my constituency and that of my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson). My hon. Friend's constituents must suffer the continued closure of their station at Mornington Crescent; my constituents suffer a slightly more cruel form of torture. As we have no underground lines to Greenwich at present, Ministers cannot close down any of the stations. However, they have found a more subtle way of going about it—they are refusing to build the stations that they promised on the Jubilee line.

North Greenwich station—proudly announced by the Minister and his colleagues in the past—will not be built at the moment because they are still haggling with British Gas over the price that British Gas is expected to pay for the station. If the Minister wants to announce that the station is going ahead, I will be happy to give way—I hope that the Ministr will give that assurance.

Mr. Norris: The Minister would announce that no one is talking about deleting stations on the Jubilee line extension except the hon. Gentleman. There is absolutely no reason why the negotiations between the owners of the land and London Underground will not result in that station being built. It is only the hon. Gentleman who consistently talks the system down in his constituency and, indeed, all over London.

Mr. Raynsford: Hon. Members will note clearly the Minister's failure to give the pledge that I asked him to give—that the station at North Greenwich will go ahead. He knows that London Underground has not been able to sign the contract for the station.

Mr. Norris: Tough negotiators.

Mr. Raynsford: Tough negotiators. Eighteen months after the scheme was due to begin, London Underground still has not signed the contract, because the Government are incompetent negotiators and cannot construct a proper underground line.

Like so many of the problems of London Underground, the episodes that I have highlighted emphasise the extent to which the service is chronically underfunded. The Minister for Transport in London admitted it candidly on Budget day when he said:

"It's perfectly obvious to a blind man that more money needs to be spent than we have got at the moment."

That might seem to be refreshingly honest if it had not come from the Government who, before the last general election, promised London Underground £3.5 billion for investment over the next three years, only to abandon that pledge at the first opportunity that they could after the election—the autumn statement in 1992.

The decently modern metro—a rather less ambitious target than the

"most convenient, attractive and efficient service possible",

which was promised eight years earlier—will remain a pipe dream or be postponed yet again to the first decade of

[Mr. Raynsford]

the next century as London Underground is able to invest no more than £475 million in its core business in the current year, compared with the £750 million which is required and which the Tory party promised before the last election. That was an election pledge which, like so many others, they have broken.

If breaking election promises is one characteristic of the Government, spitefulness towards anyone who has the temerity to remind them of it is another. Hence the fiasco last month when Sir Wilfred Newton had to postpone his retirement from London Transport because his deputy, Dr. Alan Watkins—whom everyone expected to take over and who was eminently qualified to do so—was turned down for having had the temerity to tell the truth about the Government's failure to honour their election pledges.

If London's ailing underground system is one monument to the Government's funding failure, London's buses are victims equally of the Tories' ideological fixation on deregulation and privatisation. The prospect of deregulation which hung over London until last autumn has now been mercifully abandoned. There are many other parts of the country where the problems of deregulation sadly are all too evident.

We heard clearly from my hon. Friends the Members for West Bromwich, East (Mr. Snape) and for Nottingham, East (Mr. Heppell) about some of the problems. I am thinking in particular of the horrendous example of the exploitative conditions imposed by an employer whom my hon. Friend the Member for Holborn and St. Pancras would rightly describe as scum. That employer's exploitation of the work force in a most unscrupulous way was rightly highlighted by my hon. Friend the Member for West Bromwich, East.

That horror of deregulation, exploitation and near-slave labour conditions has been withdrawn from London in the short term. That is unofficially, of course, until after the next general election. It has, of course, been withdrawn full stop, because it will not happen after the next election as the Conservative party will not be sitting on the Government Benches.

Privatisation is proceeding in the meantime for the usual tawdry Tory reasons. Public assets are being flogged off at knockdown prices and pension funds are being eyed by latter-day Maxwells as suitable opportunities for plunder. There is no concern whatsoever for the public interest and no thought for the impact on London Transport. Instead of a coherent and integrated transport scheme, we have the prospect of fragmentation, deteriorating services and increased prices.

The Government's preoccupation is to drive down and eliminate subsidy, whatever the impact on the number and quality of services and whatever the impact on fares. One interesting issue is the travelcard. How long will the travelcard—by unanimous agreement, one of the few success stories of London Transport in recent years—survive this fragmentation?

Ministers rush to promise that the travelcard will continue, because they know how popular it is with the travelling public. How much value can we place on their assurances? We know their lamentable record of broken promises on investment in London transport, tax, VAT and so many other things. But what is one to make of the Minister for Transport in London, who categorically assured the House last year that the travelcard would continue in form and in substance in terms of price and in real terms?

The Minister knew that, just one month later, the travelcard would increase in price by more than 6 per cent. —far greater than the rate of inflation—and, on the lower bands, it would increase by some 9 per cent. *[Interruption.]* I gave the Minister the quote and the reference. He promised that the travelcard would remain at the same price in real terms, and the pledge was broken within one month. That is an indication of how much trust one should place in the promises which are made by the Minister for transport in London.

To add insult to injury, users of the Northern line have been stung by a shifty redesignation of their zones, which leaves some facing a rise of £168 a year in their travel costs. I know that it is fairly common practice for Government Members to shoot themselves in the foot, but, by pledging that there would be no increase in real terms in the cost of the travelcard when he was fully aware that his own policy would involve the price increasing within a month, the present Minister for Transport in London is rivalling the Prime Minister for incompetence and ineptitude.

If the Government's stewardship of London Transport is found wanting in almost every count, their record with British Rail is equally deplorable. Many hon. Members rightly highlighted the concerns about the way in which the rail service was being broken up in deference to the ideological prejudices of the right-wing think tanks. Ministers will continue bleating unconvincingly about increasing efficiency, but no one will believe them. The only growth that we can expect is in the number of separate bureaucracies spawned by the botched privatisation, which, as we all know, did not command the support even of the late Lord Ridley.

As train operator units, leasing companies, track authorities, regulators and other quangos proliferate, each backed up by its own small army of public relations advisers, logo and uniform designers, image consultants, accountants, administrators and parliamentary lobbyists, the day fast approaches when the serried ranks of the rail quangocracy brought into existence by the Government will far exceed the number of train drivers, the number of trains operated and the number of passengers on the network.

While all this is being done supposedly in the interests of efficiency, the facts tell a different story. In an interesting and revealing article in February's journal of the Institute of Economic Affairs, a man called Michael Asteris concedes that

"in efficiency terms, BR compares fairly well with many of its continental counterparts. The productivity of the workforce is among the highest of any European railway."

He goes on to give the game away. He says that the true test of the privatisation of BR will be how many jobs it sheds and how many lines it closes. Of course, he was not referring to members of the quangocracy—the highly paid salary earners brought into post by the Government's privatisation.

He holds out as good examples British Gas, which cut its work force by 17 per cent., British Steel, which cut its work force by 28 per cent. and British Telecom, which cut its work force by 32 per cent. Then he spells out exactly what the future holds for passengers in any area in which the service does not cover its costs. He says:

"Once a clear system of track charging is in place, the costs of running a network will become more transparent than they have ever been. Attention will therefore tend to focus on whether the external benefits of heavily loss-making lines are sufficiently large as to justify the costs of retaining them. In other words transparency will bring to the fore a question which was last highlighted by the Beeching Report more than 30 years ago. How large a rail network should Britain have?"

Mr. Luff: Will the hon. Gentleman give way?

Mr. Raynsford: No, I will not give way.

That quotation is a pretty clear indication from a pretty authoritative source of exactly what the Government's game is. It shows the scorched earth policy that we are likely to get from them. We shall have a country littered with abandoned and overgrown railway lines, closed stations, redundant railway workers and abandoned passengers who, in consequence, will be forced to travel by road and in so doing add to the already severe problems of congestion and pollution from which we suffer. There can be few clearer examples of the nonsense of the current public transport policy, in which fragmentation is the order of the day and no one thinks long term about how to provide properly for the transport needs of the 21st century.

Only the incurably foolish could believe that there is any sense in concreting over acre after acre of green belt land around London to provide ever more lanes of the M25. I was pleased to see that the right hon. Member for Chertsey and Walton (Sir G. Pattie), and the hon. Member for Aylesbury (Mr. Lidington) both made that point in speeches which were interestingly at variance with many of the other speeches by Conservative Members.

It is well known that the Government have been obsessed with road building for the past 15 years, despite mounting public outrage at the desecration of the countryside at Twyford Down and the threatened destruction of Oxleas wood, and despite ever more persuasive evidence of the damage being caused to the environment and to people's health by rising levels of toxic emissions. Yet still the Government cling to the discredited belief that traffic and transport problems can be solved by ever more road building. They are simply wrong.

We shall begin to tackle effectively the acute problems of congestion only if we achieve a significant and sustained shift in the mode of transport from the private car to public transport. As we all know, car ownership is expected to continue to grow substantially in the years ahead. That is not in itself a bad thing if it extends the benefits of travel opportunity to people whose options have been restricted in the past, but it is a very bad thing indeed if it simply facilitates an ever-increasing volume of motor cars on already severely congested roads. The key has to be to discourage unnecessary car use and encourage the alternatives. Far-reaching changes in policy are required to achieve that.

We have to be more determined to give public transport priority and to ensure the necessary investment to improve the quality, attractiveness and reliability of public transport services. We have to be imaginative and develop new transport systems such as better use of the river, as my hon. Friend the Member for Vauxhall (Ms Hoey) argued so effectively.

We have to ensure that projects such as crossrail, which are vital to London's future, proceed rather than being left in limbo by a Government who say that they support it but have never been prepared to put their money where their mouth is.

We know only too well that the Government's policies are short-sighted and do not provide a solution to Britain's needs. Instead of vision, the Government offer only the stale old nostrums of the discredited right-wing think tanks. Instead of decisiveness, they offer only dither and delay. Instead of purpose, they offer us only the humiliating spectacle of Ministers being pushed, kicking and screaming, into projects that they should have advocated years before.

Instead of a transport strategy, the Government offer only fragmentation and chaos. They have failed lamentably, and it is time they went.

9.40 pm

The Minister for Public Transport (Mr. Roger Freeman): About 20 Back-Bench Members have spoken during this long debate, and my ministerial colleagues listened carefully to some of the more detailed questions, which I will not have time to answer. I will ensure that I or my colleagues reply to the questions that I do not cover.

It would be helpful if I concentrated on answering some of the questions raised by my right hon. and hon. Friends and, especially, commented on the speeches of the Opposition Front-Bench spokesmen. I have sat through virtually all the debate. It is fair to say that the contributions made by the hon. Members for Holborn and St.Pancras (Mr. Dobson) and for Greenwich (Mr. Raynsford) were negative, ignorant of basic transport policies and, most important, very expensive.

First, why was the policy of the hon. Member for Holborn and St. Pancras negative? The Opposition Front-Bench team have voted for the past 14 years against every sensible transport policy put before the House *[Interruption.]* Let us go through them [HON. MEMBERS: "Name them."] I am going to.

Let us start with the abolition of the dock labour scheme. Every one of my hon. Friends will know of the great improvements in the efficiency of our port system and the investment in it. Those Opposition Members voted against abolition of the dock labour scheme. They are also the politicians who voted against the privatisation of British Airways and the British Airports Authority and against the deregulation of our long-distance coach industry. I pay tribute to my hon. Friend the Member for Wellingborough (Sir P. Fry) who pointed out the tremendous advances in that industry, which took place in the face of opposition from the Labour party, which is also the party that voted against improvements in our rail reforms.

The Labour party believes in the maintenance of state socialism and is totally opposed to change. The Government have persistently pursued a constructive policy. My right hon. Friend the Secretary of State for Transport dealt comprehensively in his opening speech with some of the new initiatives in our road programme. There have been no new ideas from the Opposition.

My right hon. Friend the Secretary of State outlined our policy on motorway charging to help improve the motorway system, but we heard no such ideas from the Opposition. My right hon. Friend also outlined our ideas on congestion charging in our major cities, to apportion the true cost of motoring in urban areas. One option is to recycle the proceeds back into improving public transport —something that hon. Members on both sides of the House

[Mr. Roger Freeman]

would welcome. My right hon. Friend also spoke about initiatives on road building to introduce the concept of design, build, maintain and operate roads.

Mr. Lewis: Will the Minister give way?

Mr. Freeman: No; I will not give way. I am seeking to answer the debate. I will mention the contribution of the hon. Member for Worsley (Mr. Lewis) later.

By private sector road building, via either shadow tolling or real tolling of roads, we can add to the total road building programme that the public sector can afford. We also have advanced policies about the use of the private sector to finance specifically the second rail link to the channel tunnel. That will help commuters as much as it will help international passengers. I am glad to tell the House that already six consortia are interested in bidding for the construction of the second channel tunnel rail link.

I am grateful for the contribution from my hon. Friend the Member for Cheadle (Mr. Day) about the west coast main line. That represents a new idea to bring private sector finance into the construction of infrastructure. I can tell the House and the Opposition Members who mentioned the west coast main line, but are not in their places, that we expect a contract to be let, around the turn of the year, for the construction of the necessary infrastructure modernisation on the west coast main line, and work to start next summer. That is real progress.

We have also believed in the importance of introducing reforms to our railways. The franchising programme will commence in 1995. It is important that it is done properly. That is why it is being done in stages. I can tell the House — *[Interruption.]* The hon. Member for West Bromwich, East (Mr. Snape) laughs, but I shall be happy to debate with him at the next general election, when he will notice some lower fares, new services and an improvement in the quality of our rail services.

Mr. Snape *rose—*

Mr. Freeman: If the hon. Gentleman is going to ask me about fares, what about British Telecom charges, down 30 per cent? What about gas prices? I remember the hon. Gentleman's criticism of the privatisation of British Telecom and British Gas, but prices have come down.

Mr. Snape *rose—*

Mr. Freeman: The hon. Gentleman asked me a question, and I will answer it now. He asked about procurement of new rolling stock and especially the work load of ABB and GEC. He is right to do so. I have met both companies in recent weeks. I encouraged them to come forward with propositions for building new rolling stock. They will have to be in the form of an operating lease. I am certain that there is need, especially on Network SouthEast, perhaps in Kent, and I look forward to those two companies bringing forward sensible propositions. I will work with them to ensure that such orders are placed.

The hon. Member for West Bromwich, East also asked me about the midland metro. We have made it plain that we will consider the financing of that scheme at the time of the unified Budget later this year. The Government, on behalf of the taxpayer, have provided the finance for the Manchester metro and the South Yorkshire supertram—not the local authorities; the taxpayer. I look forward to considering the midland metro scheme in due course.

The second aspect of the contributions from hon. Members on the Opposition Front Bench that I wish to criticise is their plain ignorance—their ignorance about what we have achieved in terms of public transportation. I heard no recognition of the fact that, in the past five years, we have changed the prioritisation in our expenditure so that 40 per cent. of our budget is now spent on public transportation, but public transportation only carries 10 per cent. of all domestic passenger and freight journeys. That is a clear demonstration of the importance that we place on public transport.

When the hon. Member for Greenwich spoke about transport policies in London, especially public transport, he failed to mention, first, the Heathrow express, now under construction, and the Jubilee line, £1.9 billion-worth, now under construction. He failed to mention the Central line—£700 million of improvements on the London underground. He failed to mention the Northern line. His hon. Friend the Member for Holborn and St. Pancras did so, and I will say something about that in a moment.

As for crossrail, let me make it plain that the Government support it—I see my hon. Friend the Member for Northampton, North (Mr. Marlow), a member of the Select Committee, in his place—and we look forward to the House of Commons Select Committee reporting the crossrail Bill for further consideration.

Of course, the Jubilee line and crossrail cannot be built at the same time. We have made it plain that, once the Jubilee line is finished and the main part of the construction expenditure is over, we shall consider the timing of the construction of crossrail. I am grateful to my hon. Friend the Member for Aylesbury (Mr. Lidington) for his strong support for crossrail, because it will benefit his constituents.

The hon. Member for Greenwich did not mention the channel tunnel rail link, which will greatly benefit Londoners. He was supposed to be dealing with issues in London and the rail link will help domestic commuters into London as much as international passengers.

Mr. Raynsford: When?

Mr. Freeman: We are getting on with the process. We have begun the competition to select the private sector consortium to build the line. Six major consortia are interested in building it.

I am grateful to my hon. Friend the Member for Dartford (Mr. Dunn) for his comments about Networkers. That programme has cost some £800 million to improve the rail services on the Kent link.

Mr. Raynsford: What about reliability?

Mr. Freeman: They will improve. Their reliability is the responsibility not of the Government but of the manufacturers. Once they work, those who use Network SouthEast will see a great improvement in the quality of service.

The hon. Member for Greenwich asked about travelcards. We have every intention of ensuring that the travelcard is retained. It is extremely important to all those who commute in London. A multi-modal card, not only for

London but for other great cities, is of great benefit to the travelling public and we do not wish to undermine the travelcard in any way.

My hon. Friend the Minister for Transport in London, who I thought was going to take the debate at one stage—he made some effective interventions—will privatise London buses this year and we shall come to the deregulation of London buses in due course. *[Interruption.]* The hon. Member for Holborn and St. Pancras laughs. Deregulation of the bus industry has brought about more bus mileage and a reduction in bus costs. That is a fact. Patronage has declined, but that is not a function of the availability of buses. It represents an understandable preference by the travelling public outside London to use the motor car.

We must ensure that the bus industry is profitable enough, and I welcome the privatisation of Greater Manchester buses, which will help provide a more efficient and effective service there. We cannot attract more people back on the buses as the hon. Member for North Devon (Mr. Harvey) suggested. I am glad that he has now been joined by the other representative of the Liberal Democratic party.

For the benefit of the hon. Member for Rochdale (Ms Lynne), I shall describe briefly in a moment the Liberal Democrats' polices. We learned tonight that one of them is to double bus patronage in 10 years. That is what the hon. Member for North Devon said. How will he do that? It is no good setting targets unless he has a comprehensive policy to achieve them. On deregulation, the Conservative party does not fall into the trap of setting, in an integrated transport policy, targets that are pious hopes. We believe in providing flexibility of transport and freedom of choice.

The third aspect of Opposition Front-Bench Members' contributions to the debate was the expensive nature of their policies. We kept a check list. [HON. MEMBERS: "Oh."] Well, for the benefit of hon. Members, I shall run through the spending commitments made today.

The hon. Member for Holborn and St. Pancras said that under a Labour Government the public sector would finance the west coast main line, the Avon metro, the Northern line and the channel tunnel rail link—a total of £4.1 billion. The hon. Member for Streatham (Mr. Hill) added to that list the docklands light railway extension, the east London line and Thameslink 2000—another £1 billion. That makes a total of £5.1 billion. Does the hon. Member for Holborn and St. Pancras seek to correct me? *[Interruption.]* No?

Mr. Dobson: Yes. The Minister knows that I was suggesting that the £446 million that the Government are pouring into the process of privatisation—most of it into the City of London—would have been better spent on railway projects all over this country.

Mr. Freeman: The hon. Gentleman's figures are wrong. It is not £460 million—*[Interruption.]*—£446 million. My right hon. Friend the Secretary of State for Transport made it plain that the figure is £50 million—£50 million well spent—less than 2 per cent. of British Rail's total turnover. My right hon. Friend also said that British Rail had achieved a 7 per cent. improvement in efficiency in the past year. What one can get for spending 2 per cent. on reorganising British Rail leads one to the conclusion that those efficiency gains will continue.

The hon. Member for Holborn and St. Pancras did not answer my question. Commitments have been made from the Opposition Front-Bench team today totalling £4.1 billion over five years—I shall be generous to the hon. Gentleman—£800 million a year. From where is the money to come? It will not come from savings on the roads programme, because the hon. Member for Worsley (Mr. Lewis) said that he did not want the M62 relief road and would spend the £360 million on improving Manchester metro. There would be no road scheme savings.

The money will come from the taxpayer or higher borrowing. Another source would be borrowing from the private sector. If a Labour Government borrow from the private sector in the name of British Rail, that scores as public expenditure. It is no use the hon. Member for Holborn and St. Pancras suggesting that he will obtain money under the private finance initiative, because, given his attitude towards the private sector—during the debate he described some company directors as scum—I cannot imagine the private sector wishing to co-operate with a Labour Government.

I must, in all fairness, mention the Liberal Democrats. I shall explain to the only Liberal Democrat other than the hon. Member for North Devon who has turned up today, what that party's policies are. First, the Liberal Democrats are in favour of the privatisation of London buses. Secondly, the hon. Member for North Devon, setting policy for the Liberal Democrats, is in favour of stopping the widening of all our motorways. Thirdly, the hon. Gentleman favours cutting the roads programme in general, but nowhere in particular. We have been given no examples of any road programme that the hon. Gentleman, as spokesman for the Liberal Democrats, would be prepared to cut.

The difference between the Conservative party and all the Opposition parties is that they—particularly the Labour party—have advocated the continuation of state socialism—state control of our public sector utilities. Opening the debate, the hon. Member for Holborn and St. Pancras spoke for 43 minutes and mentioned the passenger not once. He mentioned the unions five times, but did not mention the passenger at all. *[Interruption.]* I listened very carefully to the hon. Gentleman, and I am happy to acknowledge that he has now whispered the word "passenger". It is extremely important that the House understands the difference between freedom of choice for the passenger and state socialism as proposed by the Opposition. I commend the Government's amendment to the House.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 243, Noes 292.

Division No. 217] **[9.59 pm**

AYES

Abbott, Ms Diane	Barnes, Harry
Adams, Mrs Irene	Battle, John
Ainger, Nick	Bayley, Hugh
Ainsworth, Robert *(Cov'try NE)*	Beckett, Rt Hon Margaret
Allen, Graham	Beith, Rt Hon A. J.
Alton, David	Bell, Stuart
Anderson, Donald *(Swansea E)*	Benn, Rt Hon Tony
Anderson, Ms Janet *(Ros'dale)*	Bennett, Andrew F.
Armstrong, Hilary	Benton, Joe
Ashdown, Rt Hon Paddy	Bermingham, Gerald
Ashton, Joe	Berry, Roger
Austin-Walker, John	Blair, Tony
Banks, Tony *(Newham NW)*	Boateng, Paul

Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Keen, Alan
Kennedy, Jane *(Lpool Bdgn)*
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McFall, John
McKelvey, William
Mackinlay, Andrew
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'kl'ds E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Alan Meale and
Mr. John Spellar.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*

Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riffkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and Mr. Timothy Wood.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments) and agreed to.*

Question accordingly agreed to.

MADAM SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House strongly supports the Government's transport policies which are providing more efficient and effective delivery for all users, in particular through the programme of privatisation and liberalisation in transport which allows the market to provide the transport services users want rather than the services which central planners dictate they should have; believes that the Government's rail reforms will build on the improvements in passenger service quality already achieved under the Citizen's Charter and offer the best opportunity to transfer freight from road to rail; noting the increased levels of public investment in rail, road and London Transport infrastructure, welcomes also the innovative means of financing new transport infrastructure developed in the Private Finance Initiative; supports the initiatives taken by the Government in the European Union to deal with sub-standard shipping; and applauds the Government's drive to liberalise aviation in the European Third Aviation Package and elsewhere.

PROCEDURE

Ordered,

That Mr. Raymond S. Robertson be discharged from the Select Committee on Procedure and Cheryl Gillan be added to the Committee.—[*Mr. Patnick.*]

MEMBERS' INTERESTS

Ordered,

That Mr. Piara S. Khabra be added to the Select Committee on Members' Interests.—[*Mr. Patnick.*]

PETITION

Lancashire

10.16 pm

Mr. Peter Thurnham (Bolton, North-East): Today is an appropriate day to present this petition calling for the restoration of Lancashire's historic county boundaries. Today is the birthday of both Her Majesty the Queen, the Duke of Lancaster, and also the noble Earl of Derby, whose ancestor presented Bolton with its first charter in 1253, and who shares the same ancestor with Her Majesty in the Tudor Lancastrian John of Gaunt.

The petition says:

[Mr. Peter Thurnham]

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

The Humble Petition of the Friends of Real Lancashire sheweth

That the petitioners wish that the Metropolitan Counties of Merseyside, Greater Manchester and Cumbria be abolished and the real and historic county of Lancashire be restored.

Wherefore your Petitioners pray that your honourable House will call on Her Majesty's Government to place the whole of the county of Lancashire under the jurisdiction of the Lord Lieutenant of Lancashire, to include Lancashire in the postal address, to erect signs bearing the county name where roads enter Lancashire and to remove signs naming the defunct administrative areas of Merseyside, Greater Manchester and Cumbria, and to show the real boundaries of Lancashire on all maps.

And your petitioners, as in duty bound, will ever pray, etc.

To lie upon the Table.

Travelling People (Colchester)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Arbuthnot.]*

10.18 pm

Mr. Bernard Jenkin (Colchester, North): I am grateful to you, Madam Speaker, for the opportunity to have this debate about a most distressing issue that is afflicting parts of my constituency.

The background to the debate, which is about the provision of sites for travelling people in the constituency of Colchester, North, is, of course, the Caravan Sites Act 1968. I very much welcome the Government's Criminal Justice and Public Order Bill, which is amending it and changing the whole regime for caravan sites. The existing regime has been a failure.

The intention of the Act was to promote public provision of caravan sites for travelling people throughout the country by putting the responsibility on local authorities to provide sites at public expense. The fact is that these have always been extremely hot political potatoes in the areas where they have been suggested, and the provision of private sites, or self-provision by travelling people and their families, has outstripped the rate at which public sites have been provided.

In some areas, as in Tendring district in my constituency, no public sites have been provided and we still have the problem of travelling people who regularly visit parts of the area and end up illegally occupying public, or even private, land at great expense and inconvenience to local people. In one case, county council land that was not designated for travelling people was occupied and it took three years for the county council to evict them, at great distress to local people in the village of Great Bromley.

The Criminal Justice and Public Order Bill will improve the situation with regard to illegal occupation, and the amended regulations on caravan sites will encourage local authorities either to move on with the provision of local sites or let the situation lapse. The effect of that situation on Essex county council and Tendring district council has been rather adverse. Having had a stalemate between them for a great many years, they are now in an unseemly rush —Essex county council certainly is—to provide a site for travelling people in my constituency in Tendring district.

The interesting thing about Tendring district council and Essex county council is that they are both under Lib-Lab control, yet they cannot agree where the sites should be and members of the same parties are at daggers drawn in great dispute over that particular matter. Essex county council has lighted on a site at Grove farm in Elmstead, but local people have many objections to that proposal, not least because it is land that is not scheduled for development in the Tendring local plan. It sets a precedent for further planning permission to be granted in the area.

There is no proper access to the site. According to expert advice, new access would have to be created and would cause possible hazards on an already dangerous road. There are no mains services to the site. Furthermore, Grove farm is high-quality agricultural land. It adjoins Palegate Wood, which is an ancient and semi-natural woodland. It is, at the moment, Essex county council's policy to safeguard such woodland.

There are preservation orders on the trees to the entrance of the site, which would have to be cut down in the event of the site going ahead, and development would greatly reduce the value of Grove farm. It is no surprise, perhaps, that the farm is owned by Essex county council, and it is using the fact to make it easier to get a gipsy site in that particular place.

In terms of Essex county council's site selection criteria, it fails on many counts. There are few shops in the vicinity; residential properties are in close proximity; the site is not capable of providing what is called a "living environment"; it is not in an area that is frequently visited by travelling people; a similar site approximately four miles from the proposed site is continuously under-used by travelling people; and it is not provided with the services that one would expect.

Essex county council has gone ahead with the application for planning permission for the site. I understand that it will be at public expense, costing some £440,000 for only 20 or 25 pitches. Understandably, local people are most concerned and have made many representations to me. Tendring district council, however, has other ideas: it opposes the site recommended by Essex county council, and is going for a site at Willow farm in Great Bromley. I do not believe that the plan is yet subject to formal planning permission, but it falls into the same category, apart from not being subject to an application by Essex county council under the Act.

The problem with Willow Farm is that, when Tendring district council chose the site, it did not impartially address the criteria recommended by the county council regarding the selection of sites for travelling people. Willow farm is not at a reasonable distance for access to schools and shops; indeed, the village school is 1.8 miles away. It is down long, dangerous, narrow lanes, and it would not be sensible for a mother walking her children to and from school every day to take such a path.

There are three permanent residential properties in close proximity to Willow farm. Willow farm is clearly visible from the A120; landscaping and tree planting would be necessary and no doubt expensive. A new road off the A120 would have to be built to provide safe access. Only 12 yd from the perimeter of Willow farm is a large pig slurry lagoon with run-off from 1,750 pigs, whose capacity is soon to be increased to deal with more than 2,000. That strikes me as hardly a useful facility for travelling people.

Great Bromley is not a village traditionally visited by travelling people. Willow farm has a very high water table, and no mains drainage or mains sewerage. Furthermore, Willow farm is privately owned and is not owned by a willing seller. It is thus a most unlikely site.

Another consideration is that there is a Ministry of Defence and police communications link at Willow farm, very close to the proposed site. We cannot imagine that the MOD is not gravely concerned about the security of that installation, given that there will be much more coming and going on the site.

My hon. Friend the Minister will understand that there is considerable public concern and controversy about both potential sites. We all understand that travelling people have civil rights that need to be respected and accommodated—although many of my constituents might think otherwise. They do not understand the life style of travelling people, and there is much fear and consternation about how those people fit into society—whether they pay their way or are over-dependent on services provided and paid for by others. That, however, is a separate matter.

The only objective way in which to allay public concern —given the dispute between Essex county council and Tendring district council—is to hold a full public inquiry, in both cases if necessary. I urge my hon. Friend to make representations to the Secretary of State.

10.27 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I congratulate my hon. Friend the Member for Colchester, North (Mr. Jenkin) on securing the debate. As the House will know, this is a topical issue, as the Criminal Justice and Public Order Bill —which will bear down on unlawful camping by travellers —is currently before Parliament.

My hon. Friend is concerned about Essex county council's decision to press ahead with a proposed new residential gipsy site at Elmstead Market in Tendring district, despite the proposed repeal of the duty on local authorities to provide sites, and of the power to pay gipsy site grant. Until the repeal comes into force, local authorities retain the duty to provide sites, and my right hon. Friend the Secretary of State is bound by statute to continue to consider paying grant on applications received before commencement of the new legislation.

The position in my hon. Friend's constituency is that Essex county council applied for grant aid to provide a site at Grove farm, Elmstead Market, and is currently seeking planning permission for it. There is also discussion about Willow farm in Great Bromley.

The decision in respect of Elmstead Market was made after an extensive search over a number of years for a suitable site, to provide for the demand from gipsies in the district—some of whom are illegally camped. I believe that the delay in site provision in my hon. Friend's constituency caused him to complain to the county and district councils in the past. I understand that the ombudsman was recently asked to investigate the apparent failure of the county council and Tendring district council to fulfil their existing statutory obligation to provide sites.

A number of sites in the area, both private and public, are being considered—but it would not be appropriate for me to comment on any planning application that may come before my right hon. Friend the Secretary of State for the Environment at some future stage for decision. As I said, Essex county council is still bound by the statutory obligation of the Caravan Sites Act 1968 to provide gipsy sites—but must, of course, consult the district and other local interests on a choice of location.

I can appreciate my hon. Friend's concern, if he feels that the public consultation process is not being followed, but I reassure him that the planning application in respect of Elmstead Market is at an early stage and that for Willow farm at an even earlier stage. In the former case, I certainly expect the county council to follow the proper process of public consultation with all relevant parties, including local people, and to hold a local exhibition.

The thrust of my hon. Friend's argument was that there should be a public inquiry. His concern is that the country council and Tendring district council are in disagreement. If the district council decides that it wants to oppose the county's proposal to establish a site at Grove farm, it can

[Mr. Tony Baldry]

lodge an objection to it with my right hon. Friend the Secretary of State under section 8 of the Caravan Sites Act 1968.

If it does so, my right hon. Friend the Secretary of State, after considering the objection, has three options. He can direct the county to abandon the proposal, proceed with it or refer the planning application for the proposed site to him for his own determination. The third option, which would involve a public inquiry, would need to be considered against the Department's general policy on calling in planning applications for the Secretary of State's decision—which is to use those powers sparingly and only when issues of more than local importance are involved. Such cases may include those that could have wide effects beyond their immediate locality and give rise to substantial regional or national controversy.

Mr. Jenkin: I am speculating, but my guess is that Essex county council would argue strenuously against a public inquiry, on the ground that Tendring district council's plea for one has simply added to its apparent obstructionist tactics. I am reluctant to rely purely on Tendring district council's section 8 appeal, because it has for years failed to co-operate with Essex county council on this matter. It may be tempting to visit this site upon Tendring district council, to force the issue, but I thought it best to make my own plea on the purely objective ground that, in respect of the Grove farm site, the people of Elmstead have not had a proper say.

Mr. Baldry: As I shall explain in a moment, one of the reasons why we are taking powers to repeal the Caravan Sites Act is that for far too long there have been too many instances of county councils and district councils being at loggerheads on caravan site provision. That has been incredibly frustrating, not least to local people who have been left in an uncertain position, sometimes for a long time, while the district and county councils have argued the toss among themselves as to where possible sites might be. But the Secretary of State must comply with the statute, and the Caravan Sites Act is clear. If Tendring district council and the county council disagree on the matter, that falls to be resolved within the provisions of section 8 of the Caravan Sites Act.

I should make it clear that the fact that a planning application is highly controversial locally is not of itself a justification for the Secretary of State to call it in or for there to be a public inquiry. After all, Parliament has charged local authorities with the responsibility for planning, together with many other important administrative decisions. It must be right that, as far as possible, local authorities should discharge the responsibility that has been given to them by Parliament.

Local authorities are democratically elected organisations and are accountable to their electorate for their decisions. We consider that it would imply unnecessary central control if a large number of decisions on planning applications were taken by the Secretary of State, rather than the local authority. Indeed, it is also important that local authorities should accept responsibility for the decisions that they make, rather than expecting difficult or locally contentious decisions to be taken for them by others. The Secretary of State will therefore intervene only when there are compelling reasons to do so.

It might be helpful if I say that, over the past few years, the number of matters that have been called in by the Secretary of State for his own decision has averaged about 100 a year—about two a week. While he may have a role to play where applications are referred to him as a departure from the development plan, he will not intervene on planning applications simply because the local planning authority finds the decision difficult or complex because of local controversy. He will exercise his reserve powers of intervention only sparingly where there are compelling and wider reasons to do so.

I am in no position to judge whether the matters raised by my hon. Friend would merit a call-in by my right hon. Friend because, as I said, they are at an early stage of the planning process. It is a matter that we will consider carefully, especially having regard to the representations made by my hon. Friend. We will consider it carefully at the appropriate time if the circumstances require it.

As I have said, my Department has received such an application for Grove farm, Elmstead Market which will be considered in the usual way with the usual criteria under the existing legislation. Proposed residential sites should have planning permission and assured availability for at least 10 years—and normally longer. Authorities must demonstrate that any scheme proposed for grant approval offers value for money, and we have benchmark figures. In Essex, the benchmark is £27,000 per pitch; we would need to be convincingly persuaded to agree to a higher figure. In Essex county council's initial application for the Grove Farm site, the works costs appear to be reasonable, together with land costs which seem to be on a par with other recent schemes.

Good management is, of course, essential if a site is to work well, and proposals for future management are therefore an important element of applications. We look for sensible and robust designs in line with good practice and capable of being effectively managed. That will ensure the orderly and peaceful integration of a site into the local community and full utilisation by gipsy families.

Complaints about irregular encampments by gipsies and the mess and disturbance that can go with them come up time and again in the constituency correspondence and surgeries of many of us here, and more so recently because of the disruption and antics of the less traditional travellers, new age travellers and ravers. I know that my hon. Friend has had more than his share of complaints from those in his constituency.

Over 20 years ago, legislation was introduced to try to tackle unauthorised gipsy camping. That gave county councils a duty to provide decent public sites, in the hope that that would end the unofficial ones. Generous Government grant was made available, and locally there have been successes. In Essex, for example, sites have become accepted and integrated into local communities, even where the more settled population originally had doubts. The development of official sites has led to the closing of scruffy roadside arrangements.

Across the country as a whole, and despite the substantial Government spending—millions of pounds of Government spending—insufficient progress has been achieved in clearing away the ad hoc sites which cause so much upset to continue to justify an open-ended call upon public spending.

I think that the gipsy site grant is the only 100 per cent. Whitehall grant made available to local authorities. That is why we intend to change the legislation. It no longer seems

reasonable for local authorities to be obliged to provide and run gipsy sites, or for the taxpayer to pay for them. Clearly that does not meet the intentions of Parliament, and we think there is a much better approach.

Many individual gipsy families would be, and are, perfectly content to make their own site arrangements. I expect that there will also be organisations representing gipsy groups which will be interested in getting permission to provide larger licensed sites as well. We have therefore already issued planning guidance on how their reasonable requirements should be catered for within the existing planning framework. We shall expect—we will, if necessary, insist on—positive statements to that effect to be put in local authorities' development plans.

Along with that encouragement of greater ability to make provision through the planning process, the Criminal Justice and Public Order Bill proposes to make it easier to move on the illegal campers who cause so much annoyance and discomfort, and sometimes expense, to those living nearby.

I accept that, between now and the expected Royal Assent in July, there will be an inevitable hiatus over the proposed council sites. Such a situation is, of course, not infrequent when there are changes in legislation. At the moment, local authorities still have a statutory duty to provide sites, and it would have been inequitable—and almost certainly challengeable in the courts—to stop grant where authorities had already spent considerable time and money trying to fulfil that duty.

It is therefore still possible between now and July for local authorities to put forward well-advanced, properly planned schemes for grant aid where considerable time and energy have already been expended, as long as they can get them completed in a year or so. That will bring the whole gipsy site grants saga to a foreseeable end. Whether or not local authorities—including that in my hon. Friend's constituency and Essex county council—bring forward such schemes within the rules is not a matter for Ministers. Those are local decisions.

Mr. Jenkin: Does my hon. Friend expect such sites to be brought forward, given the short time scale, for areas which have not been designated for development in the local plan?

Mr. Baldry: Which sites to bring forward will be a matter for local decisions. We will simply honour the existing statutory commitment to pay grant if the costs are sensible and the site can be quickly put in place.

Of course, if a county council proposes a contentious site and one to which the district objects, the time scale is bound to be lengthened by the potential section 8 proceedings. Similarly, I sincerely hope that any outstanding planning issues for proposed official sites will be resolved locally. If there are any outstanding issues, local authorities are cutting things fine in respect of acceptable grant applications.

Whether or not to press ahead at this late stage with an official gipsy site in my hon. Friend's constituency is thus a local matter for Essex county council and, indeed, Tendring district council to determine. Even if Essex county council decides not to proceed, the planning guidance to which I have referred accepts that private sites may well be perfectly admissible within the current planning system. We would expect the local development plan to reflect that.

However, my hon. Friend and his constituents can certainly take comfort from the fact that, so long as the existing statutory provisions remain, checks and balances exist to resolve disputes between the district and county councils. My hon. Friend and his constituents can also take comfort from the fact that should the Criminal Justice and Public Order Bill receive Royal Assent they will have access to easier remedies for those irregular camping incursions that cause so much local misery and discontent.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Eleven o'clock.

House of Commons

Friday 22 April 1994

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Orders of the Day

Energy Conservation Bill

Not amended (in the Standing Committee), considered.

New Clause 1

INSPECTION OF PLANS ETC.

'. An energy conservation authority shall, at all reasonable times and free of charge, make available at its principal offices for inspection by members of the public a copy of—

(a) any plan prepared under this Act by the authority, and

(b) any modification of any such plan.'.—*[Mr. Baldry.]*

Brought up, and read the First time.

9.34 am

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I beg to move, That the clause be read a Second time.

Madam Speaker: With this we may discuss the following: New clause 4—*Charges for copy plans etc. (No. 2)*—

'. An energy conservation authority may make such charge as it considers appropriate for—

(a) supplying a copy of, or of any extract of, any plan which the authority has prepared under this Act,

(b) supplying a copy of any modification of any such plan, or

(c) making available for inspection, or supplying copies of, any other documents relating to, or to the preparation of, any such plan or modification.'.

New clause 5—*Power to fix charges under section [Charges for copy plans etc. (No. 2)]*

'-(1) The Secretary of State may by regulations prescribe the maximum amounts which may be charged under section *[Charges for copy plans etc. (No. 2)]* above.

(2) Regulations under subsection (1) above may make different provision for different cases or classes of case.

(3) The power conferred by subsection (1) above shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.'.

New clause 6—*Charges for copy plans etc.*

'.—(1) An energy conservation authority may, subject to subsection (2) below, make such charge as it considers appropriate for—

(a) supplying a copy of, or of any extract of, any plan which the authority has prepared under this Act,

(b) supplying a copy of any modification of any such plan, or

(c) making available for inspection, or supplying copies of, any other documents relating to, or to the preparation of, any such plan or modification.

(2) A charge under this section shall not exceed the cost to the authority of providing the service concerned.'.

Amendment No. 50, in clause 2, page 2, leave out from beginning of line 45 to end of line 26 on page 3.

Amendment No. 209, in page 2, line 45, leave out from 'authority' to end of line 26 on page 3 and insert

'to consult such persons as it considers appropriate.'.

Amendment No. 216, in page 3, line 9, clause 2, at end insert—

'( ) representatives of organisations concerned with the provision of affordable energy for the elderly and those on a low incomes;'.

Amendment No. 210, in page 3, line 10, clause 2, after 'Council', insert

', the Office of Gas Supply, the Electricity Consumers' Committees'.

Amendment No. 188, in page 3, line 16, leave out

', subject to subsection (6) below,'.

Amendment No. 211, in page 3, line 18, after 'the', insert 'proposed'.

Amendment No. 214, in page 3, line 22, leave out '(iii)' and insert

'(c) before finally determining the content of any plan or modification'.

Amendment No. 215, in page 3, line 22, leave out 'by the public' and insert

'(including any representations made otherwise than under sub-paragraph (ii) above)'.

Amendment No. 212, in page 3, line 23, after first 'the', insert 'proposed'.

Amendment No. 189, in page 3, leave out lines 25 and 26.

Mr. Baldry: It may be helpful if I deal generally with the amendments, which concern public access to plans and consultation on those plans. Public access is covered by the new clauses and amendments Nos. 54, 57, 87 and 89; consultation is covered by amendments Nos. 109, 209, 68, 70, 71, 153, 152, 150, 75 and 76. I shall consider each of those main subjects separately.

The Bill places great emphasis on—

Mr. Andrew F. Bennett (Denton and Reddish): I have no complaint about the Minister's deliberate attempt to wreck the Bill, but I had hoped that he would at least take the opportunity to say whether the Government have an energy conservation policy, as they seem to put their emphasis through the Energy Saving Trust and we now know that the regulators have said that there will be no money for that. If the Government wish to wreck the Bill, should they not come clean at some point today and say how they will carry out their real commitments?

Mr. Baldry: It is a bit rich to be accused of seeking to wreck the Bill when I have uttered only three words. I intend during the course of this debate not only to respond to the specific points raised by the hon. Gentleman but to refer to an enormous amount of what the Government are doing for energy efficiency. The idea that somehow the Bill is a touchstone of the Government's energy efficiency policies is clearly and patently ridiculous.

The Bill places great emphasis on consultation when plans are being prepared. It lists in detail all those who should be consulted and says that members of the public should have opportunities to make representations and that local authorities should consider those representations. I am surprised to see, however, that it makes no provision whatever for public access to completed plans. That is a serious omission because, in the interests of open government, plans should be available for inspection. I am surprised that that did not occur to the Bill's proposer. It may help hon. Members if I remind them of our commitment to open government.

Mr. A. J. Beith (Berwick-upon-Tweed): If the Minister is surprised, I am surprised that it did not occur to the Government in Committee that such an amendment would be desirable. Only five amendments were tabled in Committee, whereas more than 200 amendments, all originating from the Government, have been tabled for today. I can assist the Minister by saying that I am happy to accept the new clause and that we can now proceed to the next.

Mr. Baldry: I am grateful to the right hon. Gentleman for helping us to make progress.

I am happy to explain why the new clause is worth while. The code of practice on open government, foreshadowed in the July 1993 White Paper, came into force on 4 April for all Government Departments and bodies under the jurisdiction of the Parliamentary Commissioner for Administration.

The Government are discussing with the local authority associations how to take forward a similar code for local authorities. The associations are keen to build on the considerable openness that already exists. Local debate has become much better informed since the public were given statutory rights of access to local authority meetings. I think that it was my right hon. Friend the Baroness Thatcher who, shortly after she was first elected to the House, proposed in a private Member's Bill opening committee meetings to the public. There was an increase in access to local authority meetings and papers associated with them in the mid 1980s, and local government is now much more open.

Mr. Paul Tyler (North Cornwall): In view of the fact that my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) has said that he is prepared to accept the new clause, will the Minister explain why he is proceeding at such a pedestrian rate when it would be possible for him to tear up his notes and proceed to the next group of amendments and new clauses? Is the Minister trying to be energy-efficient by going so slowly?

Mr. Baldry: I frequently speak in the House, and clocked up my 60th Adjournment debate last week. Those who have heard me speak know that I do so at a pretty consistent speed, as I am doing today. I am seeking to cover various points in the debate, and I am sure that you, Mr. Deputy Speaker, will be hawk-eyed and eared to ensure that we all remain in order. I am seeking to cover a large number of amendments, not all of which have been tabled by the Government. Some have been tabled by my hon. Friends, who no doubt will wish to speak to them. It would be courteous to the House if I set out the background of the amendments.

Mr. Patrick Thompson (Norwich, North): My hon. Friend knows that I am a committed supporter of the Bill, which has great support in Norwich—one of the districts where energy efficiency measures have been taken seriously. Will he bear in mind, in his conduct in the debate and his speeches on amendments, that there are many amendments? It would probably be wise for him to consider the speedy acceptance of those for which there is total support across the House.

Will my hon. Friend also bear in mind recent reports by the Environment Select Committee and the remarks of my hon. Friend the Member for Hertfordshire, West (Mr. Jones), the Chairman of that Select Committee, who felt that, in spite of the good work that the Government are doing in that sphere, they must take the matter more seriously? Will he ensure that he includes in his remarks reference to the fact that there should be greater enthusiasm for progress, even though he may criticise details of some of the amendments and may wish to move other amendments?

Mr. Baldry: My hon. Friend was present when we debated the Bill on Second Reading. He will recall that I then set out in detail what the Government were doing to promote energy efficiency, and I am sure that we will discuss that again today. As I made clear during questions on Wednesday, it is ludicrous to believe that the Bill is a touchstone of the Government's commitment to energy efficiency.

As we made clear on Second Reading, and as I made clear on Wednesday, our concerns about the Bill—which I am sure will be highlighted again today—involve the extra burdens that it would place on local authorities and the extra, unnecessary and unreasonable costs that it would place on taxpayers. I am sure that we shall discuss those concerns in detail during today's debate.

Mr. Oliver Heald (Hertfordshire, North): I am concerned that my hon. Friend is moving new clause 1, when its effect would be to impose costs on local authorities that would have to make available plans and details of modifications. What will that cost? How does it square with the Government's policy which, as I understand it, is that local authorities should prepare plans only for their own housing stock, not for all residential accommodation in the district?

If it is right that the local authority will simply produce a plan dealing with its own housing stock, how can it possibly be justified in those circumstances to introduce such an expensive commitment? The proposal would mean that any member of the public could find out what his neighbour, who may live in a council house, planned to do with his house. That would be unnecessary and bureaucratic.

Mr. Baldry: My hon. Friend makes an interesting point. The thrust of the new clause is as follows. If there is a duty on local authorities to provide information—the Bill seeks to place a duty on local authorities to provide and draw up plans—those plans should, as a matter of course, be accessible to the public. There will be some people who believe that local authorities should not draw up plans in that way—my hon. Friend's comments clearly show that he is among them. That is a matter that we shall need to consider.

Mr. Heald: I certainly accept that a local authority should have an energy efficiency plan for its own housing stock, and I have no difficulty about the timetabling for that. I object to the idea that such plans should be drawn up for the homes of individual occupiers—owner-occupiers of their own homes. If it is a purely internal document dealing with the local authority's own housing stock, I do not see why it should be made available to the public as the councillors who represent them will already have the plan.

10.45 am

Mr. Baldry: My hon. Friend makes two good points. It was made clear by what the Government said on Second Reading that, as we would expect, local authorities already

carry out a considerable amount of work when considering the condition of their own housing stock. Only recently we made it a precondition of local authorities submitting their housing investment programmes that they should have regard to energy efficiency. Even with regard to those proposals, we expect local authorities to be as open as possible. Each year we expect, as a matter of course, local authorities to consult with tenants' and residents' groups about their housing investment programme. Local authorities' proposals for their own housing stock should be open, and discussed with tenants and residents groups.

Mr. Ian Taylor (Esher): I am considering the full import of what my hon. Friend said. There is no doubt that we have to be careful. Many of my constituents are concerned about the level of expenditure of Elmbridge council. It is a disaster for any council not to be under Conservative control. We have no overall control at Elmbridge, which could have burdens placed on it by the Bill. Sadly, I was not selected to serve on the Committee considering the Bill; otherwise I might have been able to table amendments. Now that I have had a further chance to consider the Bill, I have been able to table amendments. Our constituents need to understand the full implications of the costs to councils.

My hon. Friend the Minister should discuss the new clause in full, regardless of the way in which the Liberals want to slip it under the table. They will not want to face up to the extra cost burden that Liberal local councillors will gleefully impose but will announce only after the local election campaign.

Mr. Baldry: My hon. Friend makes an extremely good point. Because the Bill is called the Energy Conservation Bill, the impression has been given that it is all that stands between us and ensuring the best energy conservation practice. One must remember exactly what the Bill proposes. It proposes placing a statutory duty on every local authority to carry out an energy audit of every house. That is far away from some of the suggestions made in the national press today. The *Daily Mirror* today reported the Bill as a bid to help the families and old folk who were hardest hit by VAT on fuel, which is absolute bunkum. Nothing in the Bill would give one penny in help to those groups. All the Bill would do is to make it clear—

Mr. Cynog Dafis (Ceredigion and Pembroke, North): Will the Minister give way?

Mr. Baldry: I am happy to give way to all hon. Members, but I want to respond to my hon. Friend the Member for Esher (Mr. Taylor), who raised a serious issue.

This Bill would not contribute one penny to old folk or families. It certainly would not necessarily bring about any greater efficiency in respect of heating bills. All it does is to place an extra statutory duty on every local authority, and it involves them in extra costs which they, because it is a statutory duty, will look to central Government and the taxpayer to fund.

Mr. Dafis: Does the Minister accept that the Bill aims to provide a cost-efficient means of developing energy conservation? In that connection, does he agree that energy efficiency is an essential component in sustainable development? The Government have a sustainable development advisory group, chaired by Sir Crispin Tickell. Have they received any advice or representations from that group, or from Sir Crispin himself, about the Bill?

Mr. Baldry: The Government are entirely committed to promoting energy efficiency. Ours was the first country to publish its plans and proposals for meeting the international obligations to combat carbon dioxide emissions and to ensure that they are restored to 1990 levels by the year 2000. As the hon. Gentleman knows, the Prime Minister only recently published our national programme on sustainable development.

There is no difference between us on the importance of energy efficiency: we are determined to promote it. That is why the budget of the Energy Efficiency Office has been doubled this year; it is why the amount of money we are spending on the home energy efficiency scheme has been nearly doubled this year; it is why about 250,000 homes will benefit from that scheme this year. What we are worried about is the fact that the Bill places an unnecessary burden on local authorities and unnecessary costs on taxpayers.

I am not aware of any specific advice that Sir Crispin Tickell may have given on this Bill, but I should be surprised if Sir Crispin and his committee thought that this was a particularly good way of promoting energy efficiency—putting extra burdens on local authorities and more costs on taxpayers.

As we shall no doubt hear in the course of this morning's debate—hon. Members often pray this in aid—many local authorities are already doing much of what is involved in the Bill. So there is no need to impose this extra statutory burden on them, or to incur more costs for taxpayers.

Mr. Martin O'Neill (Clackmannan): Is the Minister aware that Scottish Homes, a wholly owned subsidiary of the Government which is responsible for a sizeable proportion of the Scottish housing stock, between 1991 and 1992 carried out an extensive survey, on behalf of the Government and at the Government's expense, with the express purpose of establishing a benchmark of housing conditions against which local authorities can measure the findings of their own local house condition surveys—and it is to be repeated every four years?

Therefore, the Government have already undertaken this sort of work on behalf of all householders in Scotland. Why do they not facilitate it for the rest of the United Kingdom? It seems to be bureaucratic and over-expensive in England and Wales, but not in Scotland.

Mr. Baldry: The hon. Gentleman has completely misunderstood the point. He was not present on Second Reading; his interest in the Bill is somewhat belated. As I said then, and as we have often made clear, we would expect local authorities, as a natural part of their work looking after their own housing stock, to carry out stock condition surveys, and as part of that work we would certainly expect them to have regard to energy efficiency. Indeed, many local authorities have spent considerable sums every year on repairing and refurbishing their stock. Whenever they undertake such work, we would expect them to consider how they can improve energy efficiency in their housing stock.

Likewise we would expect housing associations to carry out surveys of the condition of their stock and to have regard to how it can be made more energy efficient. As part

[Mr. Baldry]

of the Energy Efficiency Office's best-practice programme we have published comprehensive guidance for local authorities and housing associations on how they can improve the energy efficiency of their stock—that already goes on. It already happens; it does not require legislation to enable it to happen.

It was made clear on Second Reading, and it has been made clear to the Bill's promoter ever since, that we consider that the statutory obligation to be placed on local authorities to carry out an energy audit of every house in the country places an unnecessary burden on them and incurs unnecessary costs for taxpayers. When Parliament imposes a statutory obligation on a local authority, the authority turns round and says, "Parliament has placed a statutory burden on us. We therefore are entitled to be recompensed for that burden by central, taxpayers' funds." Thus, local authorities' incentive to carry out such work as cost effectively as possible disappears, and we end up with extra burdens, more costs and not an iota of progress towards promoting energy efficiency in the housing stock.

Mr. Beith: If the Minister cannot remember the advice of Sir Crispin Tickell, or if it was not passed on to him, perhaps he can remember the advice of Lord Moore, our former colleague John Moore, chairman of the Energy Saving Trust, who said:

"The Trust strongly supports the primary aim of the Bill, which is to place an obligation on all district and borough councils to create an energy use profile of the dwellings within their area".

That advice comes from one of the bodies to which the Government look for advice on energy saving. Why is the Minister ignoring it?

Mr. Baldry: We do not believe that the Bill, with the burdens that it places on local authorities and its costs for taxpayers, is necessary, or that it merits those costs. In an article last week the right hon. Gentleman said that, at a conservative estimate, the outline costs of the Bill's energy audits would be between £11 million and £20 million—money which will not further our knowledge of energy efficiency in the housing stock. It could certainly be better used in other ways.

Mr. Bowen Wells (Hertford and Stortford): Is the Minister aware that Sir Crispin Tickell and I worked on many projects together when he was permanent secretary at the Overseas Development Administration and when he was this country's United Nations ambassador based in New York? Since then he has become the principal of Green college in Oxford. It therefore surprises me greatly to learn that, if he is a great supporter of the Bill, he has not been in touch with his friends in this place to tell us of his support. I believe that if he really did support the Bill he would have come here to talk to the many people with whom he has worked over the years.

Mr. Baldry: As my hon. Friend says, Sir Crispin has made an impressive contribution to environmental causes in this country.

The Audit Commission's responsibilities for scrutinising the accounts of local authorities have been extended—

Mr. Andrew Robathan (Blaby): I accept my hon. Friend's point that the Bill places an obligation on local authorities which could be unduly bureaucratic, but many Conservative Members feel that it is time we took some firm action, because it has been 20 or 30 years since we started discussing all this. It has been 20 years since the Government's "Save It" campaign, for instance. Perhaps my hon. Friend would like to consider how much has been saved since that campaign was begun. The Rio commitments fall due in the year 2000, and we are getting pretty close to that date.

Mr. Baldry: One of the frequent failings in debates on conservation is always to assume that nothing has happened to date. A great deal has happened, and the Government's initiatives have already led to considerable energy savings. Britain now produces 25 per cent. more national wealth than it did in 1979 but it is not consuming any more energy. In the intervening years there have been great strides in the promotion of energy efficiency, and we are determined to carry on with that. As I have said, we were one of the first countries to make clear its commitment to how it would meet the international commitment to reduce CO_2 emissions and stabilise them at 1990 levels by the year 2000. We are determined to do that.

10 am

The Bill is being presented as if it is the only measure that will stand between us and meeting those targets, and that is ludicrous. The Bill will place extra bureaucratic responsibilities and burdens on local authorities and extra costs on taxpayers. But it will not necessarily advance by one iota the cause of energy efficiency or contribute anything more to our knowledge about the energy efficiency or otherwise of our housing stock.

Mr. Dafis: It is tiresome of the Minister to talk all the time about bureaucratic burdens. How will an audit constitute a bureaucratic burden? He speaks about what he calls the great burden of surveying all properties, but he knows that that can be done by sampling. There is every reason for including private property in such a survey, bearing in mind that at least 70 per cent. of property is owner-occupied and that much of it is owned by fairly poor people, is in bad condition and in need of energy efficiency work.

Why on earth should local authorities not include in a cost-efficient survey the whole of the housing stock to facilitate the process afterwards of conducting a comprehensive and thorough energy efficiency programme? That has everything to be said for it, and that is why a whole range of bodies, including local authorities and the Association of County Councils, support the Bill and the process.

Mr. Baldry: The hon. Gentleman has been involved with the Bill for some time and what he says is interesting. He says that the audit need not be of the entire housing stock or any proportion of it, but a sample. Perhaps in this debate we need to consider what constitutes a representative sample. The hon. Gentleman says that the proposal need not be a regulatory burden, but what constitutes a representative sample of the private housing stock—that which is not in the ownership and control of local authorities?

The work cannot be undertaken without going into people's homes. One would need to look at the way in which the homes are insulated, whether the lofts are insulated and whether the pipes and hot water tanks, in the homes that have them, are lagged. One needs to consider also whether the homes have wall insulation and the type and efficiency of boilers.

It is being slightly disingenuous to suggest that that can be done without putting an obligation and an extra burden on local authorities. The House would need to consider whether that can be done by random sampling. Random sampling of local authority and private sector stock is rather less than what happens at the moment because, as I have said, we expect that local authorities as a matter of course are already carrying out surveys as part of their natural housing investment programme.

The hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) spoke about private housing. The one measure which should ensure that every householder will look to the energy efficiency of his home is our imposition of VAT on domestic fuel. The Conservative party is the only party which has had the courage to do that, and we did it despite the fact that at different times both opposition parties opposed it. The party of the right hon. Member for Berwick-upon-Tweed (Mr. Beith), the Bill's proposer, referred to the anomaly of zero-rated domestic fuel. We had the courage to impose that tax in support of promoting energy efficiency. The other parties reneged on it and ran away from their responsibility.

Mr. Ian Taylor: My hon. Friend raises an important point that is a constant source of irritation to my constituents when they realise the truth. No new tax is greeted with popularity, and VAT on fuel was a classic case. We have had the debates and got the compensation package. Yet people get really irritated when they understand the hypocrisy of the Liberal Democrat party in having first suggested the tax and proposing it for energy efficiency schemes, and then running away from it when the tax was applied. It then tried to hide energy efficiency levies under the cloak of the Bill.

The Bill has a good title but through the back door will impose extra council tax burdens on constituents such as mine. That is not the proper way to go. Will my hon. Friend the Minister confirm that he shares that view?

Mr. Baldry: It will be interesting to hear how the right hon. Member for Berwick-upon-Tweed puts into context the history of the Liberal party's approach to VAT on fuel. In terms, the Liberal Democrats said that it was anomalous for domestic fuel to be zero-rated and it was time that the anomaly was dealt with. As I have said, we have dealt with that anomaly: ours is the only party which has had the courage to do it. Imposing VAT on domestic fuel will be a considerable spur to every householder to look to the energy efficiency of his home, because the more efficient it is the less the householder will pay in fuel bills. It is a win-win situation because when people make their homes more efficient they make a greater contribution to the environment and also save money.

Mr. Beith: Will the Minister stop being economical with the truth and admit that my party has never argued for the imposition of VAT on domestic fuel? We have consistently been in favour of a carbon energy tax. The argument in the document that was put to us by a working group was that, if that was not done, VAT on domestic fuel should be considered. We rejected that argument, continuing with the policy of a carbon energy tax. Will the Minister kindly get the facts right?

Mr. Baldry: I think that the right hon. Gentleman would admit that his party said that the zero rating of domestic fuel was anomalous. He has freely and readily acknowledged that the Liberal Democrats wanted and were prepared to tax energy. As I have said several times, ours is the only party which had the courage to bring forward VAT on energy. The opportunist Opposition parties claim to be in favour of greater energy efficiency, but when measures are taken to promote it they vote against them.

Mr. Malcolm Wicks (Croydon, North-West): If courage is to be equated with hurting the poor and the elderly, the Government have indeed been courageous. Will the Minister treat the House with some seriousness? I am a new Member, and I served on the Committee. I have learnt that amendments are moved mainly in Committee. Why is the Minister moving so many amendments today so late in the Bill's proceedings? Will he come clean and tell us whether it is the Government's intention to kill the Bill?

Mr. Baldry: The hon. Gentleman has clearly not paid any attention to the proposals of my right hon. and learned Friend the Chancellor of the Exchequer to assist vulnerable people with their heating bills: he has extended help to everyone on income support and to every pensioner. Moreover, this year we have almost doubled the amount of money being spent on the home energy efficiency scheme. This year some 250,000 households will be assisted with loft insulation, draught proofing and energy advice. That is in addition to the 500,000 homes that have already been covered in that way.

We made clear on Second Reading our concerns about the Bill and made no bones about it. I earnestly hoped that the right hon. Member for Berwick-upon-Tweed would deal with them after Second Reading. He has not done so, and it is right and proper for the House to consider them in some detail. I hope that we will deal with them today; if we can, the Bill will doubtless make progress.

Mr. Dafis: The Minister presents value added tax on domestic fuel as an environmental tax, but the Paymaster General stated in European Standing Committee B that the tax was a revenue-raising measure, and that is on the record. If it is an environmental tax, the proceeds should be recycled into measures that enhance and strengthen the purpose of the tax—energy efficiency measures. The proceeds will amount to more than £2 billion. How does that compare with the increase in Government funding for the home energy efficiency scheme?

Mr. Baldry: I never cease to be amazed by the cant of members of some Opposition parties. For a long time Opposition Members wrote learned journals, publications and pamphlets on energy efficiency.

The right hon. Member for Berwick-upon-Tweed gave us the history and analysis of the Liberal Democrat approach to a carbon tax. There have been weasel words about what the Opposition parties—including Labour, the Liberal Democrats and the Welsh nationalists—did or did not say about VAT on domestic fuel. At different times the parties all drew attention to the fact that it seemed somewhat curious for any Government who wished to promote energy efficiency to continue to zero-rate domestic fuel.

However, by their own admission, we have gathered today that, whatever the Opposition parties said about VAT on fuel, they are in favour of a carbon tax because they must square their views with how they present

[Mr. Baldry]

themselves to their electors. Mysteriously they have all been transformed overnight. They were concerned about VAT on fuel and now they want a carbon tax.

What does the hon. Member for Ceredigion and Pembroke, North think that a carbon tax is if it is not a revenue-raising fiscal measure? Taxes raise money; that is their nature. I am sure that the hon. Gentleman would argue that, even within his terms of reference, such a tax is a way for the Government to increase the cost of fuel and thus to prompt businesses and people to be more energy efficient and to consider their energy bills.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. I have been tolerant during this debate, but hon. Members are going rather wide of the subject. If they stick to the new clause, we may make some progress.

Mr. Bennett: On a point of order, Mr. Deputy Speaker. Since the Minister, who moved the new clause, and the right hon. Member for Berwick-upon-Tweed (Mr. Beith), who is in charge of the Bill, agree that the new clause should be accepted, instead of this general debate, which, as you pointed out, is getting close to being out of order, would it not be better to accept the new clause and move on to the second group of amendments selected? It might be easier for us to have a wide-ranging debate on the commencement order. If the Government want to make progress, the Minister should sit down so that we can vote on the new clause.

Mr. Heald: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. There is no further matter to be dealt with yet because I have not dealt with the point of order. As the hon. Member for Denton and Reddish (Mr. Bennett) knows, the Minister's speech is a matter for him and he must decide on its length and what he says in it, provided that it is in order. The Government Front-Bench team will no doubt have taken note of the hon. Gentleman's comments.

Mr. Heald: Further to that point of order, Mr. Deputy Speaker. I do not know whether the hon. Member for Denton and Reddish (Mr. Bennett) realises that I oppose the new clause—I hoped that I had made it clear in my intervention—which seems to be hopelessly bureaucratic and would be extremely expensive for taxpayers in north Hertfordshire.

Mr. Deputy Speaker: That is not a point of order for me. The debate is going rather wide, and hon. Members will be near to filibustering if they are not careful.

Mr. Baldry: I have to deal with four new clauses and 10 amendments. In fairness, as *Hansard* will demonstrate —I will certainly be prepared to be judged by what is in the record—all my remarks during the past quarter of an hour have been in response to interventions from hon. Members on both sides of the House.

Mr. Deputy Speaker: Order. My comments about filibustering were not aimed only at the Minister, as there have been contributions of that type throughout the debate.

Mr. Baldry: I did not intend to filibuster. If for some strange reason Opposition Members want to do so by intervening, they will have to square that with the proposer of the Bill. I am trying to make progress.

As I was saying, the first amendment relates to people's access to local authority plans. I was explaining how there is a general presumption of trying to make local authorities more open. The Audit Commission's responsibilities for examining and scrutinising the accounts of local authorities have been extended and, under the Local Government Act 1992, the commission has been charged with directing local authorities on the performance indicators on which they should report.

10.15 am

The 1992 Act placed a similar responsibility on the Accounts Commission for local authorities in Scotland. The first directions have already been given. When the results become available at the end of the year the information collected will allow the production of valuable comparative data on the performance and efficiency of local authorities and will cover a wide range of functions.

Auditors also have new powers to issue public interest reports on aspects of their findings. The accountability and performance of local authorities is greatly enhanced by the production of comparative data. For example, people can contrast and compare how much local authorities charge in council tax for a certain band, which is very helpful. People know that Conservative-controlled councils charge £118 less for a band D dwelling than Labour-controlled councils.

In common with all public authorities, local government is required to ensure freedom of access to and dissemination of information on the environment. Under the Environmental Protection Act 1990, local authorities must provide public access to registers giving information about industrial processes in their area which could cause significant pollution to air, land and water. One of the great advantages of that Act was that it considerably increased the amount of information available to the public about the environmental impact of activities in their area. That is to be welcomed.

Mr. Ian Taylor *rose*——

Mr. Deputy Speaker: Order. It would be helpful to the occupant of the Chair if the Minister and any other hon. Member would say what amendment they are referring to before they make a point.

Mr. Taylor: I agree, but when Madam Speaker rightly simplifies matters by grouping so many amendments together it is sometimes difficult to relate one's remarks to each amendment as opposed to the generality.

The Minister made an interesting remark about comparable information. Citizens increasingly require information about their local authority's efficiency on energy and other matters. That information should be available to the public. Have the Government taken any initiatives under the compulsory competitive tendering legislation to require local authorities to put their energy efficiency savings schemes out to tender?

Mr. Baldry: Shortly, local authorities will have to expose housing management to compulsory competitive tendering because that function, as with any other activity, is best delivered when exposed to competition. All the evidence to date is that substantial savings can be made by

exposing services to competition. Savings of between 7 per cent. and 20 per cent. have been made on services across the range of local authority functions. That money is actually saved and local authorities can reinvest it to the benefit of their council tax payers and the community.

I am seeking to speak to the group of amendments, not just to new clause 1, because I am conscious of the fact that there are a number of amendments and that the House wants to make progress. That is why I am commenting as comprehensively as possible.

Mr. Ian Taylor: I apologise for pursuing this point, but it is critical. My hon. Friend the Minister said that considerable savings could be made by the tendering of housing accounts. Would it not be better to require local authorities to use those savings for increased energy efficiency in their housing stock rather than apply bureaucratic measures such as those in the Bill?

Mr. Baldry: Absolutely. One hopes that local authorities seek, as a matter of course, to make their housing stock as energy efficient as possible. Each year they receive substantial capital funding to invest in their housing stock. In addition, there are numerous estate action schemes, under which half a million homes have been improved over the past few years. All that money should be used to make local authority housing stock more energy efficient.

Local authorities such as Newark, Sherwood and Derby, when under Conservative control, have demonstrated that it is perfectly possible for local authorities to do that, without requiring such legislation. All this measure does is to place an extra bureaucratic burden on local authorities generally and to impose extra costs on taxpayers.

In common with all public authorities, local authorities are required to ensure freedom of access to and dissemination of information on the environment that they hold. That has considerably enhanced the public's understanding of environmental measures. Against that, local authorities generally already have a well-established culture of openness. We believe that most will have little difficulty in adopting the further proposals set out in the open government code of practice. It is designed to promote and inform policy making and debate and efficient service delivery; provide timely and accessible information to the citizen; explain Government policies, actions and decisions; and restrict access to information only when there are good reasons in the public interest or to protect personal or commercial confidentiality.

The code seeks to achieve that by volunteering more information on facts and analysis of facts that the Government consider relevant and important in framing major policy proposals and decisions; providing explanatory material, including internal guidance on dealing with the public and guidance on rules and procedures except where exempted; explaining reasons for administrative decisions to those affected, except where exempted; and providing citizens charter information on standards of service, targets, objectives and performance audited against such standards.

I am sure that hon. Members agree that it is important to apply those principles to energy conservation plans. It will be important for the public to be able to see the final plan so that they may know how it affects the area in which they live and their own homes. Other plans prepared by local authorities, such as those relating to development and waste recycling, are open to inspection by the public. It is important that development plans should be open to inspection. Authorities would need similar powers in relation to energy conservation plans.

Similarly, powers are needed to enable local authorities to supply copies of plans and to charge for them. There is no reason why members of the public should not be able to buy copies of the finished plan, modifications to the plan and documents relating to it. By making those documents available for sale, authorities would help to spread the message that energy efficiency is important and something in which everyone can play a part.

The educational role that such plans could have should not be forgotten. They could be used by schools to educate children about the importance of energy efficiency and they, in turn, could inform their parents. It is for local authorities to decide the scale of charges for plans, modifications and related documents. However, I am sure that it would be appropriate for the Secretary of State to have powers to fix charges, should the need arise.

I urge right hon. and hon. Members to support new clause 6, which the Government have tabled to ensure that plans are made available for inspection by the public. I urge them to support also new clause 4, which would give authorities a power to supply copies of plans and to make such charges as they consider appropriate.

Mr. Beith: On a point of order, Mr. Deputy Speaker. Will you confirm that, although reference may be made to new clause 6 and other new clauses, they have not been selected for a Division?

Mr. Deputy Speaker: The Chair will have to consider that matter as debate proceeds.

Mr. Baldry: The House should be clear that my comments seek to cover the first group selected by Madam Speaker. It comprises new clause 1, new clauses 4 to 6, and amendments Nos. 50, 209, 216, 210, 188, 211, 214, 215, 212 and 189. I am attempting to be as expeditious as possible. I hope that *Hansard* and the House will note that, in relation to two important new clauses, I spoke no longer than one sentence on each. That provoked a point of order from the right hon. Gentleman, who has not even taken the time and trouble to study the groups determined by the Chair.

Mr. Peter Butler (Milton Keynes, North-East): My hon. Friend's brevity is always legendary on these occasions, and ample. There appears to be some contradiction between new clauses 4, 5 and 6 and new clause 1 in relation to the protection of economic information that will permit interests to seek to supply loft insulation and other energy conservation measures to the authority or householder. New clauses 4, 5 and 6 propose a charge, so that if suppliers are to make a profit, that information should be provided at their expense and not at that of council tax payers by recouping some of the cost of preparing the plan. New clause 1 appears to alter that. Will my hon. Friend comment?

Mr. Wells: On a point of order, Mr. Deputy Speaker. Perhaps I may assist the Chair. The first group of amendments includes new clauses 1, 4, 5 and 6. I assume that we are debating new clause 6, the wording of which is:

"(1) An energy conservation authority may"—

Mr. Deputy Speaker: Order. That is a statement of the obvious. I am worried that the House appears to be bordering on filibustering. I hope that right hon. and hon. Members will cut it out.

Mr. Wells: Further to that point of order, Mr. Deputy Speaker. I thought that I heard you say that you were not certain that new clause 6 was included in the first group.

Mr. Deputy Speaker: If the hon. Gentleman thinks that I said that, he is mistaken.

Mr. Baldry: I hope that I made it clear that, in dealing as expeditiously as I could with the new clauses, I had chosen to approach them as a group—and I spoke only one sentence each on new clauses 6 and 4. As to the point made by my hon. Friend the Member for Milton Keynes, North-East (Mr. Butler), I do not see any contradiction. In general good practice, if local authorities are collecting information, it should be available to the general public —but in certain instances local authorities should have the ability to charge for that information. If my hon. Friend identifies a contradiction, doubtless he will draw it to the attention of the House in due course.

Mr. David Nicholson (Taunton): While we are dealing with the question of expedition, if it is in order, will my hon. Friend say how many amendments the Government sought to table when the Bill was considered in Committee? While we all appreciate that the wheels of government grind slowly, possibly far too slowly for so many purposes—

Mr. Deputy Speaker: Order. What has that got to do with the new clauses and amendments that we are discussing? My patience is getting a bit thin now. I repeat what I have said twice earlier. The debate is bordering on a filibuster, and the Chair will not tolerate that.

10.30 am

Mr. Baldry: Support for new clause 1 would complete the package by providing a power for the Secretary of State to fix charges. I consider that this package of amendments would be preferable to new clause 5, which would give authorities a power to supply copies of plans and make charges that do not exceed the cost to the authority of providing the service concerned.

Having dealt with the whole question of public access, I turn now to the matter of consultation, because it also arises within this group of amendments. Hon. Members will know that the Government fully understand the intention behind the proposal that authorities should consult widely when preparing statements or plans that require action by the authorities or others. It is fully in line with the Government's intention for more open government, which I have just explained. The Government see no need, however, for such consultation to be laid down as a formal duty and thereby increase the length of the Bill and the potential costs.

To do so and to combine that with a list of individuals and organisations that must be consulted has two undesirable side effects that need to be considered: first, that money might have to be spent on formally consulting organisations or individuals who have already recently made it clear that they do not wish to make any comment. That is wasteful of council tax payers' money. Secondly, by implication, it means that organisations which wish to comment but which are not identified in the list may find it difficult to have their input taken into account.

We believe that it is far more sensible to leave the arrangements for consultation on the plans to the authorities concerned. It should be up to them to choose the organisations that they wish to consult so that they may carry out the consultation in a cost-effective way. No useful purpose would be served by imposing those duties on authorities, which will, I am sure, make a much better job if allowed to arrange consultation in the most appropriate way according to their local needs and circumstances.

Local authorities are no strangers to consultation when it comes to housing matters. Every year, every local authority in England must draw up a housing investment programme, and pretty well every local authority, as part of that process, now sensibly consults local tenants and residents' groups. They certainly do not need any statutory injunction to do that. They do so, quite rightly, as a matter of course and good practice.

Mr. Malcolm Moss (Cambridgeshire, North-East): Does my hon. Friend agree that, if there is an attempt on the face of the Bill to have an exhaustive list of consultees, there is always a danger of missing somebody or some organisation off that list? Will not those people perhaps take umbrage that they have been overlooked? There is always a cost in consultations, and nowhere on Second Reading or in Committee was any reference made to the cost implications of consulting all those bodies.

Mr. Baldry: My hon. Friend tellingly underlines and re-emphasises the point that I have just made. It is a sensible point, because there is no useful purpose in imposing unnecessary statutory burdens on local authorities which incur greater cost. There is a need for Parliament and Government to exercise great restraint in imposing new duties and burdens on local government, particularly when they entail additional spending for local authorities and tax payers. Generally, there are no spare resources in life, and to impose burdens, as set out in clause 2(5) and clause 2(6) of the Bill, obviously has implications for services in other areas for which local authorities have responsibilities.

As I made clear on Second Reading, one of our concerns, despite our enthusiasm for energy efficiency, is costs. As it stands, the Bill would have spending implications for local authorities and central Government. I know that the right hon. Member for Berwick-upon-Tweed, who proposes the Bill, has circulated figures showing how much it might cost local authorities to set up a database on the condition of housing stock in their authorities. If those costings were replicated by other local authorities, the cost of setting up databases across the United Kingdom—just setting them up, no more and no less—could be between some £11 million and £23 million.

Mr. Ian Taylor: My hon. Friend makes an important point, because he is saying that extra levels of bureaucracy are required by the Bill over and above the commitments that the local authorities already have. Would it not be better for them to concentrate, for example, on their obligations under building regulations SI 1991/2768, where grants can be provided under the home energy efficiency scheme? Such things have practical benefits for

the housing stock and also for the residents in it rather than putting on top new layers of bureaucracy that are likely to cost more, for nobody's benefit at all.

Mr. Baldry: The point cannot be made during the course of today with too great an emphasis. We expect local authorities to try to ensure that their housing stock is maintained and kept in a way that is as energy efficient as possible. We expect them to carry out, as part of their housing duties, a regular stock condition of their housing and to seek to use the considerable sums of money that they have available to invest in ensuring that it is as energy efficient as possible.

In addition, many people, including council tenants and home owners, who are on vulnerable means, have access to schemes such as the home energy efficiency scheme, which, this year alone, is likely to help some 250,000 households. It would be far better for local authorities to spend their time and energy in promoting the home energy efficiency scheme and energy conservation in their own stock rather than having this extra burden placed on them by Parliament.

It is interesting to note that the calculated £23 million —at the very minimum—of unnecessary spending that the Bill would provoke could provide grants for 123,000 homes under the home energy efficiency scheme. But, of course, it is quite possible that those costs would not be representative of those incurred elsewhere. It is almost certainly the case that the calculations understate the costs that would be incurred by others, because the two local authorities prayed in aid by the right hon. Member for Berwick-upon-Tweed have obviously taken a particular interest in promoting energy efficiency. One of them already has the necessary computer hardware, software and trained staff, so the costings that have been put forward are very much the most optimistic costings that could possibly be devised. But, more importantly, those costs are only part —probably a small part—of the costs that would be involved in carrying forward the Bill.

In addition, local authorities would have to bear the costs of preparing draft plans, consultation, preparing final plans and keeping the plans up to date. The House will note that, in all of that, not one jot or iota of further improvement to the energy efficiency of any home will be carried out.

Mr. Beith: The Minister's prolonged discourse has already gone on for more than an hour. In Committee, the Minister who was then in charge of the Bill, the hon. Member for Ribble Valley (Mr. Atkins), said:

"this should be permissive legislation, encouraging councils to undertake such expenditure."—[*Official Report, Standing Committee C*, 16 February 1994; c. 19.]

It was the Government's policy that councils should spend the money in that way.

Mr. Baldry: The right hon. Gentleman clearly has not been listening to what I have said. Today is a rather curious day. I am occasionally chastised for trying to explain matters to the House as concisely as possible, but when I do that, it is clear that hon. Members do not listen to what I say. Throughout the debate so far, in speaking to the new clause and the associated new clauses and amendments, I have said that we already expect local authorities as a matter of course to maintain their housing stock with as high an energy efficiency as possible.

However, we do not see any need to impose a further statutory burden on them. It would not enhance the work that they are already doing in any way but would simply put extra burdens on local authorities and extra costs on the taxpayers. That money could be far better spent on promoting energy efficiency in other ways.

We have already issued guidance to local authorities asking them to collect information about the energy efficiency of housing in their areas as part of the process of preparing housing investment programmes. Indeed, we expect them to undertake that every year. Not only local government would face extra costs as a result of the Bill; central Government, too, would face additional spending.

The Bill would require the Secretary of State to set a date by which all plans should be sent to him and to set a timetable for the implementation of plans. It would require funds to be provided by Parliament. As Parliament would place a statutory duty on local authorities, they would expect that new burden to be funded by central Government through the standard spending assessment mechanism. So the Bill would place extra burdens on local authorities and certainly represent extra costs to taxpayers in general.

As hon. Members will know, we are keen not to place burdens on local authorities. The local authority associations constantly make representations to Ministers not to place further burdens on them unless it is unavoidable. We are worried that the provisions of the Bill will impose unnecessary burdens. It is perfectly clear already from the debate that many local authorities follow good practice in energy efficiency without Parliament placing extra burdens on them.

Many local authorities are already doing a great deal to improve energy efficiency. Some 250 local authorities have agreed to sign up to my Department's "Making a corporate commitment" campaign. Many local authorities are also taking steps to improve domestic energy efficiency. My Department encourages such steps. Local authorities already spend about a quarter of their council house repair and improvement budgets on energy-related work such as new heating systems. Better outputs can be obtained by applying the lessons of my Department's green house demonstration programme.

The green house programme was launched in 1990 to establish a network of energy efficiency projects to show local authorities in England how the energy efficiency of council housing could be improved. Some 180 schemes in 130 local authorities have been undertaken over three years. Results are encouraging, with schemes achieving fuel cost reductions of up to 40 per cent. and carbon dioxide reductions of up to 50 per cent.

Drawing on experiences gained from the green house programme, last year we asked local authorities to include energy efficiency as an integral part of their housing strategies and investment programmes. Interim guidance was issued last June and further guidance is planned. A key element of that guidance is that local authorities should survey their housing stock to establish its energy rating as part of devising an energy efficiency strategy for inclusion in their overall housing investment strategy.

Mr. Butler: Most of the programmes that my hon. Friend has referred to—specifically those to which he referred in his last few sentences—refer to local authorities' housing stock. One of the difficulties of the Bill is that it places a statutory duty on local authorities to

[Mr. Butler]

prepare a scheme for all the residential accommodation in their area. They have no right of entry to such accommodation. Does my hon. Friend envisage that local authorities will be able to prepare such a scheme for property to which they do not have the right of entry that they have to their housing stock?

Mr. Dafis: On a point of order, Mr. Deputy Speaker. May I ask for your judgment on whether we are discussing the new clauses and amendments in the group?

Mr. Deputy Speaker: I assure the hon. Gentleman that we are, because, if we were not, speeches would be ruled out of order.

Mr. Baldry: My hon. Friend the Member for Milton Keynes, North-East (Mr. Butler) makes a reasonable point. It is a point which needs to be returned to from time to time during today's debate. The Bill purports to have far wider application than merely to local authorities' housing stocks. It is unclear from some of the interventions from Opposition Members whether the duty is to audit a random number of houses in the private sector or to audit every house.

Even if one could overcome the problems of right of entry, which will undoubtedly have to be discussed in the context of the Bill, once the local authority had carried out the audit, it would have no power to order or carry out any energy efficiency work in those homes. As I said earlier, we are the only party which has had the courage to introduce VAT on domestic fuel. That is a far greater spur to all householders to consider how they can make their homes more energy efficient. The work of my right hon. and learned Friend the Chancellor of the Exchequer in having the courage to introduce VAT on domestic fuel will do far more to promote energy efficiency than any of the Bills before the House.

Part of the reason why Opposition parties need to promote Bills such as this is that they have to square the fact—

10.45 am

Mr. O'Neill: On a point of order, Mr. Deputy Speaker. Is it in order for the Minister to go over again and again the courage or whatever of the Government in introducing VAT on domestic fuel? Are we not getting near tedious repetition?

Mr. Deputy Speaker: I can assure the hon. Gentleman that I am taking note of what the Minister says. So far, he has been in order, but he was straying a little in his last few remarks.

Mr. Ian Taylor: Further to that point of order, Mr. Deputy Speaker. Is it not in order that my hon. Friend the Minister should underline the point constantly, given that the Liberal Democrat party is trying to hide behind the Bill to disguise its original intentions?

Mr. Deputy Speaker: Provided that it is not tedious repetition.

Mr. Baldry: My hon. Friend the Member for Esher makes exactly the point that I was about to make, so I shall not repeat it. He makes it tellingly.

Existing legislation enables authorities to do a great deal of what is proposed in the Bill. We should allow them to use those powers. We should not insist that all authorities follow precisely the same path when that may not be appropriate to their circumstances.

We are also keen to avoid unnecessary regulation. As the House will know, my right hon. Friend the President of the Board of Trade is seeking to remove unnecessary controls. We are determined not to introduce new and unnecessary controls as fast as the old ones are destroyed.

Of course, Conservative Members know that energy efficiency is a win-win situation. It saves money and helps to save the planet. We are committed to our policies to encourage it. We also know that local authorities have an important role to play. However, we have some serious concerns about the Bill, which we have made clear to its sponsors. We are worried that the Bill would impose additional and unnecessary burdens on local authorities and central Government and would hinder efforts to control public spending.

As I said on Second Reading, I hoped that those concerns would be carefully considered by the sponsors, but that was not to be. We have tabled amendments to ensure that our concerns are considered. We hope that they will be met before the Bill makes progress.

Mr. Beith: As the Minister has spoken for an hour and a quarter and no doubt has further hour-and-a-quarter speeches ready to be made, I shall speak briefly to set one or two things right.

The first thing that I want to put right is my willingness to accept new clause 1. I should have thought that that would shorten the Minister's remarks considerably. Indeed, I have no particular objection—except to their number—to most of the new clauses and amendments in the group.

I object to amendment No. 50, which would remove any obligation to consult. It seems strange that, while the Government impose other obligations, they say at the same time that local authorities should not have to consult any of the organisations mentioned in the Bill. That point has already been drawn to the Minister's attention by Conservative Members.

I do not believe that we would be discussing this group of amendments if the Government had done their job properly in Committee, where they tabled only five amendments and did so too late for them to be considered. Many of the amendments that we are considering today make what hon. Members would regard as Committee points. The Government are adopting a new strategy of ignoring a Bill's Committee stage because holding amendments back for Report increases their opportunities to delay and block Bills. At some point, the Procedure Committee may wish to consider that practice.

Mr. Moss: Will the right hon. Gentleman give way?

Mr. Beith: I shall not allow many interventions because my speech will be brief.

One is bound to ask how much staff time the Parliamentary Counsel Office devoted to the preparation of so many amendments. I should point out that all the amendments, including those in the names of other hon. Members rather than the Government, came on the same sheets of paper, printed by the same process, from the Parliamentary Counsel Office. More than 50 amendments

appear in the name of the Secretary of State. It is unusual for the Government so directly to filibuster a Bill rather than to get somebody else to do their dirty work.

Mr. Moss: The proceedings of the Standing Committee were completed in just under two hours. As far as I can see, no amendments were tabled by the Bill's supporters. I piloted a private Member's Bill through the House, with Government support—the Osteopaths Bill—and a massive number of amendments were tabled in Committee and on Report. Why does the right hon. Gentleman think that his Bill is so perfect that it cannot stand the scrutiny afforded by the tabling of amendments?

Mr. Beith: I expected the Government to suggest improvements. Unfortunately, the only amendments that they tabled in Committee attempted to exclude Northern Ireland and Scotland from the Bill, and I could not accept them. I hoped that they would table some of the amendments that we are debating today, which I am able to accept and which I encourage hon. Members to support. The Committee stage was brief because the Government did not table amendments.

Mr. Heald (Hertfordshire, North): Will the right hon. Gentleman give way?

Mr. Beith: No, I shall proceed.

The amendments would all increase requirements on local authorities. They sit strangely with the Government's view that no further requirements should be placed on local authorities. The essence of the Government's general case is that local authorities should not have the burden of the Bill imposed on them, yet the Government amendments would make that burden more complex, albeit not in undesirable ways.

As part of their argument for the new clauses, the Government say that local authorities should have to apply the Bill's procedures only to their housing stock and not to other housing stock. It is a strange doctrine for the Government now to say that local authorities should be concerned only with the energy efficiency of local authority housing when, as a result of Government policies, local authority housing is a minority and declining part of the national housing stock. Some local authorities have no housing stock because, with the Government's full blessing, their stock has been sold or is managed by housing associations. The Government must recognise that local authority housing will be a small part of the overall future stock, and any organisation playing a large part in trying to promote energy efficiency must look far beyond it.

Mr. Butler: Will the right hon. Gentleman give way?

Mr. Beith: This will be the last intervention that I shall allow.

Mr. Butler: The concern of many hon. Members, which the right hon. Gentleman shares, is that an energy conservation Bill should work and not simply have a pretty title. The issue is how the Bill will be enforced if it is extended to homes not within the ownership or tenancy of a local authority.

Mr. Beith: In the same way as authorities collect information in the housing conditions survey, and with the co-operation of bodies such as housing associations, which are large property owners. The proposed mechanism has been tried and, furthermore, the Government encourage its use. The paradox of the Government's position this morning is that they have said throughout that they believe that energy conservation is desirable and energy audits are worth while and that their only concern is that local authorities will be required to carry out the work, yet local authorities want the obligation: they prefer to get on with something that is a statutory obligation. It is now quite difficult for local government to meet non-statutory duties when the financial pressures are on meeting statutory duties. That is why energy conservation needs to be a statutory duty.

All energy conservation organisations and numerous organisations representing elderly, handicapped and poor people are in favour the Bill. More than 400 hon. Members have indicated their support for it, including at least one who has tabled amendments to it today.

The Government would not be moving the new clauses or other amendments if the Bill were entirely permissive. That has been their line throughout, but there would be no point in introducing an entirely permissive Bill as local authorities already have such powers. They want a statutory framework to ensure that energy-conserving measures are taken everywhere. We have the information on which to base cost-effective energy efficiency investment to keep vulnerable people warm and to save energy that is otherwise wasted, and the Bill is a recognised mechanism for making the investment.

If the Government persist with the tactics that they are employing today, they will do something that the Prime Minister has condemned. On 25 January, the right hon. Gentleman said:

"Almost everybody is in favour of environmental objectives in principle, but it is no use whatsoever being in favour if you then oppose the practice that is actually carrying out those principles."

According to the judgment of most of those concerned, the Bill would implement that practice.

Mr. David Nicholson: Will the right hon. Gentleman give way?

Mr. Beith: I said that I would not take any more interventions; I want the debate to proceed. Let the House be in no doubt that I am quite willing to accept the new clause so that we can get on and ensure that the Bill gets on to the statute book.

Mr. Heald: I find myself in some difficulty with the first group of amendments. I should like to oppose new clause 1, but if it is passed I should want to support new clauses 4, 5 and 6, which are related to it. Otherwise, I generally support the amendments in the group that stand in my name or those of my hon. Friends and which share the same thrust.

New clause 1 requires that a local authority

"shall, at all reasonable times and free of charge, make available at its principal offices for inspection by members of the public a copy of"

the plan.

A local authority should be under a duty to ensure that its housing stock is energy efficient, but that duty should not extend to private properties of owner-occupiers. If an authority were responsible purely for its own stock, there would be no need or requirement for members of the public to be able to inspect the plan. It is difficult, therefore, to see what the purpose of new clause 1 would be.

I understand that a plan is not prepared for improvements such as the installation of central heating or

[Mr. Heald]

double glazing and therefore is not open to inspection by the general public, so the bureaucracy and costs of having such a facility available are not incurred. A councillor playing the important and independent role of representing his electors can be relied on to ensure that plans prepared for an authority's housing stock are sensible.

My concern is that under new clause 1 members of the public could obtain plans free of charge. The new clauses standing in my name would allow a charge to be made, because it is only right that the costs of such a facility should not fall on council tax payers. The council tax in Conservative-controlled north Hertfordshire has been maintained at £61 this year, compared to £131 in the neighbouring Labour-controlled borough of Stevenage, partly because value for money and ensuring that unreasonable burdens are not placed on the taxpayer are at the forefront of that Conservative authority's thinking and policy.

I oppose the idea but, if such a scheme is to be provided, there should be a reasonable charge. I support new clause 6 which states that, although there should be a charge, it should not be a profit-making exercise. The charge should be the cost to the council of providing that facility.

As I said, I am in the difficult position of opposing new clause 1, because it is over-bureaucratic and would impose an unacceptable burden on local authorities, but supporting new clauses 4, 5 and 6. It will be difficult for me, and for my hon. Friends who agree with that line of thinking, to decide how to vote because those clauses are grouped together.

11 am

Mr. Butler: Is there not an analogy with the case of someone seeking to purchase a house in an area who has to pay for the searches conducted to discover other relevant information relating to the title of the property? Under the new clause, that person would be able to obtain free of charge valuable information about a property's energy efficiency. Should not that person be prepared to pay for that valuable information?

Mr. Heald: I am grateful to my hon. Friend for pointing out something that occurs throughout the Bill. Individuals are arguably being given costly rights with no provision being made for the costs imposed on the local council tax payer. As far as I can see, there is no method of meeting the costs imposed on the local council tax payer. Elsewhere in the Bill, my hon. Friend will have noted that the costs incurred by the Secretary of State will rightly be provided for. However, the local authority's costs would clearly lie with the council tax payer.

Clause 2 would impose a duty on every local energy conservation authority to carry out an investigation or to decide, in preparing a plan, what modifications are necessary by the private householder. If such a duty were imposed, a local council tax payer in that area would be able to have his property surveyed for energy efficiency at a cost of about £400, which the authority would have to pay.

Mr. Moss: My hon. Friend makes an important point. When I was a member of the Energy Select Committee, we investigated energy efficiency and visited the National Energy Foundation in Milton Keynes, which promotes a scheme of energy audit on a private basis for individuals. If such a scheme is to be available through the local authority, paid for by council tax payers, will it not undermine the excellent work of such organisations?

Mr. Heald: I am grateful to my hon. Friend for pointing out something that had not occurred to me but which is important. Britain leads the world in private sector energy auditing. British companies are now going to the Soviet Union and elsewhere to sell those services, in which they have a particular expertise. The Bill would enable a householder to ask to have his house audited for free and to be provided with all the resulting information. That request would be legally enforceable and would undercut the private sector. Many businesses which are currently thriving and which have spent considerable sums on research and development would be unable to continue because their home base would have been undermined.

Mr. Butler: I believe that the problem is worse than that. The Bill would place a duty on an authority to prepare an audit for

"the residential accommodation in its area".

A person who lives in a house where the heating system heats the draughts on their way in so that they go out warmer but fails to heat the house in general could demand an energy audit. If the local authority refused, that person could take it to court for breach of its statutory duty and get certiorari and mandamus against it, telling it to fulfil its duty.

Mr. Heald: Certiorari is part of the system of judicial review and could require the council under mandamus to take the action required under the Bill. People who possibly belong to pressure groups and support the idea of energy conservation in the home but do not want to pay for it would be able to argue in the High Court that a local authority had not carried out an energy audit. An order could be obtained and the authority might be liable for any losses incurred by the householder from the time the council should have acted to the time it finally acted under the order. Therefore, the Bill could have substantial legal consequences.

Mr. Ian Taylor: In view of my hon. Friend's talk of legal proceedings and judicial reviews, I am becoming rather worried that he has failed to disclose an interest as a lawyer. Surely the Bill cuts across the Government's considerable efforts under the home energy efficiency programme and local government's green house programme to try to persuade people to upgrade their own property voluntarily. The Bill also ignores the fact that the Government waived the reasonable contribution that people, especially those on income support and other benefits, previously had to make to the cost of upgrading their own homes. The House should be encouraging such programmes, not bureaucratic nonsense such as that in the Bill.

Mr. Heald: I pay tribute to the Select Committee on the Environment which, in a report issued last November, called for the expansion of the Government's home energy efficiency scheme, and to the Chancellor for doubling the money available. Under the scheme, 250,000 of the poorest homes will benefit from energy efficiency measures this year, and a total of 440,000 per annum will eventually be improved. Improvements are being carried out on the homes that need them most and those occupied by people

who are probably already receiving help with VAT. The scheme provides the added advantage of meeting the cost of heating the home. I therefore agree that the home energy efficiency scheme is most important, and I certainly argued for the doubling of the funding before the Chancellor obliged. I know that a number of my hon. Friends were also keen advocates.

Clause 2(5) and (6) state that, in preparing plans and modifications, authorities must consult

"every parish or community council and any other local authority in its area"

and any other commercial and community bodies. Such efforts at consultation are objectionable for three basic reasons. First, this part of the Bill is mere window dressing and tries to promote as reasonable and democratic proposals that are unreasonable and undemocratic—in other words, it attempts to give an acceptable face to something that is unacceptable. Secondly, such consultation would serve no purpose and, thirdly, it is unnecessarily bureaucratic.

The Bill is profoundly worrying. Much has been made of the fact that Committee stage was brief. It has been suggested that, because it was a speedy and efficient Committee stage, there can have been nothing wrong with the Bill. However, I am shocked that a Standing Committee should have allowed the Bill in this form to complete that stage unamended in two hours. Of course, it might have been because my hon. Friend the Member for Gravesham (Mr. Arnold) and I were considering the Criminal Justice and Public Order Bill and therefore unavailable for selection to the Committee stage of this Bill. Whatever the reason, the Committee did not do its duty. It did not consider amendments—

Mr. Beith: The Government did not table amendments.

Mr. Heald: I hear a sedentary intervention from the right hon. Member for Berwick-upon-Tweed (Mr. Beith), the promoter of the Bill. Sedentary interventions, are, of course, not permitted.

Mr. Beith: What was the Parliamentary Counsel Office doing? If it could think of 219 ways in which the Bill could be improved, why did it not put them before the Committee? The Committee can consider only the amendments tabled and selected.

Mr. Heald: I am grateful to the right hon. Gentleman for making that point, although he is wrong. He is the promoter of the Bill and he was a member of the Committee with other hon. Members, many of whom supported the Bill. Yet they have come out with an unsatisfactory mish-mash.

Mr. Butler: The right hon. Member for Berwick-upon-Tweed said in Committee on 16 February:

"The Minister mentioned several matters that might need to be tackled on Report or in another place. I am willing for that to happen".—[*Official Report, Standing Committee C*, 16 February 1994; c. 10.]

That is exactly what is happening.

Mr. Heald: I am grateful to my hon. Friend the Member for Milton Keynes, North-East (Mr. Butler) for making that point. He and I have both taken up the invitation and have tabled a considerable number of amendments. It is a bit rich for the right hon. Member for Berwick-upon-Tweed now to complain, especially as he seems to be conceding that the Standing Committee was in dereliction of its duty.

Mr. Moss: I addressed that question to the right hon. Member for Berwick-upon-Tweed and he did not answer it. As he was the promoter of the Bill, I would not ask him to have tabled massive numbers of amendments. However, he claims to have considerable support on both sides of the House. I have read the *Hansard* report of the Committee stage. Most of the members of that Committee were supporters of the Bill, yet not one tabled an amendment. No private Bill in history has gone through all its stages unamended.

Mr. Beith: That is not the case.

Mr. Moss: I take back my comment. Very few have done so.

Mr. Heald: I am again grateful to my hon. Friend the Member for Cambridgeshire, North-East (Mr. Moss). Are the members of the Committee real friends if they make yes-man speeches which do not get down to the nitty-gritty of the Bill?

Mr. Ian Taylor: I can reveal the hitherto undisclosed secret of what the right hon. Member for Berwick-upon-Tweed was doing in February; he was sitting with me in the Finance Bill Committee. We discussed taxation and the right hon. Gentleman made it clear that he did not like VAT on fuel. Is it not slightly hypocritical for him then to promote a Bill which will put up council taxes because of the charges that will be inherent in the application—

Mr. Deputy Speaker: Order. We are beginning to stray again.

Mr. Heald: I am grateful, Mr. Deputy Speaker.

The point that I want to make about amendment No. 50, which would remove the consultation, is that the consultation referred to in clauses 2(5) and 2(6) is window dressing. First, the Bill would give to local and central Government the power to draw up a plan for my house, saying what I needed to do to improve its energy efficiency, without my permission. Secondly, it would give them the power to say when I should do the work to the house. Thirdly, they would have the power to force me to do the work on time. Fourthly, they could have the right of entry to my home, as and when required for the purpose. *[Interruption.]* I can hear the right hon. Member for Berwick-upon-Tweed and other hon. Members disagreeing with me.

Clause 2 refers to the duty

"to prepare a statement . . . of the arrangements needed and made and proposed to be made by the authority and other persons in order to achieve greater energy conservation in such accommodation".

That accommodation is

"the residential accommodation in its area"—

in other words, all the houses including mine. Under the Bill, a plan would be drawn up for my house, saying what I needed to do to improve its energy efficiency, without my permission. It is no good saying that there could be random sampling because under the wording of the Bill, which is comprehensive, that could not be the case. On any housing estate in Britain, it is impossible to tell whether the houses have wall insulation without entering them.

Mr. Dafis: Has the hon. Gentleman seen the little booklet prepared as background to the Bill? There is a comprehensive description by two local authorities of the way in which the audit could be carried out practically. The method is costed and described in detail.

I must make it perfectly clear that the Bill would ensure that information was provided on the energy efficiency condition of housing in general. In turn, that would provide a guide to where improvement works could most efficiently and most usefully be carried out, taking into account levels of poverty and levels of inefficiency. It would, of course, then be a matter of voluntary decision by each householder as to whether he or she had that work to be carried out. There would be no right of entry to any property.

11.15 am

Mr. Heald: I have listened to the hon. Gentleman; that is not what the Bill says. It may be what his booklet says, but it is not what the Bill says. We in the House must be jealous of the powers that we give to central Government and to local government. I am happy to say that our present Government fight for the individual and protect the rights of individuals. In my constituency, North Hertfordshire district council, which is Conservative controlled, would take exactly the same approach.

However, I am not considering the Bill on the basis of what a Conservative Government would do or what Conservative-controlled North Hertfordshire district council would do. I am considering the Bill in terms of asking what the possible consequences would be of giving such powers to central and local government. It is because the Standing Committee did not do its job properly and did not consider that question that the Bill is in its present state.

Mr. Ian Taylor: My hon. Friend allowed an intervention by the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), who has a long record of concern about these matters. It should be acknowledged that the hon. Gentleman, in his ten-minute Bill which preceded this Bill, sought to require the Chancellor of the Exchequer to impose a fuel levy. That is up-front; everyone knows where we stand. However, the right hon. Member for Berwick-upon-Tweed is trying to disguise the cost to the taxpayer.

Mr. Heald: I accept that point, although I believe that the matter goes somewhat further. An individual has a right to say that his house will be an energy-efficiency blackspot —that he will be a thoroughly unreasonable person and will not have an energy-efficient home. I do not think that people would be right to say that, but I believe that they are entitled to say that. Opposition Members appear to agree with that. If they do, how on earth can they support the Bill?

Mr. Butler: My hon. Friend is being a little unfair to the right hon. Member for Berwick-upon-Tweed. He made it clear in Committee that the Bill was not intended to confer any new powers of entry or anything of that kind. Indeed, he said:

> "The Bill does not contain a requirement but it calls on local authorities to set out what could be achieved by certain levels of energy conservation. No one is required to achieve those levels." —[*Official Report, Standing Committee C*, 16 February 1994; c. 25.]

It is a window-dressing Bill. It is a very pretty Bill, which is not intended to achieve anything. My hon. Friend the Member for Hertfordshire, North (Mr. Heald) is being a little unfair to the right hon. Gentleman.

Mr. Heald: I did not intend to be so uncharitable as to suggest that the Bill was a purely cosmetic exercise or that it was designed to give an appearance of concern about energy efficiency when it was purely a bit of politics. I was taking the Bill seriously and considering what powers were being conferred on local and central Government.

It is clear that one of the powers is to draw up a plan for my house saying what I need to do to improve its energy efficiency, without my permission. Clause 3 says that the Secretary of State will be able to timetable the works. He will be able to say when the works are to be done. Clause 3(4) says:

> "The Secretary of State may make regulations . . . in order to secure the implementation of any plan".

The plan will be drawn up saying when the works are to be done to my house. I can be forced to do the works according to the timetable. There will be the right of entry to my home as an when required. What other meaning could be given to the words

> "to secure the implementation of any plan under this Act"?

That must give the Secretary of State the power to make such regulations. My constituents would not want to give such powers to central and local government.

The Bill goes so far that it would give powers that are normally given to Government only to deal with people who are suspected of crime or in very exceptional cases. I do not believe that such powers should be conferred willy-nilly. After all, an Englishman's home has always been his castle and we should fight for that principle, especially in the Conservative party.

I accept that the case for energy efficiency is powerful. I know that my hon. Friends will remember my speech at the Blackpool conference in 1989, in which I called for greater efforts. Indeed, I remember one hon. Friend describing it as "a thoughtful contribution", which is probably not the greatest of accolades at the Tory party conference.

However, the speech made the point that energy efficiency has three tremendously valuable benefits. The first is the money saved as a result. In Britain, we spend £50 billion a year on the energy bill. That could be reduced by 20 per cent., also reducing our dependence on imported fuel. The concern rightly felt in the country about the balance of payments could be met, to some extent, by more efficient energy use. Secondly, it is important that we should address the greenhouse effect and help to meet the Rio targets. Thirdly, it is right to conserve energy resources for the future to allow continued and sustainable growth.

What are we doing and what should we be doing in the context of consultation? The Government are already doing a good deal and so are local authorities. I noted that local authorities are spending around £200 million per year on energy efficiency measures. Through the home energy efficiency scheme, which has been mentioned, the Government are doubling their efforts in the current year. I have been impressed by the best practice programme in industry and commerce, which has had its budget increased year on year to more than £15 million for 1993-94, and in the public sector, the "making a corporate commitment" campaign has achieved a good deal. The recent written answers provided by various Departments show that the Government are playing their part.

Domestic housing remains the main issue that needs to be addressed. I certainly accept that each local authority should look to its own housing stock and provide a plan which sets out what should be done, that that plan should be subject to a timetable and that the works should be effected. If the Bill concentrated on that area of housing, it would achieve a good deal and would be the sort of limited measure that should receive support as a private Member's Bill. Since the Bill goes further and interferes with the individual rights of the home owner, I oppose it.

I oppose the provision on consultation for two reasons. First, it would not serve any useful purpose. The sorts of works which the council would be carrying out under clause 2(2) include considering information showing what measures would be needed to achieve estimated energy savings of 10, 20 or 30 per cent. The council would then want to assess the cost of those measures and the average savings in fuel bills. It would want an analysis of the extent of decreases in emission of carbon dioxide and it would also want a policy which looks at the way in which people in financial hardship could be assisted in meeting the targets.

Each of those areas involves a good deal of technical information and technical discussion. I fully understand that a local authority may wish to have the benefit of an environmental adviser, who would know the technical issues in detail and would be able to advise on, for example, the degree of any decrease in emission of carbon dioxide resulting from the measures taken.

I certainly accept that expert advice and consultation would be vital if the Bill were to go ahead. However, the list of bodies proposed for consultation in subsections (5) and (6) concerns me because they seem to be groups—not experts—which are political in nature, are community based or are commercial interests.

Mr. Simon Hughes (Southwark and Bermondsey): How shocking to consult community groups.

Mr. Heald: The hon. Member for Southwark and Bermondsey (Mr. Hughes), my old rival, or whatever he was, in 1987, who beat me in the general election, as I recall, by quite a substantial number—

Mr. Hughes: I had a few votes to spare.

Mr. Heald: He had quite a few votes to spare, yes. The hon. Gentleman says, "How shocking to consult community groups." Do we want community groups to set themselves up as experts in technical issues such as the levels of carbon dioxide in the local environment? I shall happily allow the hon. Gentleman to intervene if he feels that any local community groups in Southwark and Bermondsey know very much about the technical information on carbon dioxide emissions there.

Mr. Hughes: I shall only intervene once because any filibustering is not to be extended with the assistance of the Liberal Democrats. Community groups in Southwark and Bermondsey and all over the country know two things. They know that the Bill would be a jolly good idea and want it to happen because energy conservation saves money and because many ordinary householders and local community groups are extremely well informed. Given the attitude of the Government, it appears that many such groups are better informed on the need for the legislation than them.

Mr. Heald: As ever, the hon. Gentleman and I find a lot of common ground. I agree that it is a jolly good idea to have energy efficiency measures and I have spoken out for them, as the hon. Gentleman knows, on previous occasions. However, there is all the difference in the world between a jolly good idea and an Act of Parliament. The detail in the Bill is hopelessly inadequate. I accept that community groups all over the country are concerned about energy efficiency and they are entitled to a decent Act of Parliament, which is effective in law and not a mish-mash which would ride over the rights of individual home owners and is badly expressed. We want proper measures of the limited sort that I advocated a moment ago.

The groups that are proposed for consultation have political, community or commercial interests. I find it difficult to see how they would take forward in any way the technical arguments that a local authority may have in preparing its plan. The only way in which they could take that argument forward would be if each group were to obtain its own technical advice so that it could make an input to a discussion about, for example, the average saving in a fuel bill given the various changes of a technical nature.

My third objection to those two subsections is their bureaucracy. If each and every one of those groups is entitled to have a series of meetings with the local authority to discuss technical issues and each is to prepare its own technical advice so that it can present a detailed argument, there will be a plethora of meetings, of agendas, of papers and amended papers, as the plan would obviously be subject to huge amendment as it progressed. The cost of that and the amount of local authority officer time needed would be colossal.

The provision is not only against the interests of ordinary home owners, unreasonable and undemocratic: it is worthless because it would simply be providing for either a cosmetic consultation exercise or one so detailed and involving technical advice from so many groups that it would be hopelessly bureaucratic and extremely expensive in terms of time and money. I object to the two subsections in every way and support amendment No. 50.

Having said that, energy efficiency is a major issue for the future. The Government are addressing the issue in a proper manner and I hope that local authorities will take seriously the duties that could be imposed on them in future if they are not prepared to take the steps themselves now.

Mr. John Battle (Leeds, West): I share some of the concerns of the hon. Member for Hertfordshire, North (Mr. Heald) about the amendments. He is right to say that there are incompatibilities within the group of amendments. I hope that amendment No. 50 will be withdrawn rather than pushed through, because it would undercut all the other amendments in the group by taking out the suggested consultation. That cuts across the argument put by the Minister in moving the new clause, which enhances public access to plans.

Mr. Heald: Will the hon. Gentleman give way?

Mr. Battle: No, I shall not give way now, as I want to make progress on the Bill.

Some amendments within the group are extremely minor. For example, amendment No. 211 would simply introduce the word "proposed" before the word "plan". What is a plan, if not a proposal? Despite some

[Mr. Battle]

reservations about the detail of the amendments, in order to make progress on the Bill we are happy to see the amendments go ahead to allow the Bill to go through.

11.30 am

I was disappointed to hear on the radio this morning, when the interviewer suggested that the Bill would fail, the Minister reply, "Yes, the Government have made their position clear." He repeated this morning that the Bill will be an unnecessary burden on local authorities, yet I cannot seen how making plans available to the public, as he suggests should happen, would be an unnecessary burden. Nor do I understand how consultation is an unnecessary burden, yet amendment No. 50 removes the consultation process.

Mr. Baldry: Will the hon. Gentleman give way?

Mr. Battle: I shall give way to the Minister in a second.

The Government are "making their position clear" in a strangely backhanded and underhand way. The Minister has moved a new clause which he claims improves the Bill, yet he speaks as though he is fundamentally opposed to the Bill and wants to see it go down.

Mr. Baldry: The hon. Gentleman, who has a long interest in housing, will know that Leeds or any other housing authority can and does consult with a wide range of groups and organisations without a statutory obligation to do so. Local authorities do that every year under the housing investment programme, but it is not a statutory obligation. The point made in amendment No. 50 is that there should not necessarily be a statutory obligation on local authorities to consult with a particular group of individuals.

Mr. Battle: The Minister was on the Committee considering what became the Housing Act 1987 when he moved a clause that provided that local authorities have a statutory obligation to consult tenants. This matter goes wider. The Bill went through its Committee stage unopposed, and the Government tabled no amendments. It was passed in one sitting and endorsed by the Minister responsible for energy efficiency, the noble Lord Arran, in another place as "fully discussed". We now have more than 200 amendments on the amendment paper, including two that we shall discuss later, that would wreck the Bill. In this group, amendment No. 50 would undermine the whole consultation clause. I hope that it will be withdrawn because this vital Energy Conservation Bill is supported by all parties in the House and should go through intact.

No one underestimates the importance of energy efficiency in cutting pollution such as carbon dioxide emissions, the main greenhouse gas, and acid rain, which has damaged more than half of Britain's trees. Energy efficiency will also improve the standard and quality of our homes and go some way towards tackling fuel poverty. I agree that we need information and plans, and that information should be spelt out publicly.

I remind the Minister that an estimated 7 million families in Britain cannot afford to pay for the warmth that they need to heat their homes. According to Government figures, some 3 million homes suffer from condensation, damp and mould growth. That shows that clear information needs to be spelt out so that action plans to tackle the problems can be put in place. That is all that the Bill calls for.

In his Budget, the Chancellor increased the home energy efficiency scheme budget by £35 million to £77 million a year, but some of that £35 million came from other energy efficiency schemes, so it was shifted rather than new money. Even with that budget, it will take the home energy efficiency scheme practically 20 years to insulate all low-income homes in the United Kingdom, yet people are being asked to pay value added tax on their fuel bills. That is why the amendments to make the plans are acceptable.

Mr. Ian Taylor *rose—*

Mr. Moss *rose—*

Mr. Battle: Both hon. Members want to contribute to the debate. We have the whole morning to debate the issue, so they can make their own speeches later. I have already given way and want to make progress.

The needs of low-income households are desperate. May I remind the Minister of some other figures that should be wider public knowledge because they underpin the Bill? It was spelt out in the family expenditure survey that the average low-income family spent £8.50 on fuel each week—10 per cent. of its household expenditure. Poorer families struggling to pay fuel bills lack sufficient warmth and hot water but tend to have insufficient insulation. They need help to reduce their energy bills and warm up their homes, yet they must know what they are up against, which is why they need the information set out in the clause and why some of the proposed amendments are acceptable. They also need to know what can be done to improve the energy efficiency of their homes.

We now all face VAT on fuel and lighting but we often pay for energy that literally goes out with the drafts through doors, window frames and roofing. People will pay more for wasted heating that does not look after them. Advising the elderly to switch off their fires does not constitute energy conservation, it simply causes increased deaths from hypothermia during the winter months.

This is a common-sense Bill.

Mr. Jacques Arnold (Gravesham): Would it not be more to the point if greater use were made of the home energy efficiency scheme and the Government's green-house programme, which are doing things, rather than felling vast numbers of trees writing about them?

Mr. Battle: The hon. Gentleman may recall that the Government's green house programme has been called off, good though it was. I wish that it had been continued. Perhaps he should take up that matter with the responsible Minister in the Department of the Environment.

The energy efficiency budget of £103 million a year is only 3 per cent. of the revenue raised by the imposition of VAT on fuel. That means that the imposition of VAT will cut carbon dioxide emissions by only 1 per cent. It is not an energy efficiency measure. We need a full strategy for energy efficiency, and VAT is not an appropriate approach. If work is to be targeted at properties most in need, the lack of information on energy efficiency of all the housing stock should be dealt with now for the benefit of all householders.

Conservative Members seem to think that this issue simply concerns local authority housing, but the

Government's housing strategy has been centred on emphasising that the local authority housing role has been enabling and strategic. Some local authorities, however, have no housing stock of their own yet they are housing authorities and the Government have been pushing their strategic role and telling them to divest themselves of their stock and take on an enabling role. Why do not the Government take an overview and pull strategies together for energy efficiency?

The Bill firms up such a role. It places a duty on local authorities to draw up local energy conservation plans in consultation with all relevant interests. I submit to the hon. Member for Hertfordshire, North that the clause which amendment No. 50 would delete is drawn widely enough to include practically everybody. It is not an exclusive clause.

The Bill is in tune with local authorities' role of presenting plans on the condition of all their housing stock. The hon. Member for Hertfordshire, North views it as an intrusion. I should like to remind him that, although he was not a Member of the House then, the Conservative Government passed the Housing Act 1985. Under section 605 of the 1985 Act local authorities should consider, at least once a year, the housing conditions in their district. That refers not only to council housing but to all housing.

How can the Government foster a renovation grant regime for the private rented sector and the private owner-occupied sector if they do not know about the condition of the stock? Ministers accept that, and I hope that we can urge Back-Bench Conservative Members to recognise that the Government see the need for the English house conditions survey to cover all stock.

Given that 23 per cent. of housing is local authority housing, the remainder of stock—the other 77 per cent. that is held by housing associations and the private rented sector and is in owner-occupation—is in a state of disrepair and needs to be dealt with. I hope that Conservative Members will accept that we are not simply talking about local authority housing.

The Bill insists that the duty to look at the housing stock should include an energy efficiency element. It demands a timetable for action and the consideration of funding to implement it. The Bill does not place an unnecessary bureaucratic burden on local authorities, as the Minister blusteringly said this morning. Most of the information is already known and can be easily obtained.

As the Minister accepts, the local authorities already have the discretionary power to collect the information and some—Newark, Sherwood, Leicester, Cambridge and others—use the information well and to good effect. All we want now is for all local authorities to be use best practice because we cannot waste any more time. That is why the Labour party, led by my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), who deals with environmental protection for the Labour party, my hon. Friend the Member for Clackmannan (Mr. O'Neill), who has responsibility for energy and me—in my role as spokesman for housing—support the Bill 110 per cent. We are even prepared to accept the new clauses and amendments, although they contain minor contradictions, so as to make progress on the Bill this morning.

I hope that the Government will not try to talk the Bill out and render our procedures and the Committee stage of the Bill a fruitless waste of everyone's time. I hope that they will not make today another Friday example of backhanded, shabby parliamentary game-playing that brings procedures in the House into national disrepute. The Bill is a touchstone of the Government's commitment to energy efficiency.

Mr. Heald: The hon. Gentleman referred to the 1985 Act, which requires local authorities to consider each year the housing conditions in their districts. I have no argument with that. Under that provision, a local authority could consider energy efficiency measures. However, is not there all the difference in the world between a broad, general consideration each year of the issues, which could be done by random sampling, and what the Bill suggests? Is he seriously saying that the Labour party—one of the major parties of state—is prepared to put on the statute book bad legislation, warts and all, which is what he seems to be saying? Does he not accept that it is the duty of Members of Parliament to ensure that proper legislation reaches the statute book?

Mr. Battle: I am glad that the hon. Gentleman was not here when we voted on the poll tax. I had never seen legislation being forced through the House in such a fashion and then taken away. I am glad that he was not a Member of the House when the Criminal Justice Act 1988 was enacted and then had to be repealed. The hon. Gentleman may be thinking of section 106 of the 1985 Act, but if he were to compare that with the results of the English house conditions survey he would see that energy efficiency does not loom large enough.

The importance of the Bill is that it underlines energy efficiency. The hon. Gentleman asked whether the Labour party supports it. Yes, we do because it affirms the duty of the local authority, and does not leave it to the discretion of the local authority, to ensure that the action is taken throughout the land. The Bill will prove to be a touchstone of the Government's commitment to energy efficiency. So far, the Government have called off the successful greenhouse programme and have failed to identify a source of funding for the Energy Saving Trust. I hope that they will not fail to support the modern, sensible Bill. Their action will demonstrate whether the Government are in the practice of positively undermining the concept of energy efficiency while claiming to promote it.

Today is test time for the Government on energy efficiency because the Bill will reduce the number of households that are unable to afford to heat their homes adequately. It will achieve reductions in national energy demand and it is crucial to introduce the measure now because of the imposition of VAT on domestic heating and lighting. I hope that the amendments and new clauses will be withdrawn. If they are not, I hope that they will be accepted so that the Bill reaches the statute book as quickly as possible.

11.45 am

Mr. Beith *rose in his place, and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 67, Noes 3.

Division No. 218] **[11.45**

AYES

Ainger, Nick	Bayley, Hugh
Alton, David	Beggs, Roy
Anderson, Donald *(Swansea E)*	Beith, Rt Hon A. J.
Ashdown, Rt Hon Paddy	Bennett, Andrew F.
Barnes, Harry	Blackburn, Dr John G.
Battle, John	Boateng, Paul

Bray, Dr Jeremy
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Carlile, Alexander *(Montgomry)*
Clapham, Michael
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Cousins, Jim
Denham, John
Dicks, Terry
Emery, Rt Hon Sir Peter
Foster, Don *(Bath)*
Fraser, John
Garrett, John
Greenway, Harry *(Ealing N)*
Griffiths, Win *(Bridgend)*
Harvey, Nick
Hughes, Simon *(Southwark)*
Janner, Greville
Kirkwood, Archy
Lester, Jim *(Broxtowe)*
Livingstone, Ken
Lynne, Ms Liz
McAllion, John
Macklnlay, Andrew
Maddock, Mrs Diana
Martin, David *(Portsmouth S)*
Miller, Andrew
Neubert, Sir Michael
Nicholson, David *(Taunton)*
Oiner, William
O'Neill, Martin
Patchett, Terry
Powell, Ray *(Ogmore)*
Rendel, David
Renton, Rt Hon Tim
Robathan, Andrew
Roche, Mrs. Barbara
Sedgemore, Brian
Short, Clare
Temple-Morris, Peter
Thompson, Jack *(Wansbeck)*
Thompson, Patrick *(Norwich N)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tyler, Paul
Wallace, James
Walley, Joan
Wareing, Robert N
Whittingdale, John
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Worthington, Tony

Tellers for the Ayes:
Mr. Cynog Dafis and
Mr. Nigel Jones.

NOES

Shaw, David *(Dover)*
Stephen, Michael
Wells, Bowen

Tellers for the Noes:
Mr. Jacques Arnold and
Mr. Oliver Heald.

Whereupon MR. DEPUTY SPEAKER *declared that the Question was not decided in the affirmative, because it was not supported by the majority prescribed by Standing Order No. 36 (Majority for Closure).*

Mr. Wells: I must immediately declare that I am unalterably opposed both to new clause 1 and to the Bill. *[Interruption.]* I recognise that this is a Government new clause, as hon. Members are pointing out from a sedentary position, but some Back Benchers have a certain independence of mind and they use their minds independently of the Government whom they support.

I do not favour the idea of making available plans from the energy conservation authority to anyone, on application, free of charge. If we have a separate vote on it, I shall vote for new clause 6, which causes a charge to be made if anyone wishes to have copies of those plans, to know what is in store for him.

The Bill and the new clause impose an immense bureaucratic charge on local authorities. The sort of energy conservation measures at stake are those that are in the interests of people who need them in their homes, so those people should be grateful if local authorities draw up the plans on their behalf, since they would otherwise have had to pay for them. They should therefore have to pay for them when they receive them, which is why I oppose the Government's proposal that the plans be given out free of charge.

It seems absurd that we should try to force people to carry out home improvements that they ought to carry out in any case. Government taxation laws may act as inducements, but it is wrong to prepare plans in this long-winded way, especially since those drawing up the plans may know little about the houses that they are inspecting—the more so if they do not even enter them. Many supporters of the Bill have suggested that they would not need to go inside. I cannot see how an energy plan for a house can be prepared unless a detailed survey of that house has been made.

Mr. Patrick Thompson: Is my hon. Friend aware that that the Royal Institute of British Architects thinks that the Bill is a first step to serious energy efficiency measures throughout our housing stock? My father was an architect for many years. Does my hon. Friend agree that the view of the RIBA should be taken seriously and considered in the debate?

12 noon

Mr. Wells: Of course I agree that the view of the Royal Institute of British Architects should be taken into account in considering these matters. RIBA is obviously experienced in providing proper energy-conscious homes and other buildings. However, many of its members have failed lamentably in the course of my lifetime to design such buildings. For example, throughout Hertfordshire, schools built by eminent architects are hopelessly energy-inefficient. They are full of windows and have flat roofs and lose energy almost like the old-fashioned radiators that heated bricks during the night and gave out the heat during the day.

Some British architects tend to be authoritarian when dealing with people who are not experts in housing and other buildings and tell them what to do. That is a natural thing for them to do in their professional capacity. That is the trouble with the Bill, and it is natural for the Labour party to support it.

The hon. Member for Leeds, West (Mr. Battle) spoke about how much he supports the Bill. That is because he has been a little dictator. He was in Leeds city council and was used to commanding a huge Labour majority. That is how the Labour party likes it because it can tell everybody else what it proposes to do and how it will do it, and if people do not like that they can lump it.

Mr. Michael Stephen (Shoreham): Does my hon. Friend accept that there are already far too many powers on the statute book enabling local authorities and officials to poke their noses into our houses? Does he agree that the British people still believe that an Englishman's home is his castle?

Mr. Wells: I profoundly agree with that concept. We should respect the natural instincts of the British people. People should be allowed to enjoy privacy in their own homes and not be subject to the prying, interfering busybodies who would be imposed upon us by all the opposition parties.

Mr. O'Neill: My hon. Friend the Member for Leeds, West (Mr. Battle), who is not in his place, would resent, with some justification, being called a petty dictator. The thrust of our remarks has been to suggest that in some respects the measure builds on Conservative-inspired legislation and especially on section 105 of the Housing Act 1985. That already requires local authorities to carry out a housing survey. The Bill would have added to that survey an energy efficiency dimension. At the end of the day, it will be up to individuals to decide whether to take advantage of that.

There is cross-party agreement that the Government's energy efficiency proposals have to be voluntary in the context of private householders. There is a clear obligation

on local authorities to have as good a fabric as possible for their tenants so that buildings are kept as well insulated and as effectively maintained as possible. In no way does that suggest dictatorship: it suggests good husbandry of the resources that local authorities have a responsibility to maintain.

Mr. Wells: If the Bill simply advised householders on how they could improve the energy efficiency of their homes, it would not attract my hostility and that of the Government. I understand from my reading of it that when the surveys have been carried out and the results submitted to the Government, the Government would have to enforce by a specified date the implementation of the recommendations by the district authorities. That is why I suggest that the Bill is authoritarian and bureaucratic and why I said that it would appeal to the Labour party.

The socialist principles of the Labour party would impose upon others authorities and instructions about the way in which they should live. I understand that philosophy but I am totally against it because such matters should be left to individuals. It is for householders to decide how to make their homes more energy-efficient, thus voluntarily contributing to the reduction of carbon dioxide and enhancing the preservation of the world's climate. I am in favour of that.

Mr. Bennett: The hon. Gentleman complains about how the Opposition want to see things done. How does he square that with the real commitment to which the Government have signed up? If the Government are to implement that commitment, something will have to be done. The hon. Gentleman should address the question of how we can reduce emissions and energy waste without guidance such as that in the Bill.

Mr. Wells: Mr. Deputy Speaker has already brought it to my attention that he is sensitive to any questions that waste time. I fully support that attempt to keep the debate in order. If I accepted the invitation of the hon. Member for Denton and Reddish (Mr. Bennett) to explain how I would set about reducing Co_2 emissions and the greenhouse effect, I am sure that I would be rightly ruled out of order. I would love to accept the hon. Gentleman's invitation because I am deeply concerned about that matter and wish to see many effective actions taken. However, the Bill does not go about tackling the problem in the right way: it goes about it in entirely the wrong way and would result in resentment and anger about authorities attempting to impose things on people. People should be invited to act voluntarily.

Mr. Dafis *rose—*

Mr. Wells: I give way to the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis). I hope that I have pronounced that correctly.

Mr. Dafis: It is something like that. I am grateful to the hon. Gentleman for trying to say Ceredigion.

It is absolute nonsense for the hon. Gentleman to say that the Bill is authoritarian. It provides for implementation of the plans. That means that local authorities would be required to offer to householders the means by which energy efficiency in their homes could be improved. I am confident that a high percentage of those who received that offer would avail themselves of it because it would be so enormously beneficial. They would also understand that in making such provision in their own interests they would be making an important contribution to the common weal in which we believe. We also believe in the need for a strategic approach to tackle the whole matter.

Mr. Wells: We shall come to the issue of implementation and to the authoritarian effect of the Bill later in the debate. From my reading of the Bill it seems to be capable of being made very authoritarian.

The hon. Gentleman says that householders would be offered the means—presumably money or materials and workmen who would come into their houses to effect the improvements. That is a wrong use of taxpayers' money. If it is profoundly in the interests of the householder to make his house more energy efficient he should help himself to do it by saving his money and implementing energy conservation measures. That is the way to get consent, and in that event people would agree with the hon. Gentleman, but people do not like having things forced upon them.

Mr. Dafis: The hon. Gentleman seems to be going against Government policy. A large amount of taxpayers' money is already provided through the home energy efficiency scheme. Since the last Budget, the householder has not had to make any contribution. That principle is accepted. We want help to be put into a strategic framework and targeted at people in such a way that the environmental benefits will be maximised. That is the purpose of the audit and I cannot understand what the hon. Gentleman is getting at.

Mr. Wells: I do not think that I can convince the hon. Gentleman in this exchange. The audit, the bureaucracy and the authoritarian action are not likely to have the beneficial results that he and I would probably agree are necessary. The Bill is the wrong way to go about it and new clause 1 is also wrong because it makes no charge for the acquisition or viewing of the beneficial plans that will be produced under the Bill. The person who benefits from the plans prepared by local authorities should pay and thus contribute to the high costs that the Bill will impose on householders, whether they are local authority tenants or home owners.

Energy efficiency should be by consent and persuasion and should not be achieved by statute in the way that the Bill proposes. I shall oppose new clause 1, if I get the opportunity. I hope to persuade some of my hon. Friends to come with me into the Lobby on this occasion. By opposing the clause I hope that we will later have the opportunity to discuss new clause 6. The Clerks told me that we have to discuss new clauses in the proper order and so we shall have to go through new clauses 2, 3, 4 and 5 before we get there, but I support new clause 6 because it is essential.

My hon. Friends agree that people should pay for energy conservation measures because they will help them immeasurably when paying their fuel bills.

Mr. Dafis: I wish to speak about amendment No. 50 and to express my opposition to the removal of the requirement for consultation. That part of the Bill is modelled on existing legislation and on the way in which the Environmental Protection Act 1990 deals with waste disposal and contains a requirement for local authorities to consult. There is therefore nothing unusual about the requirement. It is a normal process and it is certainly beneficial.

[Mr. Dafis]

The amendment is a sign of the way in which the Government are intent on sabotaging the Bill—I mean the Government and not Conservative Members. That sabotage is infuriating since the Government claim to be committed to sustainable development. The Bill is one step on the road to painless sustainable development and would be generally accepted, but the Government are baulking at that first step.

The way in which amendments have been tabled on Report is a very serious misuse of the parliamentary process. It is also anti-democratic. Such details should have been dealt with in Committee. The Government's approach is also more fundamentally undemocratic. They are flying in the face of the will of the people and of the majority in the House.

It has been a great privilege to be associated with those campaigning in support of the Bill. The process has been educative and consultative and has involved many people. I pay tribute to those who helped, for example Ron Bailey of the Green party and Andrew Warren of the Association for the Conservation of Energy among others. The right hon. Member for Berwick-upon-Tweed (Mr. Beith) also deserves praise.

Mr. Stephen: Is the hon. Gentleman seriously suggesting that it is the will of the British people that their council taxes should be increased because of the imposition of more bureaucratic regulations, which will involve employing more bureaucrats in more town halls? As far as democracy is concerned, did he not just vote to curtail debate on this important matter?

Mr. Dafis: I do not think that I need to consider the hon. Gentleman's last remark seriously. As to the additional bureaucracy, the survey work could probably be carried out using existing resources in housing and environmental health departments. The sums of money involved are small and it would mean only a tiny addition to local government spending. Council tax payers would not have any hesitation in supporting the Bill. I am sure that it would generally be supported.

It is worth noting that a magnificent coalition has been brought together to support the Bill, which unquestionably reflects the majority of opinion. Supporters included: a host of local authorities, the Association of County Councils, the Trades Union Congress, the Royal Institute of British Architects, the Construction Industry Council, which knows about building, the Association for the Conservation of Energy, the Gas Consumers Council, and the National Association of Local Government Officers.

A raft of environmental organisations support it and include: Greenpeace, the Council for the Protection of Rural England, the Council for the Protection of Rural Wales, the Royal Society for the Protection of Birds. It is also supported by the right to fuel campaign, Age Concern, the Child Poverty Action Group, the Spastics Society and the Institute of Housing, whose members know about housing and are concerned about people's welfare.

Mr. Patrick Thompson: Will the hon. Gentleman take this opportunity to remind the House of the measure of all-party support for the principle of the Bill? Perhaps he can give us figures.

12.15 pm

Mr. Dafis: In a moment I will provide details as that is very important.

People want action on the environment and action on behalf of the poor, to promote efficiency and a thrifty use of natural resources. They also want action to mitigate the effects of 17.5 per cent. value added tax on fuel on the poor and the elderly—the fuel poor. The Bill would provide the opportunity to do that.

A coalition of enlightened people are behind the Bill and it is supported by the following Conservative Members of Parliament: the right hon. Member for Selby (Mr. Alison), the hon. Members for Aldershot (Mr. Critchley), for Blaby (Mr. Robathan), for Blackpool, South (Mr. Hawkins), for Brecon and Radnor (Mr. Evans), for Brighton, Kemptown (Mr. Bowden), for Broxtowe (Mr. Lester), for Buckingham (Mr. Walden), for Carshalton and Wallington (Mr. Forman), for Chislehurst (Mr. Sims), for Chorley (Mr. Dover), for Corby (Mr. Powell), for Cornwall, South-East (Mr. Hicks), for Davyhulme (Mr. Churchill), for Dorset, West (Sir J. Spicer), for Ealing, North (Mr. Greenway), for Eltham (Mr. Bottomley), for Exeter (Sir J. Hannam), for Falmouth and Camborne (Mr. Coe), for Gillingham (Mr. Couchman), Member for Gloucestershire, West (Mr. Marland), for Halesowen and Stourbridge (Mr. Hawksley), for Harrow, East (Mr. Dykes), for Hendon, North (Mr. Gorst), for Hereford (Mr. Shepherd), for Hertsmere (Mr. Clappison), for High Peak (Mr. Hendry), for Holland with Boston (Sir R. Body), for Ilford, North (Mr. Bendall), for Leominster (Mr. Temple-Morris), for Lewes (Mr. Rathbone), for Littleborough and Saddleworth (Mr. Dickens), for Monmouth (Mr. Evans), for Staffordshire, Moorlands (Mr. Knox), for Newark (Mr. Alexander), for Norfolk, North (Sir R. Howell), for Poole (Mr. Ward), for Portsmouth, North (Mr. Griffiths), for Ravensbourne (Sir J. Hunt), for Reading, East (Sir G. Vaughan), for Reading, West (Sir A. Durant), for Reigate (Sir G. Gardiner), for Rochford (Dr. Clark), for Romsey and Waterside (Mr. Colvin), for Ruislip-Northwood (Mr. Wilkinson), for Ryedale (Mr.Greenway), for Saffron Walden (Mr. Haselhurst) for Selby (Mr. Alison), for Sevenoaks (Mr. Wolfson), for Southend, East (Sir T. Taylor), for Stafford (Mr. Cash), for Stratford-on-Avon (Mr. Howarth), for Suffolk, Central (Mr. Lord), for Taunton (Mr. Nicholson), for Vale of Glamorgan (Mr. Sweeney), for Wansdyke (Mr. Aspinwall), for Wealden (Sir G. Johnson Smith), Wellingborough (Sir P. Fry), for Westbury (Mr. Faber), for Worcester (Mr. Luff) and for Wyre Forest (Mr. Coombs). It was also supported by some others who did not sign the early-day motion.

Mr. Baldry: I thought that the hon. Gentleman was starting a filibuster when he read out that list. If so many of my hon. Friends supported his measure one is curious to know why they were not here today to support the closure motion. Perhaps that is because, having heard what I and others had to say at Environment Question Time on Wednesday, they saw the light and realised that the Bill would impose unnecessary bureaucratic burdens on local authorities and costs on taxpayers and therefore changed their minds. That can be the only reasonable inference that one can draw from the fact that they are not here to support the measure.

Mr. Dafis: I see that the hon. Member for Norwich, North (Mr. Thompson) wishes to intervene again.

Mr. Patrick Thompson: I know that the hon. Gentleman did not intend to give way again, and I am grateful to him for allowing me to intervene. Since I strongly supported the Bill on Second Reading I hope that he will put on record the fact that my constituency is Norwich, North.

Mr. Dafis: The hon. Gentleman's constituency comes in the rest of my list.

To respond to the Minister, I am inexperienced in parliamentary matters. It has become clear this week that the Government are intent on destroying the Bill. Supporters of the Bill had to decide whether they wanted to come here as a symbolic gesture, knowing that their votes would count for nothing. The Government will talk the Bill out. If we had a straight vote on the Bill there would be a majority in favour.

Let me continue the list of people who did not sign the early-day motion, but expressed support in some way or another. The first was the hon. Member for Cambridgeshire, North-East (Mr. Moss), which is rather odd because this morning he spoke against the Bill. The others were the hon. Members for Cambridgeshire, South-West (Sir A. Grant), for Chesham and Amersham (Mrs. Gillan), for Birmingham, Edgbaston (Dame J. Knight), for Harlow (Mr. Hayes), for Hastings and Rye (Mrs. Lait), for Hertfordshire, West (Mr. Jones), for Keighley (Mr. Waller) and for Langbaurgh (Mr. Bates), the right hon. Member for Mitcham and Morden (Dame A. Rumbold), and the hon. Members for Norfolk, North-West (Mr. Bellingham) and for Norwich, North, whose support I much appreciate. I appreciate also the support of the hon. Member for Suffolk, South (Mr. Yeo) who is on record in *The Independent* earlier this week as supporting the Bill.

Mr. Wells: Can the hon. Gentleman guarantee that those of my right hon. and hon. Friends whose names he read out studied, understood and discussed the Bill with the hon. Gentleman, and studied the amendments? I believe that few of them actually understand the Bill's implications and the way that it would impact on the ordinary householder and taxpayer.

Mr. Dafis: I can confidently assert that hardly any legislation has been so carefully explained to so many right hon. and hon. Members, by so many people, and by so many publications. It is perfectly well understood that the Bill requires local authorities throughout the United Kingdom to undertake energy audits for all domestic property in their area. Right hon. and hon. Members understand perfectly well and approve that principle.

Mr. Butler: I ask the hon. Gentleman to consider, in a spirit of co-operation, that speaking to some of the amendments does not mean that my hon. Friends—my hon. Friend the Member for Cambridgeshire, North-East (Mr. Moss) in particular—oppose the Bill, let alone that we oppose its intention. That is not the case.

Mr. Dafis: I am delighted to hear that. As was made clear by the right hon. Member for Berwick-upon-Tweed, we would have been perfectly happy to accept some of the amendments. If they had been presented at an earlier stage, they could have been integrated and everything would have proceeded better. I gather from the hon. Gentleman's statement that there is life in this issue for the future. I will return to that point later.

Ms Joan Walley (Stoke-on-Trent, North): Does the hon. Gentleman agree that there is no use making a commitment to energy conservation if Conservative Members are only prepared to pay lip service to it? Given the increase in domestic fuel prices, it is crucial to take on board some of the Bill's measures. Many of my constituents are unable to meet all the costs of energy conservation and cannot keep themselves warm in winter. Even if the Bill is talked out, it is time that the Government gave a commitment to making energy conservation an absolute priority.

Mr. Jacques Arnold: On a point of order, Madam Deputy Speaker. Is it in order for an hon. Member to enter the Chamber during consideration of the Bill when she has not been present before and impugn the motives of right hon. and hon. Members who have sat through the entire debate and have long taken an interest in environmental matters?

Madam Deputy Speaker (Dame Janet Fookes): That is not a point of order for the Chair. If the hon. Gentleman wants to make such a remark, he should seek to intervene.

Ms Walley: Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. It was not a point of order.

Mr. Dafis: I was referring to the enormously impressive coalition of supporters for the Bill. Arrayed against that enlightened coalition is a total of seven wrecking amenders, including the Secretary of State. I cannot name them because that would be against parliamentary procedure, and I do not know the names of their constituencies. I will therefore refer to them as the unmentionable seven. They are riding into battle with amendments and new clauses blazing not, as in the film, in defence of people's welfare but in a direct attack on it.

Their constituents will know who they are, but the effect on those Conservative wrecking amenders will be slightly reduced by the fact that they all have large majorities. I wonder whether that is coincidental. However, they should not be complacent. These days, no Conservative majority is safe, and their majorities will be far less safe once their constituents know of their attempts to block the Bill. Make no mistake—they will be informed of that, and of the Government's failure to mitigate the effects of VAT.

The irony is that many Conservative supporters of the Bill will suffer because they will be identified with the Government that has chosen to wreck it. The Bill is enlightened, progressive, important, down-to-earth and useful. It would help to improve the quality of people's lives and to protect the environment upon which we all depend. It would help also to highlight and make us more conscious of the environment. The Government and the Conservative party will pay the electoral price of blocking the Bill.

Mr. Wells: The hon. Gentleman appeals to the self-preservation instincts of Conservative Members. I understand and appreciate his concern for us in the elections that face us—but does it not strike the hon. Gentleman that a number of us are so convinced that the

[Mr. Wells]

Bill is the wrong way to go about energy conservation that we are prepared to take that risk and to do what is right by our electors, rather than do what might be popular? Did the hon. Gentleman and the right hon. Member for Berwick-upon-Tweed get together with Ministers, to try to model the Bill in a way that would make it acceptable to the Government, or did they just propose the Bill to embarrass Conservative Members?

Mr. Dafis: I am grateful to the hon. Gentleman for asserting that the amenders are people of integrity and that they are prepared to stand up for their principles and accept the electoral consequences. That is a fine interpretation of their position and it is not for me to question it—but I have my own thoughts on the matter.

As to the willingness of the Bill's promoter, supporters and others who worked hard on it to enter into a dialogue with the Department, I am sure that the Minister will confirm that there was a willingness on their part to go a long way to accepting Government proposals for changes to the Bill. The one thing that we were adamant about was the need to retain the statutory requirement for local authorities to undertake an audit, so that there would be a strategic framework for the development of energy efficiency policies.

Mr. Patrick Thompson: Can the hon. Gentleman give any examples of changes to the Bill made as a result of discussions with the Department?

Madam Deputy Speaker: Order. Before the hon. Gentleman answers, I may say that I have been listening carefully to the debate, and would prefer it if right hon. and hon. Members will now address themselves to the new clauses and amendments under consideration. I give fair warning.

Mr. Dafis: The right hon. Member for Berwick-upon-Tweed indicated this morning our willingness to accept, for example, new clause 1. We would have been prepared to accept several amendments, but we wanted to retain the crucial principle of auditing.

I am sensitive to your ruling, Madam Deputy Speaker, and it is relevant to remark that I strongly oppose amendment No. 50, which seeks to remove the democratic and participatory provision for consultation. I want to make it clear that the issue of environmental sustainability and energy efficiency will not go away. The Bill will not go away either.

Let me give fair warning to the Government that the Bill will be back in November. It will gather even more support then and its implications will be more properly understood. I trust that even more Conservative Members will be aware of its implications and realise that the objections that they have raised this morning are largely baseless. We will see in November, will we not, whether the Government—assuming that they are still in power—dare sabotage the Bill a second time.

Mr. Butler: I agree with the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) that this matter will not go away, but I would say that no one wants it to. We are all anxious to come to a proper resolution of the serious issues that the Bill raises. It is time perhaps to come out, if I may do so publicly, as having been for some time a member of Friends of the Earth, whose publications are extremely useful and generally of a high standard, except when they stray into party political issues, when one tends to disagree.

12.30 pm

In Milton Keynes, we have a proud boast on our recycling record. In the next couple of weeks, I shall attend the opening of a new recycling facility. Its construction has cost some £5 million. We are extremely proud of what we do there. I, personally, am extremely proud that a response to a question from me led the Department of the Environment and the DTI jointly to issue their challenge to the packaging industry last July to secure the retrieval and recycling of a high proportion of its products.

I mention that only to establish the point that there is consensus across the parties and, more importantly, across the country on the need for energy efficiency, by which we do not mean being able to turn up the thermostat and heat the house at a higher level for the same cost; we mean using less energy. When we get on to those groups of amendments—if we do—there will be further comments to make on the definition of energy efficiency in the Bill. There is no point to all of this if energy is still consumed at the same rate, because that, by any definition, is a waste.

Mr. Heald: My hon. Friend has just mentioned the local authority effort on energy efficiency. At the moment, local authorities are spending some £200 million annually on energy efficiency measures. Within the amendments, does he agree that the permissive principle—allowing local authorities to spend on energy efficiency, to conduct audits and so on—is one thing, but that to force them to do so is another? What would his approach be? Does he feel that the permissive approach would be adequate, or does he agree that it probably would be right to force local authorities to implement such measures and conduct energy audits in that way?

Mr. Butler: I am grateful to my hon. Friend for his—as usual—most helpful intervention. I believe that any local authority could undertake such an audit now if it wished to do so. It does not require further legislation to do so. The Bill is concerned only with mandating and forcing that to be done. Surely the hon. Member for Ceredigion and Pembroke, North and I have learnt something in the past two years here: if one is to mandate the ends, must also mandate the means.

That brings me to the central issue of the Bill: does it mandate the means? In other words, does the clause that relates to the Secretary of State making regulations to secure the putting into effect of the plan mean anything or not? If it does not, we have failed to mandate the means and there is no point, apart from publicity, in mandating the end. We shall come back to that in further amendments.

I shall conclude my introductory comments by referring to the National Energy Foundation, based in Milton Keynes—naturally, where else?—which has done excellent work. I invite the hon. Gentleman to visit it. I should be happy to show him some of the work done there and, indeed, some of the energy efficient houses built specifically to demonstrate the effectiveness of energy efficiency within the new city of Milton Keynes.

I reject the simplistic, and I believe insulting, contention that it is necessary to support not just the idea and principle but the wording of the Bill to prove that we have a concern for the environment. I am sure that hon. Members will not

accept that argument. I personally would reject it. I welcome enormously enthusiastically the title of the Bill and the idea behind it. My regret is that it is not effective.

Reference has been made to a large number of amendments. I tabled a substantial number, but, because of the arcane procedures, if one wishes, for example—as I do—to change the word "investigation" to "energy audit", one must table a separate amendment for each occasion that it occurs in the Bill. That would involve nine or 10 amendments.

If one examines the amendments that have been tabled, certainly those which I have tabled, one will find that they involve about six or seven substantive changes. The other 30 or 40 amendments that I have tabled are merely consequential. It is not right to suggest that a wrecking number of changes have been proposed. The procedures simply require many amendments to be tabled.

I have tried to decide whether the right hon. Member for Berwick-upon-Tweed (Mr. Beith) has changed his mind since he spoke in Committee on 16 February, when he said in an exchange:

"The Minister mentioned several matters that might need to be tackled on Report or in another place. I am willing for that to happen".—[*Official Report, Standing Committee C*, 16 February 1994; c. 10.]

From the comments that the right hon. Gentleman has made this morning, I am not sure that he is any longer willing for that to happen on Report. I conclude that he is willing for it to happen only in another place. I do not find that helpful.

Mr. Beith: The hon. Gentleman will find that I also said that we needed to have a manageable Report stage. I submit that as the Government have tabled more than 200 amendments they clearly do not intend to have a manageable Report stage.

Mr. Butler: With respect, it is an entirely manageable Report stage. Although I have tabled 40 or 50 amendments, as I said, they represent only about seven substantive points. I tabled them several days ago. The right hon. Gentleman could have contacted me to say which amendments he was prepared to accept and which he was not. I have had no such contact. That would have made the Report stage even more manageable.

Some of the amendments deal with the consultation clauses. As you will be aware, Madam Deputy Speaker, amendment No. 50 deletes the requirement to consult. Other amendments, in particular amendments Nos. 209 and 216, relate to who should be consulted. Consulting is all very well, but surely the Bill ought to be about achieving energy savings. I question whether, as it is currently worded, the object of the Bill is to achieve the drawing up of a plan or to achieve energy savings.

It is self-evident that the plan would be useless if it did not lead to energy savings. It would be merely a bureaucratic exercise and yet another charge on the taxpayer. That charge would be fully justified, and the plan would be fully justified, if we could secure implementation of the plan and ensure that it was drawn up properly. We shall return to the question of implementation.

In Committee the right hon. Member for Berwick-upon-Tweed was asked whether people should be forced to install double glazing and so on. He replied:

"The Bill does not contain a requirement but it calls on local authorities to set out what could be achieved by certain levels of energy conservation. No one is required to achieve those levels."—[*Official Report, Standing Committee C*, 16 February 1994; c. 25.]

That is the kernel of the problem. Does the Bill intend to do anything or not? If it intends not to achieve anything, the right hon. Gentleman can do that by all means. But surely he should not do so at enforced cost to residents. If it intends to achieve something, how is it to be done?

Draconian regulations would be necessary if authorities were required to conduct an audit. My hon. Friend the Member for Hertfordshire, North (Mr. Heald) drew attention earlier this morning to clause 3(4), which says:

"The Secretary of State may make regulations by statutory instrument in order to secure the implementation of any plan".

Mr. Dafis: I am grateful to the hon. Gentleman for giving way on the question of achieving energy efficiency measures, as distinct from drawing up plans. It is interesting to note that organisations that have been most progressive in implementation are strong supporters of the Bill because they believe that we need the framework of information that the audit would provide. I mention in particular Neighbourhood Energy Action, which more than anyone else is responsible for the introduction of the home energy efficiency scheme.

Also, two local authorities have already carried out significant programmes. Derby city council and Newark and Sherwood district council have provided information about how the audit should be conducted. They are convinced that the audit is necessary before we can carry out the necessary works in the most efficient way.

Mr. Butler: Neighbourhood Energy Action is an excellent initiative. I am aware that a substantial number of local authorities have expressed little or no real interest in it. They have merely welcomed it. They have done nothing about it. It has been difficult even to get them interested. That may be an argument for some form of mandatory involvement. On the other hand, as the hon. Gentleman has just said, two authorities in particular have already produced precisely the type of audit that he urges on the rest of the country under existing legislation. That shows that it is not necessary to mandate such audits. It is a two-sided argument which we shall not resolve today.

Mr. Ian Taylor: My hon. Friend clarifies an important point. Hon. Members who favour energy efficiency look at the £350 million that local government already spends on improving energy efficiency and wonder whether the Bill, because of the bureaucratic framework that it proposes, will detract from that amount. The fact that there will be a cost appears from clause 3(2)(b), which says that the Secretary of State

"may make a Scheme for making contributions to the cost of implementation of such plans"—

in other words, the cost of the implementation of a bureaucratic procedure rather than of energy efficiency.

Mr. Butler: I am grateful to my hon. Friend, whose intervention reminded me of recent speeches that Opposition Members have made on the NHS. Their claim is that money is spent on bureaucracy rather than on the delivery of service—a claim that we refute because we cannot manage without managers. That, however, is precisely what the Bill proposes, but whether that would require additional funding, which would require increased taxation, or existing funding, which would lead to less insulation work being carried out, is a matter for clarification.

Mr. Beith *rose*—

Mr. Butler: I see that the right hon. Gentleman is eager to give it.

Mr. Beith: The hon. Gentleman should rely on his own understanding of the Bill rather than on being advised by the hon. Member for Esher (Mr. Taylor), who has a perverse view of it. The subsection that the hon. Member for Esher quoted deals with the Secretary of State's powers to contribute to the costs of implementation of energy conservation measures—a power, not a duty, under which the Secretary of State could make a contribution, as taxpayers do already, to energy-saving works that surveys have shown to be cost effective.

Mr. Butler: I do not wish to become involved in a discussion of perversities in Esher, but if funding is required two questions arise: first, where does it come from, and, secondly, to what effect?

Mr. Dafis: The hon. Gentleman mentioned the Bill that I introduced, which provided for a levy but which has now been removed because, in the meantime, the Government have imposed VAT on domestic fuel. It occurred to us that that will provide huge revenue, which the Government should recycle in the process of energy efficiency. The Bill leaves open various options, of which that might be one, for funding implementation.

Mr. Butler: I am again grateful to the hon. Member. I feel as though I am being allowed to intervene in my speech in replying to him.

Clause 2(5) mandates; it does not suggest a list of consultees. It says that it is

"the duty of the authority—

(a) in preparing plans and any modification, to consult"

the specified groups. There is no requirement to pay attention to what they say or to take their representations into account. In a way, that may be sensible because it would prevent judicial review of a plan produced in a form contrary to representations received, but it makes it a paper exercise and nothing more.

That is more a comment on the defective drafting of the Bill than on anything else, but it is a valid point. If that is correct, and I am not from Esher so I hope that I will not be accused of perversity in taking the view, the subsection is pointless and we may as well pass amendment No. 50, which would delete it.

Mr. Heald: Does my hon. Friend agree that one of the most curious features of the clause is that subsection (5)(v) suggests that the Gas Consumers Council should be consulted but not Ofgas? Gas consumers are consulted but not the regulator, yet the regulator of electricity is consulted but not consumers. Is not that the basis for agreeing amendment No. 210, which he and I have tabled and which includes Ofgas and electricity consumer committees?

Mr. Butler: As my hon. Friend the Member for Hertfordshire, North and I tabled amendment No. 210, it must be a very good amendment. I have no doubt that he has interpreted it correctly. I shall not refer to it further except to say in passing that I have never managed to live in a house which has a gas supply, so I cannot assist him on that point.

12.45 pm

If there is no need for the list of consultees, let us delete it and accept amendment No. 50, which would make it optional. It is impossible to carry out an investigation without talking to someone. Incidentally, "investigation" is not defined in the Bill, although an amendment which I have tabled and which we may get on to discussing seeks to replace the word "investigation" with an energy audit, which is defined. Presumably the local authority, wishing to carry its population with it, would choose whom to consult. We might therefore adopt amendment No. 209 to that effect or, if the House is minded to leave clause 2(5), we might in due course accept amendment No. 216 which would add to the consultees

"representatives of organisations concerned with the provision of affordable energy for the elderly and those on low incomes".

We should then perhaps start to deal with the groups in our society which need help mandated from others and at others' expense. We could begin by accepting that amendment against which, I notice with delight and pleasure, my name appears.

I deal now with the technical issue of the interaction of clause 2(d) and clause 5(a) which provide a duty to ensure a new round of consultation with each of the listed consultees not only for the drawing up of, but for any modification of, a plan. Presumably any modification of the plan relating to any part of a local authority's residential accommodation would involve the authority going through the whole consultation exercise again. If it breached that duty, any subsequent plan and any expenditure incurred in producing or putting into effect any such plan or modification could be invalid and challengeable in the courts. It is a risk that I urge those who support the Bill to bear in mind when, as we all hope, it is reconsidered in another form. That may appear a legalistic point, but it is valid.

New clauses 4 and 5 are included in the group of amendments that we are discussing. The establishment and implementation of energy conservation audits and plans would clearly involve local authorities in considerable expense. We do not yet know quite what the local audit will be because it is described only as an "investigation". I have tabled amendments to clarify the issue but I doubt that they will be accepted. We are not, therefore, in a position to estimate the actual cost, but we know that it will be substantial.

It is unclear from the Bill whether plans will be established by simple sample representative audits or by reference to each house, another point raised by my hon. Friend the Member for Hertfordshire, North. Again, it would be wide open to legal challenge and, if the Bill has to be brought back in another form, I hope that that point will be taken into account. In any event, the proposals involve a considerable financial burden.

Of course, the information contained in any audit will be of great commercial value. For example, a private sector firm that is active in producing, selling and installing equipment aimed at the energy conservation market will find an open door. The scheme will be a database of magnificent proportions for potential purchasers of their product. The active participation of the private sector in the commercial opportunities available will be essential to the successful implementation of the plan. One cannot fit double glazing unless there are double glazing companies to do the fitting, and one cannot install draught excluders unless someone is making, selling and, as under the

Government's scheme, fitting them at a subsidised price. It is therefore vital that the information is available to such companies.

New clauses 4 and 5 concern the availability of copies of the plans, and the background and supporting documents. We again have some sloppy drafting, although in the new clauses rather than in the Bill. We should, perhaps, talk about residents or occupants of residential accommodation within the area rather than simply members of the public. I am anxious that commercially valuable information should not be given away.

If the plans are to result in real improvements in energy efficiency, they must also act as a focus for discussion, local publicity and so on. That means that information on them, information behind them and information that led to the conclusions should be available. If authorities are required to make the information available on request, it is reasonable, given the substantial resource constraints under which local government does, always has and always will operate, that they should make charges. Those should be such as the authority thinks appropriate. Similarly, a charge should be applied to copies of modifications.

I have used the word "appropriate". Local authorities should not be minded to make a profit out of the exercise, although it would be an extraordinarily useful subsidy. One could take the view that every pound collected for the provision of copies would be a pound to be spent on the provision of facilities for energy conservation, which the Bill purports to be about.

There are bound to be requests in many instances for the background information and relevant documents. Copies should be available, but subject to any such charge as is considered appropriate. The proposed imposition of such charges under new clauses 4 and 5 is, of course, in line with established practice for the provision of, for example, development plan copies. The charges will serve to ensure that the service is used responsibly and economically by the public.

A charging regime that leaves local authorities with the discretion to decide the level of charges could be used by authorities to recoup some or all of the cost, and could be misused, as I mentioned earlier, in terms of charging too much. Expert energy audits undertaken by consultants as background material will be expensive and also extremely commercially valuable items. They will be of great interest to energy service companies and to other commercial interests in the area which may therefore be prepared to pay a proper commercial price to get access to that information.

My intention in tabling, on behalf of a number of my colleagues, new clauses 4 and 5 is not that local authorities should make a profit out of the exercise or, indeed, use their discretion to set charges at unreasonably high levels. Instead, the new clauses would encourage the issuing of realistically priced documents, promoting the local authority plans for energy conservation while allowing authorities the discretion to make a modest but useful contribution to the considerable cost of drawing up the plans. I would expect most authorities to exercise discretion reasonably and responsibly.

Experience in other areas, however, shows that a minority of authorities are unlikely to exercise discretion in such a way. I commend, therefore, not only new clause 4, but new clause 5, which allows the Secretary of State the power to make regulations prescribing the maximum amount that may be charged under the provisions. The regulations would allow the Secretary of State to make different provisions for different cases and for different kinds of document, such as the plan itself, background papers or, particularly, copies of expensive, externally obtained experts' reports. The flexibility in new clause 5 would help to ensure that the charging system was not rigid or too bureaucratic.

I have no doubt that, in making or amending such regulations, the Secretary of State would consult closely with the local authority side and would take due account of the experience of charging systems in operation for other publicly available documents. The regulations would, of course, be subject to the negative resolution procedure. The two new clauses taken together provide the basis for a prudent and sensible charging regime. I will therefore, in due course, seek to support them. I commend them to hon. Members.

I reiterate my welcome for the idea behind the Bill. I have admiration for whoever drafted the title of the Bill, but I regret that the body of the Bill, as currently drafted, would not achieve the excellent objective set out in the title.

Mr. Jacques Arnold: I admit to quite a swing of emotion over the Bill. Like my hon. Friend the Member for Milton Keynes, North-East (Mr. Butler), when the Bill was introduced I thought, "Excellent: a further step in the important matter of energy conservation and environmental matters generally." After all, it was the objective of the earth summit in Rio de Janeiro in 1992 to claw back the amount of carbon dioxide emissions and to take a number of measures to help with energy conservation. A look at the face of the Bill revealed that it had the support of right hon. and hon. Members of all parties. I thought that it was a measure introduced by the great and the good that was moving in a direction in which everybody would like go. Imagine my horror when, with the proverbial towel around my head, I went through the Bill's detailed provisions and tried to work out its effects.

For instance, I am especially concerned that clause 2 —the subject of amendment No. 50—would impose further bureaucracy on local councils. As every hon. Member knows, our local authority leaders tell us time and again that one of the greatest problems with which they have to cope is the rigid imposition by the House of detailed bureaucratic requirements. If the Bill became law, our local authorities would have to divert talent, resources and tons of paper to drawing up the required plans—one wonders about the environmental impact of felling the number of trees required to obtain fibre for those tons of paper.

In considering the amendments, we should take account of the fact that local government should consult people who have an interest in the proposed actions. I am totally in favour of widespread consultation, but authorities should have the right to consult as and with whom they think fit and they should not be placed under a duty by the House to consult in a rigid way, with individuals and organisations that are not necessarily relevant in particular areas of the country or with particular authorities that may not be appropriate.

I firmly believe that local government is democratic enough to ensure that proper consultation on such matters, as covered by the Bill, will take place. If it did not, the local voters would have their opportunity to make their views of such behaviour known at the next local authority election.

[Mr. Jacques Arnold]

Local authorities do not need to be nannied in the way that the Bill proposes. Local authorities may make up their own minds about such issues. Indeed, most local authorities have a good record of doing so.

With the support of my hon. Friends, I tabled amendments Nos. 188 and 199, which are both consequential amendments that would delete redundant references to exceptions to the duty to consult. They are tidying-up amendments and would not be necessary if the House agreed to amendment No. 50.

The House should be attending to the need to put considerable time, effort and expertise into action to deal with energy conservation and not merely record intentions on great tonnages of paper. For instance, we know of the Government's highly successful green house programme, which was launched in 1990 to run for three years to encourage local authorities to introduce new heating and insulation schemes at a demonstration level.

We also know of the highly successful home energy efficiency scheme, which was launched in January 1991, since when more than 300,000 houses have benefited. It is encouraging to note that, for the current financial year, the target is 440,000 homes. That is action to deal with energy conservation—what we all want—in the interests of our constituents' welfare and of solving our overriding environmental concerns.

Looking through the Bill, I have great sympathy with the comments of my hon. Friend the Member for Hertford and Stortford (Mr. Wells)—the more one reads, the more one realises how authoritarian it is. The Bill brings the busybody into every home in the country. Nothing brings our environmental enthusiasm into more discredit with the general public than empowering busybodies to interfere in people's homes and say what must be done, generally sticking their noses into people's affairs.

In any event, it is not an easy business to carry out. We know about the difficulties that ensued when local councils tried to evaluate every house in the country for the purposes of the council tax. They were not empowered to enter people's homes. In recent days we have heard of many difficulties in classifying houses for council tax bands. Those have arisen on the relatively simple criteria required for council tax banding. How much more difficult would it be to assess the extent to which individual houses are properly insulated?

1 pm

Whereas a whole street of houses could be banded similarly for council tax purposes, each house would be at a different stage of insulation. It might have its original insulation or insulation that has since deteriorated and householders might have taken steps to insulate their homes at different stages.

Madam Deputy Speaker: Order. Before the hon. Gentleman continues, may I say that this sounds remarkably like a Second Reading speech? I expect him to relate his remarks to the group of new clauses and amendments under consideration.

Mr. Arnold: I am referring to clause 2, particularly the provision that would be affected by amendment No. 50, which refers specifically to the duty on local authorities to draw up detailed plans and consult parish—

Madam Deputy Speaker: Did the hon. Gentleman refer to new clause 2?

Mr. Arnold: I referred to amendment No. 50, which is in the group under consideration.

I was referring to the great difficulties involved in assessing insulation in umpteen million houses throughout the country. We would then have to consider the effects of the different heating systems, the different impact of various forms of fuel, and the access to those fuels. If the Bill were passed, it would cost local authorities vast amounts and cause householders to suffer thorough intrusion.

Mr. Heald: Does my hon. Friend agree that a local authority environmental health officer has a role to play? When inspecting a block of flats or a building in his public health role, he could also take account of the energy efficiency side, and when advising or notifying householders, he could include energy efficiency as a criterion. Does he agree that a partnership approach with the private sector, in which advice is given, is more likely to be successful than an unworkable mandatory provision?

Mr. Arnold: That is exactly the point. If advice is given, it can include advice to individual householders about the availability of assistance with insulation and energy conservation measures that are made available by the positive programmes that the Government have put forward. I resent the diverting of energy, talent and resources into drawing up vast plans that do not necessarily result in action. My hon. Friend's example could lead to action in the case of individual householders. It would solve many problems and have a considerable environmental spin-off.

You will not be surprised, Madam Deputy Speaker, if I am slightly controversial. I wonder why the right hon. Member for Berwick-upon-Tweed (Mr. Beith) proposed the Bill in the first place. He has assured us that he is greatly concerned with the environment. That is why he proposed a carbon tax at the last election. Not long after that general election we faced the sad necessity of holding a by-election in Newbury. The Liberal Democrat candidate found, no doubt to his amazement, that a carbon tax—the very tax that the Liberal party proposed—would be unpopular. Such a tax has been introduced in the form of VAT on fuel—

Madam Deputy Speaker: Order. What has that to do with the group of amendments that we are now discussing?

Mr. Arnold: Value added tax on fuel is an important part of energy conservation, Madam Deputy Speaker. It is one of the many measures that are being introduced to help conserve energy. I believe that, in considering plans to take forward the Bill, we should take into account steps that have already been taken.

Madam Deputy Speaker: Order. We are not considering the Bill—we have gone beyond that and are now discussing a group of amendments. I expect the hon. Gentleman to address his remarks to that group.

Mr. Arnold: I shall specifically deal with the plan that clause 2 attempts to impose. As I was trying to explain, Madam Deputy Speaker, it would cause an immense diversion of personnel resources away from necessary action. One of the extremely unfortunate spin-offs could be that the intrusion on people's lives might result in the

dissipation of the public's current enthusiasm for environmental issues. We know that VAT on fuel is unpopular, but it is, in great part, an environmental measure. If we introduce a plan that intrudes on people's homes—an Englishman's home is his castle—we shall tarnish the current enthusiasm for the environment.

An energy conservation plan as proposed in clause 2 would be extremely detrimental. I hope that amendment No. 50 will be carried and clause 2 deleted.

Mr. Bennett: I do not want to detain the House long, but I deplore the way in which the Government have behaved today. I do not complain if the Government want to block a private Member's Bill and organise opposition to it—that is entirely up to the Government. My complaint is that, by the way in which they have tabled amendments —particularly new clause 1—the Government have set out to waste a Friday. It would have been perfectly easy for the Minister to table a new clause that allowed the House to explore the Government's alternative to the Bill.

The Government signed up to the Rio commitment and have said that they are in favour of energy conservation. But when a reasonable Bill such as this is brought before the House to raise the profile of energy conservation and show people that they can do a lot to conserve energy if they have the money, the Government set out to block it. Instead of coming to the House and stating their strategy, they try to keep us tied to a bureaucratic group of amendments.

I can understand why the Government are in difficulties. The Government's strategy was based on the idea that the Energy Saving Trust would introduce schemes to encourage individuals to save energy. That was a perfectly reasonable strategy, but the Government's problem was that they could not find a way to finance the Energy Saving Trust. It was intended that there should be a levy on various industries, but it was extremely difficult to persuade the electricity industry to invest money. However, 12 months ago, the gas industry, through the gas regulator, put up some money for the Energy Saving Trust so that it could start to introduce individual schemes.

As new clause 1 suggests, if a survey is done and it is possible to see what is needed, a grant could be given to help facilitate the necessary action. But the new gas regulator gave evidence to the Environment Select Committee only a fortnight ago and said that she believed that it was illegal for the gas industry to make grants to the Energy Saving Trust.

The Government intended the Energy Saving Trust to be the main vehicle to carry out their Rio commitments —but the body has no money. The Minister should have told the House today that the Government have got themselves in a terrible muddle and are unlikely to be able to achieve their Rio commitments. Unless they get themselves organised quickly, by means of new legislation or in some other way, they will not reach those targets. Instead, the Government tabled this miserable little new clause.

The Minister should have dealt with the fundamental problem, which is that the Government's energy conservation policy has collapsed as a result of the actions taken by the gas regulator. Until the Government find the money for the Energy Saving Trust, I see no way forward. The Minister has a duty to make a statement soon to the House of Commons on how the Government's policies are to be carried forward. It is deplorable that all we have this morning is new clause 1. Certainly, the Government's intention is to wreck the Bill, but if by some chance it got through, the effect of the new clause would be to make local authorities provide the community with information.

Such information would have been welcome, but until the Minister can find a major new strategy, this little new clause remains irrelevant. The Government must come up with alternatives. It would have been far better if the Government had supported the Bill and at least got the survey done, to raise people's consciousness of energy conservation.

It still amazes me that, when people buy houses, they spend a great deal of time on structural surveys, on deciding whether they can afford the mortgage—or more likely, the building society does—and on finding out what the council tax is likely to be, but they still do not bother to find out what the gas, electricity and oil bills will be. In the course of a year those may prove to be the highest bills that people face.

It would therefore have been far better if the Government had stressed the importance, when buying a house, of considering its energy costs. People should be urged when they become new owners to consider saving on their future bills by adopting what are often simple energy conservation measures.

Today the Government wasted an opportunity clearly to set out to the country how they intend to implement an energy strategy. Until they have one, they should seriously consider sensible measures such as this Bill and implement them quickly.

Mr. Stephen: I support amendment No. 50 and oppose new clauses 1, 4 and 5.

Of course energy conservation is important to all hon. Members and to all our constituents. Sources of energy are mostly scarce, and the wasteful burning of energy is a criminal waste of our nation's wealth. Thus, a sensible and effective policy of action to encourage all our citizens in their homes and places of work to conserve energy has my full support. However, I oppose the socialist and bureaucratic approach to this matter exemplified by clause 2, to which amendment No. 50 relates.

I could not believe my eyes when I first read the Bill, originating as it does from the right hon. Member for Berwick-upon-Tweed (Mr. Beith), a leading member of one of the two socialist parties. The Bill is nothing more and nothing less than a frontal attack on the independence and integrity of local government—Opposition Members are always wrongly attacking the Government for doing that—wrongly because we all know that the powers, responsibilities and moneys accorded to local government have enormously increased since 1979.

Mr. Dafis: The hon. Gentleman speaks of an attack on the integrity and freedom of local authorities because of the imposition on them of a new statutory requirement. Perhaps he would like to reflect on the raft of such statutory requirements that central Government have placed on local authorities in recent years—including, under last year's Education Act, the requirement that local authorities be responsible for special educational needs. That statutory requirement imposes responsibilities and duties on local authorities. Does the hon. Gentleman suggest that there should be no such responsibilities?

Mr. Stephen: I should like to engage the hon. Gentleman in a debate on that subject but I fear that

[Mr. Stephen]

Madam Deputy Speaker would not allow me to do so. The hon. Gentleman cannot have it both ways. He is against central Government imposing duties on local government in relation to education and being too prescriptive, so he must agree that it would be wrong for central Government to do that on energy conservation.

1.15 pm

Mr. Battle: Was the hon. Gentleman in the House in 1985?

Mr. Stephen: No.

Mr. Battle: No doubt the hon. Gentleman would describe Mrs. Thatcher as a socialist because she passed the 1985 Act which imposed a duty on local authorities to check on the condition of the housing stock.

Mr. Stephen: I was not a Member at the time but if I had been I would have advised that it is quite wrong for central Government to be too prescriptive about such matters. The whole point of local government is that locally elected people are deemed to know what is going on in their areas and what is best for their electors, although the expenditure of vast sums of public money is legitimately a matter for the House and the Government.

The clause essentially says that we cannot trust local councillors to understand the energy needs of their areas or to use their existing powers to carry out an audit and assess what needs to be done, It says that we must order them to do that, and not only in general terms because the offending clause orders local government to take some specific actions. Councillors would be ordered to consult not just the people whom they think ought to be consulted but every parish and community council, irrespective of whether they think that it is relevant to do so. It would instruct them to consult their tenants, the Gas Consumers Council and the Office of Electricity Regulation, but, as was said earlier, they would not be instructed to consult the Gas Regulator or the Electricity Consumers Council.

The more that I read the prescriptive bureaucratic interventionist nonsense in the clause, the more I realise that my initial reaction to the Bill was right—that it is a frontal attack on the independence of local government.

Mr. Wells: What does my hon. Friend think that those plans which are to be drawn up for energy conservation will entail? Will they involve the removal of windows and their replacement with double glazing? Will they require roof insulation, which could call for much work on the existing fabric? Will they require the replacement of all external if not internal doors? The cost for the tenant or house owner could be enormous. In addition, the walls of many houses are only one brick thick and a second wall might be needed to keep in heat.

Madam Deputy Speaker: Order. We are not strictly discussing energy conservation measures in this group of amendments.

Mr. Stephen: I listened a moment ago to the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) discoursing far and wide over the subject. He told us about the Energy Efficiency Office and the gas regulator.

The point of the clause to which amendment No. 50 applies was exemplified by my hon. Friend the Member for Hertford and Stortford (Mr. Wells). It points up the fact that the promoters of the Bill have not the vaguest idea how much the measures that they are proposing would cost. Frankly, they do not care, because they are much more interested in increasing governmental power and influence over our citizens and poking their noses into every nook and cranny of our constituents' affairs than in carefully assessing how much their socialist measures would cost.

If amendment No. 50 is not accepted, we will end up with plans, schemes, reams of paper, hundreds of committee meetings and hundreds more bureaucrats employed. It is a nightmare. There is, however, a way to achieve the objectives that I, the promoters of the Bill and those of my hon. Friends who have supported it want—by recognising that if one makes it in the financial interests of a householder, or of a business, to save energy, he is more than likely to do so.

I have the privilege of representing a constituency in which a company called Ricardo Consulting Engineers is based. It is at the forefront in the world development of internal combustion engines. The company is an expert in the field and advises motor manufacturers throughout the world on how to make their engines more efficient. Its services would not be so much in demand, however, if fuel costs had not increased and if the western world did not tax fuel or make car owners and fleet operators of vehicles in industry realise that it was in their economic interests to run fuel-efficient engines. It is precisely the same with our homes and the buildings in which we work, including, I hope, the Palace of Westminster. One of the most important ways to make it in someone's economic interests to run his establishment in an energy-efficient way is to increase the penalties for not doing so.

When the Liberal Democrat party floated the idea of a tax on energy some years ago, I and many of my hon. Friends thought that it was one of the few good ideas that it had come up with. We were therefore delighted when the Government had the courage to introduce such a tax—

Madam Deputy Speaker: Order. The hon. Member is going way outside the scope of the amendments. The grouping is fairly wide and I exercise judgment as to when someone has gone too far. The hon. Member has done so and must return more closely to the group.

Mr. Stephen: Rather than require local authorities to draw up plans and to poke their noses into our constituents' houses I would prefer it if the Government made more money available—they already make £68.9 million available—in the budget for the Energy Efficiency Office, which is 10 times the amount that was spent under Labour.

The Government passed the Electricity Act 1989, which provides that electricity suppliers must have regard to energy conservation and the 1991 building regulations are also relevant. Those were common-sense actions, and they put our constituents' money where it will do some good and not simply where it will create more paper, bureaucracy and committee meetings. "This Common Inheritance" sets out the Government's firm commitment to energy conservation.

Hon. Members will be aware of the best practice programme in industry and commerce, for which £15.2 million of Government money has been provided, which includes support for combined heat and power schemes.

The most sinister part of this nasty little Bill—

Madam Deputy Speaker: Order. I remind the hon. Gentleman again that the House is debating not the whole Bill but only one group of new clauses and amendments. The hon. Gentleman must relate his remarks more closely to those, or I shall require him to discontinue his speech.

Mr. Stephen: I was speaking to amendment No. 50, which is included in the group, and relates to the duty of the energy conservation authority, in clause 2(5)(a) to prepare plans and to consult

"every parish or community council"

and so on. I am speaking also to new clauses 1, 4 and 5, which relate to the plans that would be the unfortunate result of that bureaucratic process.

There is no point to having those plans unless something is done about them, which is why I referred to the most sinister part of this nasty little Bill—a clause that we shall debate later, which seeks to give powers to require, compel and oblige local authorities. Those words are popular with socialists, but are anathema to myself and my right hon. and hon. Friends.

1.30 pm

Mr. Ian Taylor: The Bill makes an important effort to drawing attention to energy conservation. If it had been permissive, the right hon. Member for Berwick-upon-Tweed (Mr. Beith) would have my support. He might even have found my name among his supporters—although whether he would have welcomed that is a different matter.

In reality, the Bill is not permissive. I do not mean to be patronising, but although the Bill's instincts are right, its intention is wrong. There is a danger that we would establish a statutory framework requiring a bureaucracy that could ultimately detract from efforts, and certainly from financial resources. Part of that framework, which causes me considerable concern, is seen in new clauses 1 and 4.

Local authorities make significant, albeit it still insufficient, efforts to bring their housing stock up to standards of energy efficiency that we all hope to be achieved. As I said in an intervention earlier, £350 million is already spent by local authorities on home improvements—much of it on energy efficiency. There is no question of its importance, in terms of its effect on heat, fuel and power resources, and in terms of damage to the environment. There is no difference between us, in our ambition to see improvements. The question is whether the Bill would achieve that or whether, behind the cloak of respectability—a Bill named the Energy Conservation Bill—it would create costs that would take away from resources now allocated for that purpose. In other words, we would have a wonderful and costly framework but not much extra activity.

I have already drawn attention to the Bill's intrusiveness, to which my hon. Friend the Member for Shoreham (Mr. Stephen) referred. The audit would target private and public sector housing alike. I would have thought that degree of intrusiveness would concern Liberal Democrats. Although we may not always agree, their desire to guard against too much intrusion was a proud tenet of the traditional Liberal party.

There is also an element of jobs for the boys in the framework provided by new clauses 1 and 4, in that housing and environmental health departments would be closely involved in undertaking surveys. That is contrary to the thrust of this Government, which is to contract out and to make sure that services performed in connection with housing stock are not necessarily provided by council employees, making the council an enabling authority.

Mr. Battle: How does the hon. Gentleman reconcile his remarks with those of his hon. Friend the Minister and his right hon. Friend the Secretary of State, who regularly state that the key role of a local authority as a housing authority is to be an enabling and strategic authority doing precisely the kind of inquiry that the Bill suggests?

Mr. Taylor: There is a difference of emphasis here. I was saying that implicit in the Bill is that local authorities should be carrying out that work, whereas I am saying that it should be part of the contracted-out area. One of the great successes of housing management, as a result of Conservative initiatives, has been that much of the social housing stock, for which I have a profound respect because it is vital as part of the fabric of the community, is nevertheless now largely being made through housing associations and housing corporations. That movement has improved the benefits to the tenants.

I am concerned about where the costs of the measures would impinge, because it is also implicit in the Bill that there will be associated costs. Are they to be taken out of the housing revenue account, out of the general resources of the council, or will the councils turn to the Government and ask for further assistance? Those matters have not yet been properly addressed. Perhaps they were exhaustively addressed during the two hours in Committee.

I apologise to the right hon. Member for Berwick-upon-Tweed. Perhaps I missed a trick. I was so concentrating on the Finance Bill that I forgot to volunteer for his Committee. But he and I spent many interesting hours together on the Finance Bill. I think that exposure of taxation plans is very important. The Government should be explicit rather than implicit. Many of my interventions this morning were within that framework.

It is, perhaps, from the point of view of the public, undesirable to have VAT on fuel. I happen to have supported it and, indeed, advocated it before it was introduced in the March 1992 Budget. I have a good record on that. Indeed, I made it clear to my constituents before the March Budget that I was advocating it.

Mr. Beith: At the general election?

Mr. Taylor: Oh, yes. Some of us are very—

Madam Deputy Speaker: Order. I hope that we are not going to have some historical survey of energy taxes that are not directly related to this group of amendments.

Mr. Taylor: I am cut off in my prime, but of course I respect what you say, Madam Deputy Speaker. I will merely say that I have never shied from addressing my constituents with the implications of the measures that I am proposing. But that is the crux of it, because there are costs involved in the structure of new clauses 1 and 4, which we are discussing today.

I fear that the very party that is proposing the Bill under the cloak of energy conservation—the Liberal Democrats, and I know that the Bill has all-party support and that the right hon. Gentleman has taken the responsibility of leading—was the party that, initially, proposed carbon taxes and talked about zero rating of fuel being an

[Mr. Taylor]

anomaly. But now, through the back door, possibly, it is increasing council taxes, which I accept are also a way of passing on a form of taxation to the public.

An increase in council tax for my constituents would be very unattractive bearing in mind that the largest part of my constituency is covered by part of Elmbridge borough council, which has no overall control and is one of the highest spending councils in the country. We hope that, on 5 May, that anomaly will be corrected and that the Conservatives will be back in force in Elmbridge and the local residents protected from high charges on council tax. I certainly would not want to pass a Bill that could possibly increase the burdens on my council tax payers. That is the crux of my concern about the measure that we are discussing.

Mr. Wells: My hon. Friend will have seen that new clause 1 is entitled "Inspection of plans etc." Does it strike him that both the taxpayer and the tenant or owner of a house—having inspected the plans under new clause 1—have no right of appeal should they find those plans unacceptable in any way? He may find the physical plans for his home, which he is being required to modify for energy conservation purposes, unacceptable or he simply may not be able to afford it.

Mr. Taylor: That is an interesting point. It hides within it two separate points which I wish to touch on. The first is the virtual intrusiveness, to which we have referred before, and the second is the cost. There is no doubt that there is a vagueness in what the plans imply. That should cause considerable concern. The Government's new clause 1 makes an effort to say what should be done with the plan and the Bill contains certain pointers, but there is a vagueness which could mean that in the wrong hands in a local authority, the plan could lead to abuses.

Our job as humble Back-Bench Members of Parliament is to hold up legislation to careful scrutiny. In those circumstances, I express my anxiety on behalf of the citizens that we are giving a right of inspection, audit or analysis to people in respect of not only the public but the private housing stock. There is a grave danger. A landlord could ask for an inspection of his own stock of housing if that was part of an agreement with the tenants in the first place, but I question whether such powers should be available for public housing stocks on a basis which is not necessarily voluntary.

Mr. Battle: Does the hon. Gentleman agree that his own mortgage deeds probably specify that his mortgage company has a right to inspect any house on which it has a mortgage?

Mr. Taylor: That is true. As a borrower, I read the document before I signed it. As I have read the document and signed it, I could not object. In terms of the reaction between the local authority and private housing stocks, what document would the householders have signed which enabled them to say that they agreed to inspection? The passage of a Bill which instructs or obliges on a statutory basis a local authority to make that inspection is not a sufficient sign of consent by the individual who owns the private house. I have many legal friends around me from whom I would willingly take an intervention if they thought that I was on a faulty point in law.

Mr. Butler *rose—*

Mr. Taylor: I am grateful for the expertise.

Mr. Butler: I rise merely to say that all my hon. Friends around me are legal. Some of them are also lawyers.

Mr. Taylor: I am not entirely sure that that was a helpful intervention. It shows that there is a variety of opinions and backgrounds among my hon. Friends. I shall now focus now on the Bill.

The second element is the cost. I shall willingly give way to the right hon. Member for Berwick-upon-Tweed or the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), who has considerable expertise on the matter, if I get it wrong. One of the things that we have attempted to do in Government-sponsored legislation and initiatives such as the home energy efficiency grants is to focus on detailed measures to improve houses and to provide a grant for them. The grants provided are up to a maximum of £305 for combined loft insulation and draught-proofing. They are currently available to homeowners and tenants in both the public and private sector.

The grants are available to be requested rather than imposed on tenants and owners who receive one or more of the following benefits: income support, family credit, housing benefit, council tax benefit or disability working allowance.

I should like the Government to pay more attention to schemes which focus on the people most in need. It removes the stigma which Opposition Members have placed on VAT on fuel when one considers that not only are people who receive benefits protected by the compensation on VAT on fuel but that schemes such as the home energy efficiency scheme are targeted to improve their houses and, therefore, reduce the overall cost of their fuel bills.

Mr. Butler: Does my hon. Friend accept none the less that, whoever funds the scheme, it would be helpful if the starting point for insulation of a house was a plan showing what was most effective?

Mr. Taylor: No doubt a plan would be useful, and careful thought needs to be given to it, but the problem is that someone drawing up a plan might reach a different conclusion. Views differ on how best to conserve energy, and as properties differ their energy losses vary. It is difficult for a house owner to know whether he should insulate his loft or—

Madam Deputy Speaker: Order. The hon. Member is trying my patience. He is going way beyond what we should be discussing.

Mr. Taylor: I agree, but that is a hazard of giving way to colleagues. Nevertheless, it is jolly interesting and it is relevant that people know why some of us have reservations about the Bill. We oppose not energy saving or conservation but the way in which they are delivered to the public. I do not doubt that local authorities, in response to public pressure, will be asked to introduce plans, to issue guidance and to become much more involved in energy efficiency schemes rather than being obliged to do so by an Act. The Bill is an honourable one. The subject must be addressed, but not as the Bill proposes.

Many new clause are in the group. I am not sure whether I wish to speak to all of them. My hon. Friend the Member for Hertfordshire, North (Mr. Heald), with his acute legal brain, dealt with many of the wider issues.

There is no question but that the Government are doing their best. They are committed to a reduction of 15 per cent. in their own energy consumption over the next five years. In those circumstances, I believe that they have nothing to be embarrassed about.

I hope that my hon. Friend the Minister will deal with our concerns, such as how the Bill's costs will be paid for; whether the statutory framework is likely to increase the number of schemes or detract from manpower and cash resources; whether he thinks that the intrusiveness implied in the Bill is acceptable; whether he believes that such a Bill should apply to the private and public sector—

Madam Deputy Speaker: Order. If the Minister goes down that road, he too will be out of order.

Mr. Taylor: I am not, of course, questioning your judgment, Madam Deputy Speaker, but these matters have been discussed this morning. I was risking your patience only inasmuch as questions need to be answered and new clauses need to be clarified.

Mr. Heald: My hon. Friend will recall that I oppose subsections (5) and (6) as such consultation has little point. As it is proposed, however, does he think it odd that the bodies listed are community bodies that have no particular expertise or technical knowledge? Surely expert bodies should be consulted. The Bill makes no reference to the Department of Energy being consulted yet the Government are supposed to implement the Bill under regulation. Is not that an anomaly?

Mr. Taylor: My hon. Friend is extending my list of questions about the Bill and I am grateful to him for that. He has underlined my point about this group of new clauses and amendments. Even at this stage, there are still serious questions to which I for one have yet to hear clear answers. Some of the amendments are merely probing amendments and the intention has been to elicit the answers that we require because, ultimately, we have to justify the Bill to our constituents.

New clause 3 is not included in the group so I cannot mention it. Nevertheless, it refers to the Secretary of State's powers to give guidance on the conduct of investigations. That is a matter—

Madam Deputy Speaker: Order. The hon. Gentleman is condemned out of his own mouth—he had better move on quickly.

Mr. Taylor: The complexity of the matter is trying my patience, too, Madam Deputy Speaker. It is certainly not your fault.

It is important that the Government should be consulted as it is the House that might give permission for the Bill to be passed.

1.45 pm

Mr. Butler: Is my hon. Friend saying that we should either accept amendment No. 50, which would mean that no consultation was required, or that the list of consultees should be extended to include, for example, mortgagees who clearly have a direct interest in anything done to the fabric of their property?

Mr. Taylor: One of the first points made was that there should be consultation with specialist bodies outside. The overriding need is to give permission. In the public sector, through the Housing Corporation, it is possible to give permission if a tenancy is signed. The situation is different in the private sector but the consultation needs to be broader.

Mr. O'Neill: I have not been here for all of the hon. Gentleman's speech although I have heard a fair bit of the debate. I do not think that I have missed much as his remarks appear to be going around in circles. He has spoken at some length about consultation and has made great play of tenants, residents and community associations to which most of us listen willingly on many other matters. One might have thought that they had something to say about their homes. Perhaps the hon. Gentleman will comment on the inclusion of the Gas Consumers Council and the Office of Electricity Regulation, to say nothing of bodies interested in the environment.

One would have thought that there would be no question but that these bodies were appropriate for consultation. Before the hon. Gentleman draws his remarks to a close, will he be a little more specific about which organisations he believes should be consulted? Many of us will wish to introduce a Bill of a similar character and, if we can secure more support every time that we do so, we could ease its passage. Perhaps the hon. Gentleman could be helpful and specify which of the organisations mentioned in clause 2 he considers appropriate.

Mr. Taylor: I am grateful to the hon. Gentleman for raising that specific point. He referred to the Gas Consumers' Council and the Office of Electricity Regulation, which are mentioned in clause 2(5)((v). I have no objection to their being included in that clause. I was saying that many other specialist and professional bodies need to be involved. If a private resident has a mortgage, the mortgage company needs to be consulted because the occupant will have made an agreement with that company when he signed the mortgage documents. Other regulatory authorities also need to be included.

Now that we have had the opportunity to air these matters on the Floor of the House, we may find that other bodies with specialist knowledge will want to be part of the process and will take a close interest in new clause 1 which covers the inspection of plans. They would want to inspect the plans being proposed by the local authority.

Mr. Wells: Will my hon. Friend make it clear to the House whether he supports amendment No. 50, which would do away with the need for consultation altogether, or whether he is in favour of embellishing the list of consultees with additional bodies? The longer the list, the greater the expense. What is the purpose of it anyway?

Mr. Taylor: My hon. Friend the Member for Hertford and Stortford (Mr. Wells) has, typically, picked up a flaw in the Bill and, to an extent, in my argument, which has been following the Bill. My worry is that if the Bill goes through in its current form, there will be extra costs if we ask for further consultation to be carried out. That is accepted; it is inherent in the Bill. If I thought that the Bill would complete its passage through the House this afternoon, I should be anxious to ensure that more bodies were consulted because I am not entirely satisfied about the

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way in which it is proposed to carry out the consultation. I am not sure that the list is as broad as it should be, especially given that the matter involves the private sector.

My instincts are that the Bill would impose a bureaucratic structure with inherent costs, which would detract from the money and energy spent on efficiency programmes. If I had a free choice in the matter, I would choose the second option, which is not to have the Bill and to spend much more time and energy encouraging people to save through conservation schemes and to encourage local authorities to come up with their own ideas, which could be discussed with their local electorates and put before them. That is much better local democracy. I know that some of the better local authorities are doing that.

New clause 4 refers to charges for copy plans, new clause 5 refers to the power to fix charges and new clause 6 refers to charges for copy plans. Those new clauses alone show the incredible complexity of the Bill and the prospect that, under each, there will be extra costs and burdens on local authorities. In those circumstances, we have a duty, which is totally disconnected from the fact that local elections are coming up, to try, in the interests of our constituents, to protect them from the extra costs that would be imposed on local authorities.

We have not been assured by my hon. Friend the Minister, who has perhaps been derelict in his duty on the matter, that if the Bill is passed, there will be extra Government funding for local authorities and we have not been told by him whether there would be an adjustment to standard spending assessments to accommodate the Bill.

Mr. Dafis: The hon. Gentleman has spoken about his duty to his constituents. It would be helpful to his constituents and to the public at large if he explained just what is going on. Some people may be under the illusion that we are carrying out a careful scrutiny of the implications of the Bill to improve the legislative process. It is important that the public at large, including some who are listening carefully here, should understand that this is a deliberate, time-wasting process, designed to talk out a useful piece of legislation. Is the hon. Gentleman prepared openly to say that that is what he is about so that no one is under any illusion about the nature of the activity this morning?

Mr. Taylor: What I am about is attempting to discuss a considerable number of amendments. We are still on the first group. The reason for that is that hon. Members on both sides have decided to take the Bill extremely seriously and to discuss the amendments at great length. In no way can I or my colleagues be thought to be hostile to energy conservation, but there is a good way and a bad way in which to go about it.

The good way is to encourage the existing schemes, such as the home energy efficiency schemes, the local authority schemes and various schemes put forward by the Select Committee on the Environment in a valuable background document to the debate. The bad way is the structured approach in the Bill, with statutory plans. Once one gets into the area of statutory plans, it is inevitable, in dealing with new clauses 1,4,5 and 6, that one has at some length to go into the problems that they cause for our constituents and the potential costs that they have for our constituents.

I do not wish to detain the House much longer, because other hon. Members will undoubtedly want to speak and there are one or two amendments left to cover. Whether they are covered in due course is not a matter for me. What is a matter for me is to address completely the point that hon. Members have a genuine desire to see energy efficiency. I shall not fall into the trap of talking about alternative ways that that may be done through the VAT system, but I shall say specifically that my conclusion is that the clauses under discussion would set up a bureaucracy which is not merited; they would bear costs and, therefore, I still feel that I have further questions to ask about the Bill. I am sure that, in the passage of time that is left, those further questions will be both posed and—hopefully—answered.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Mr. Baldry: Before I move new clause 2, Madam Deputy Speaker, may I have your clarification of whether the vote on new clause 1 covers the other new clauses and amendments in that group?

Madam Deputy Speaker: We have passed new clause 1. Nothing else has yet been passed.

Mr. Wells: On a point of order, Madam Deputy Speaker. Would you clarify that I voted no by voice? As I understand your ruling, you heard more ayes than noes. Is that correct?

Madam Deputy Speaker: I did not hear any no at all.

Mr. Wells: In that case, may I make it clear that I oppose new clause 1?

Madam Deputy Speaker: I am afraid that it is too late. It is unusual for any hon. Member to speak so softly that he is not heard. [*Laughter.*]

Mr. Wells: It is most unusual in my case, Madam Deputy Speaker.

Mr. Baldry: May I turn to the group of amendments which is headed by new clause 2? It is a group in which Madam Speaker has put together a wide-ranging—

Mr. O'Neill: On a point of order, Madam Deputy Speaker. For the benefit of the House and certainly for myself, would you confirm that we have spent about four hours discussing a group of amendments, one of which has been accepted in the shape of new clause 1, and that all of the others fall because the proponents of the amendments have chosen after a lengthy debate not to include them in the Bill or consider them, or are they coming up later?

Madam Deputy Speaker: They will come up later in the usual way. Whether there will be sufficient time is not for me to say, but everything is perfectly in order.

Mr. Baldry: Further to that point of order, Madam Deputy Speaker. May I make it perfectly clear that I moved new clause 1 and it has been accepted. Certainly, at the appropriate time, it is my intention to move amendment No. 50, which is the only other amendment that stands in the Government's name in the group. Madam Deputy Speaker, I am entirely in your hands over when I am able to move amendment No. 50 and what is the appropriate time to move it. When you tell me that I can move amendment No. 50, I shall move amendment No. 50.

Madam Deputy Speaker: The simple answer, is not yet.

Mr. Wells: On a point of order, Madam Deputy Speaker. In view of the acceptance of new clause 1, will you make it clear to me and the House whether we shall be permitted to vote on new clause 6, after, of course, we have discussed the next group of amendments, which begins with new clause 2?

Madam Deputy Speaker: That will depend on other decisions that have not yet been made. I am sorry to sound delphic but the occupant of the Chair must make it clear that one can deal only with the present situation because other events may occur in the meantime. So I do not offer hostages to fortune.

Mr. Wells: I am sorry to persist on this matter, but I need to understand. I have consulted the Clerk on exactly how the votes will be taken. I am very much in favour of new clauses 6 and 4, both of which are in my name, and I cannot find out exactly when or if we shall be permitted to vote on either clause. If you cannot help us now, Madam Deputy Speaker, when will you be able to help us?

Madam Deputy Speaker: I shall be able to help as we get to each new clause.

Mr. Beith: Further to that point of order, Madam Deputy Speaker. Should you decide to permit a Division on one of the new clauses or amendments in the group that has just been passed, I wonder whether the hon. Member for Hertford and Stortford (Mr. Wells) will have recovered his voice sufficiently to hear his intentions.

New Clause 2

COMMENCEMENT

'This Act, except sections 4 and 5, shall come into force on such day as the Secretary of State may by order appoint; and different days may be appointed for different provisions, different purposes of the same provision and different areas.'.—*[Mr. Baldry.]*

Brought up, and read the First time.

Mr. Baldry: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this we may discuss the following: New Clause 3—*Power of Secretary of State to give guidance on conduct of investigations—*

'.—(1) The Secretary of State may, from time to time, give such guidance as he considers appropriate to energy conservation authorities on how to carry out functions under section 2(1)(a) or (d) above.

(2) An energy conservation authority carrying out functions under section 2(1)(a) or (d) above shall have regard to any guidance for the time being given under subsection (1) above in relation to those functions.'.

Amendment No. 92, in clause 2, page 2, line 4, leave out 'and'.

Amendment No. 93, in page 2, line 4, after 'practicable', insert 'and cost effective'.

Amendment No. 181, in page 2, line 20, leave out from 'cent.' to end of line 22 and insert

'or such other percentage as the Secretary of State may by order made by statutory instrument substitute; and any such instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament;'.

Amendment No. 94, in page 3, line 24, at end insert—

'(5A) In determining for the purposes of subsection (1)(a) above what measures are in its opinion cost effective, the authority shall have regard to any guidance on the question for the time being issued by the Secretary of State.'.

Amendment No. 43, in page 3, line 26, at end insert—

'(6A) Nothing in this section shall be taken as conferring any power of entry on any energy conservation authority.'.

Amendment No. 51, in page 3, leave out lines 27 and 28.

Amendment No. 153, in page 3, line 27, after 'plan', insert 'and any modification'.

Amendment No. 182, in page 3, line 28, at end insert—

'(8) Orders under subsection (2)(a) above may make different provision with respect to different cases or classes of case.'.

Amendment No. 52, in clause 3, page 3, leave out lines 29 to 45.

Amendment No. 203, in page 3, line 29, leave out 'shall' and insert 'may'.

Amendment No. 196, in page 3, line 29, leave out 'a date' and insert

'such date or dates as he considers appropriate'.

Amendment No. 199, in page 3, line 29, leave out 'all'.

Amendment No. 151, in page 3, line 29, after 'plans', insert 'and modifications'.

Amendment No. 197, in page 3, line 29, after 'plans', insert

', or parts of plans, as he may specify'.

Amendment No. 206, in page 3, leave out lines 31 to 41.

Amendment No. 147, in page 3, line 31, leave out 'all such plans' and insert 'any plan or modification'.

Amendment No. 201, in page 3, line 31, leave out 'all such plans' and insert

'a plan or part of a plan specified under subsection (1) above'.

Amendment No. 193, in page 3, leave out line 32.

Amendment No. 204, in page 3, line 32, leave out 'shall' and insert 'may'.

Amendment No. 146, in page 3, line 32, leave out 'such plans' and insert 'the plan or modification'.

Amendment No. 198, in page 3, line 32, leave out 'such plans' and insert 'the plan or the part'.

Amendment No. 171, in page 3, leave out lines 33 and 34.

Amendment No. 170, in page 3, line 33, after 'may', insert

', with the consent of the Treasury,'.

Amendment No. 169, in page 3, line 33, leave out 'a Scheme for making'.

Amendment No. 148, in page 3, line 34, leave out 'of such plans'.

Amendment No. 195, in page 3, line 35, leave out lines 35 to 41.

Amendment No. 205, in page 3, line 37, leave out 'shall' and insert 'may'.

Amendment No. 200, in page 3, line 38, leave out from 'above;' to end of line 41.

Amendment No. 32, in page 3, line 40, leave out from 'with' to first 'different' in line 41.

Amendment No. 167, in page 3, line 42, after '(4)', insert 'Subject to subsection (5) below,'.

Amendment No. 149, in page 3, line 43, after 'plan', insert 'or modification'.

Amendment No. 166, in page 3, line 45, at end insert—

'(5) Regulations under subsection (4) above may make different provision for different cases, or classes of case, including different provision for different areas.'.

Amendment No. 53, Title, line 4, leave out from 'Kingdom;' to second 'and' in line 5.

[Madam Deputy Speaker]

Amendment No. 194, line 5, leave out from 'powers' to second

'and' in line 5 and insert 'to secure the implementation of such plans'.

Mr. Baldry: The amendments grouped with new clause 2 cover five main areas. New clause 2 deals with the commencement of the Act. New clause 3 and amendments Nos. 92, 93, 94 and 43 would require authorities to have regard to guidance on cost-effectiveness provided by the Secretary of State. Amendments Nos. 181 and 182 would change the estimated energy savings that local authorities should consider in their plans to 5 per cent. or such other percentages as the Secretary of State may, by order made by statutory instrument, substitute. Amendments Nos. 153, 147, 151, 146, 148 and 149 extend the local authority duty to send modifications as well as plans to the Secretary of State, and the Secretary of State's duty to take action on modifications as well as plans. The remainder of amendments in the group deal with the clause headed

"Duties of the Secretary of State".

So there are five clear strands to the group of amendments.

It may be sensible to discuss, first, our views on the duties that the Bill would impose on the Secretary of State; secondly, the new powers of the Secretary of State, that have been suggested by hon. Members; thirdly, the new clause on commencement that the Government have suggested; and finally, the amendments that would extend the local authority duty to send modifications as well as plans to the Secretary of State, and the Secretary of State's duty to take action on modification as well as plans.

We have proposed an amendment that would delete the duty on the Secretary of State in clauses 2(7) and 3. If authorities are not to be required to produce plans, it is illogical to compel those who do produce plans to send them to the Secretary of State. It is just as illogical to require the Secretary of State to publish a timetable for the implementation of such plans, include specified material in that timetable or make regulations to secure the implementation of the plans.

Regardless of the merits of imposing a duty on authorities to draw up energy conservation plans, what would be the benefit of requiring local authorities to send such plans to the Secretary of State or of imposing other duties on the Secretary of State? After all, we are talking about local authority plans that set out the steps that the authorities wish to take in the local area. Local authorities, not central Government, would be responsible for drawing up and implementing the plans.

Mr. Beith: If that is the Minister's view, why does he require local authorities to submit waste management plans? The provisions are closely modelled on the system that he operates to require local authorities to submit waste management plans so that the overall national strategy can be understood.

Mr. Baldry: The fact that the right hon. Gentleman suggests that the plans are analogous with waste management plans shows the amount of work that he is expecting local authorities to undertake in the energy plans. Waste management plans are fairly substantial documents but they do not involve a local authority having to conduct an audit of every house or a sample of houses in its district. No useful purpose will be served by the Secretary of State's having perhaps more than 600 such plans landing on his desk.

I see no point in requiring the Secretary of State to prepare timetables. It cannot be sensible to require the Secretary of State to publish a timetable for the implementation of what are, after all, local authority plans. The authority will have prepared the plan, and considered its content and priorities in the light of available resources. But once all the detailed work has been done by the local authority—no doubt careful arrangements will have been made to ensure that the necessary funds are available at the right time—subsections (2) and (3) of clause 2 and clause 3 propose that the Secretary of State, not local authorities, should draw up the timetable for implementation.

The Secretary of State cannot be expected to know the time that the work will take, the resources that the local authority is prepared to provide or the date at which those resources will become available. I find it curious, given that local authorities are constantly suggesting that there is too much interference by Government Departments, that it is seriously suggested that the Secretary of State should have all those responsibilities. In view of the huge amount of information in the plans and the fact that the Secretary of State would have so many to consider, it would be unrealistic to ask the Secretary of State to set a timetable. The obvious people to draw up a timetable are the local authorities.

Mr. Simon Hughes: The Minister cannot have it both ways. The Minister and the Government keep saying that they want us to comply with our international obligations and ensure that, nationally, we use and conserve energy much more efficiently. They cannot then say that they are unwilling to do something that will provide the information to enable us to judge how well we as a nation do, could do, and should do to meet our targets. The Government cannot say that that requires too much exercise and effort. It may be better to leave it to local authorities to carry out the exercise if they are happy to do it, rather than to leave it to the Government. A recent example in which the Government, through an agency, conducted the assessment of council tax valuations was hardly a mega-success.

Mr. Baldry: The hon. Gentleman has been in and out of the Chamber today like a yo-yo and was not present for some of the relevant comments. The thrust of what I said earlier—I shall repeat it as it is equally relevant now—was that we naturally expect local authorities and local housing authorities to have regard to the energy efficiency of their housing stock. We already expect local authorities, as part of their housing investment programme submissions, to have regard to the energy efficiency of their housing stock, but we object to the Bill because it simply imposes a further statutory regulatory burden on local authorities that will not add much to the total sum of human knowledge. It will simply impose a burden on local authorities and an extra cost on taxpayers. It will not enhance the cause of energy efficiency.

We believe—Conservative Members have repeatedly made this clear today—that local authorities have an important role to play in energy efficiency. It is important that local authorities should take energy efficiency

seriously, but a power for the Secretary of State to control in detail the timetable of what those local authorities do is unrealistic and unduly bureaucratic.

We work closely with local authorities on energy efficiency. Many hon. Members will know that energy efficiency and energy conservation formed a central theme of the Government's green house demonstration programme. Not only has that programme been instrumental in significantly raising energy efficiency awareness among local authorities—it has been the seedcorn for the large amount of work that local authorities are now undertaking to improve energy efficiency in their housing stock.

The hon. Member for Ceredigion and Pembroke, North (Mr. Dafis)—he is not in the Chamber now but he has been an assiduous attender today—prayed in aid a pamphlet supporting the Bill which gives a number of examples of what local authorities are already doing, without the need for legislation, to improve the energy efficiency of their housing stock.

The green house demonstration programme, launched in 1990 as an important element of our policies to combat global warming by means of increased energy efficiency, had as its aim the establishment of a national network of reputable demonstration schemes for council housing, to show how energy efficiency could be improved. In the three years of the programme, which concluded at the end of the 1993-94 financial year, no fewer than 186 schemes across 130 local authorities had been completed or were still in being, and funding over the life of the programme totalled about £60 million—a substantial achievement in a short time.

Part of the success of the programme lies in the approach adopted to assessing schemes. To encourage radical thinking about energy efficiency and a logical and thorough approach to it, local authorities were encouraged to submit schemes in the context of good stock condition information, together with a developed and approved energy policy for themselves. The schemes were assessed in two categories: strategic schemes which demonstrated well-proven measures, combined in integrated packages that were known to be effective; and innovative schemes that demonstrated known technology.

Mr. O'Neill: I realise that this Bill does not cover Scotland, although we had hoped to amend it to ensure that it did.

I represent a constituency comprising wards from several local authorities. It is very frustrating to have to explain to one group of constituents and voters why they are not getting the benefits of some of the schemes that the Minister has mentioned—which have been replicated in Scotland by the Scottish Office—while the residents in other authorities' areas are. It is those differences between local authorities that the Bill is intended to attack.

We want the best standards provided for all our constituents. Without the sort of legislative underpinning that the Bill offers, that consistency of approach right across the country will not be achieved. It should not be left to the whim of local authorities to decide to implement energy saving schemes of the kind we all know to be desirable. Consistency is surely in everyone's interest.

Two local authorities are part of my constituency: Clackmannan, a small Labour authority, and Stirling, a district council. These two adjacent authorities under different political control have different political priorities, but the needs of their citizens in respect of energy efficiency are exactly the same.

Mr. Baldry: I shall have to crave your indulgence, Madam Deputy Speaker, as I am in danger of being repetitious—if only because there has been a moveable cast on the Opposition Benches for today's debate; hon. Members have been coming and going all the time, so I am not sure whether they heard the points that I made earlier.

The whole point about the green house demonstration programme is that it was a demonstration programme. As I said, it was spread across 130 local authorities in England. As with any such scheme, one envisaged that local authorities that were not part of it would go and see what was being done by those that were, to see what lessons could be learnt. There is certainly no reason why local authorities should not learn from the best practice of those that took part in the scheme.

Newark and Sherwood have frequently been mentioned in these debates in the context of the work that they have done on their own housing stock. That scheme was part of the green house demonstration programme and under existing legislation there is nothing to prevent other local authorities from undertaking exactly the same sort of work as that carried out by Newark and Sherwood.

The Newark and Sherwood schemes, which have been prayed in aid, demonstrated that substantial savings could be made on housing stock. It was not a question of Newark and Sherwood asking for extra resources. As I have repeatedly said, we expect all local authorities, irrespective of political complexion and location, to have regard to the energy efficiency of their housing stock.

Every housing authority in England is obliged each year, when bidding for resources for the housing programme for the forthcoming year, to make a submission to the Department of the Environment under the housing investment programme. As I have said several times, we have made it clear that those local authorities are expected to outline the steps that they are taking to promote energy efficiency in their housing stock.

Mr. Battle: The Minister cannot shelter behind the notion that he is protecting local authorities from extra legislation. Many local authorities have signed up to support the Bill: the Association of County Councils, the Association of District Councils and the Association of Metropolitan Authorities all want the Bill. Why does the Minister purport to know better than them and say that he is protecting them? Surely they know what they can carry out, what they are required to do and how they can deliver. The Minister is playing parliamentary games so that the Bill is talked out because he does not have the guts to come clean and say that the Government are opposed to it in principle.

Mr. Baldry: I am amazed to find that the hon. Member for Leeds, West (Mr. Battle) has not been listening to what I have said in the debate, at Question Time on Wednesday, and on the "Today" programme this morning, which is that we oppose the Bill because we think that it will place an unreasonable regulatory burden on local authorities and an unnecessary cost on taxpayers. In so far as some local authorities say that they favour the Bill's principles, they do so because, if the Bill were passed, they would automatically be able to say to Parliament, "You have

[Mr. Baldry]

placed this statutory burden and obligation upon us. Therefore, we expect central Government—the taxpayers—to fund this new burden."

As the hon. Member for Leeds, West knows, that is the way in which local authorities negotiate every year with central Government when they think that new burdens have been placed upon them. As we have heard, the lowest estimate for meeting the Bill's requirements is about £23 million, but that is the most optimistic estimate of what it would cost to carry out the audits. There are better ways to spend such money on promoting energy efficiency. It could be used to extend the home energy efficiency scheme to another 125,000 homes. If the hon. Member for Leeds, West has not understood the Government's concerns about the Bill, he must not have been listening on Wednesday, today or at any time.

I spoke about the green house demonstration programme and said that all schemes had to meet strict criteria. They included the ability to achieve a minimum CO_2 reduction of 15 per cent; a minimum reduction in total energy use of 25 per cent; affordable warmth for tenants; and a minimum financial contribution from the local authority of 25 per cent. In addition, schemes had to meet an excellence rating which was characterised by a high strategic rating, a high CO_2 reduction and a low payback period for the proposed work. Scheme bids from local authorities were assessed by my Department's regional offices and ranked first by region and then nationally in the context of available resources.

The range of projects representing proven technologies demonstrates the benefits of integrated packages of heating, insulation, controlled ventilation and advice to tenants. However, the programme has supported some more innovative schemes, including heat-recovery ventilation, energy management systems and low-energy lighting.

With the Government's help, an enormous amount has been going on in local authorities in recent years to promote energy efficiency. Through the building research energy conservation support unit, the Department of the Environment continues to monitor output from the programme. The key findings are already evident, however. Targets for energy savings and carbon dioxide reductions are likely to be achieved in the majority of schemes and are surpassed in some.

It would have been wrong for the Government simply to sit back and say that the green house demonstration programme was a success and that they did not have to do any more—and we have not taken that view. Although the programme was successful in showing the way to achieve improved energy efficiency, we know that local authorities need to be guided and encouraged further to maximise the take-up of energy efficiency schemes. That is why, drawing on the experiences gained from the green house demonstration programme, we required local authorities to include energy efficiency as an integral part of their housing strategies and investment programmes from last year on. In that way, local authorities consider energy efficiency as a matter of course, rather than as an optional extra.

Performance on energy efficiency is one factor that my Department considers when assessing housing investment programme allocations. We backed up the requirement by issuing guidance—"Energy Efficiency in Council Housing". Since its launch last year, the guidance has been well received. Some hon. Members present will be familiar with the content and the approach that it advocates.

The hon. Member for Leeds, West has been scurrying around his hon. Friends. If he had been in his place he would have known that his hon. Friend the Member for Clackmannan (Mr. O'Neill) expressed concern about the fact that insufficient advice was being given to local authorities. Our key aim is to set out the steps that local authorities must take to develop a sound energy efficiency policy.

Those steps are not novel. Any organisation might sensibly consider them, when devising and carrying through an energy efficiency policy. As a consequence of our work and guidance many local authorities are doing so as a matter of course. They are identifying the range of interests that potentially need to be involved in developing successful energy efficiency policy; establishing the base position, including assessing the energy efficiency performance of stock and the resources being spent on energy-related improvements; devising and setting policy, including the establishment of aims, objectives and targets; putting policy into practice, including how to integrate energy efficiency into wider works and maintenance programmes, as part of the housing investment process; and finally, monitoring and evaluating, including assessing the need to review progress periodically and to revisit objectives and targets.

I hope that hon. Members—certainly those who attended our previous debates and the debate today—will recognise that many of those steps touch on ground that is dealt with in the Bill. They are related to the local authority's stock and provide further evidence of the need to step back and reflect on what local authorities are already doing about energy efficiency—a lot is being done—without placing the burden of additional duties on them and on central Government. Additional statutory duties carry significant costs.

We have no intention of letting slip the momentum fuelled by the green house demonstration programme. The Department will shortly publish an updated and consolidated version of the guidance and we shall keep the energy efficiency component that is incorporated in the housing investment programme under review.

Some hon. Members tabled amendments that would require authorities to have regard to any guidance on cost-effectiveness provided by the Secretary of State. That is probably a good idea, because the Bill contains no reference to cost-effectiveness. That may be for reasons that we shall never understand. Energy conservation authorities are asked to decide what energy conservation measures are desirable and practicable, but it is also essential that those measures are cost-effective. That criterion must be applied to the assessment of any recommendations arising from an energy audit exercise.

There is little point in pursuing a recommendation to insulate all lofts in an area this year if half the roofs will need extensive refurbishment next year—it is better to combine the jobs and reduce costs. Appropriate regard to combining jobs is an important factor. That is something that certain local authorities do, and all local authorities should take into account.

Scheduling of blocks of work will also have an impact on the cost-effectiveness of the energy efficiency refurbishment programme. The prices that it is possible to

negotiate with contractors vary hugely according to many significant factors, and the number of installations is a key factor. Many local authorities know that already. The scope to negotiate a keen price increases markedly if nearby jobs can be grouped together.

Having due regard to the quality of work is also an important aspect of the cost-effectiveness of investment in energy efficiency. Of course it can be incorporated into plans in many ways. They include adherence to good practice in selecting and applying energy efficiency measures—for example, the EEO's best practice programme and the Department's green house programme provide impartial information on the effectiveness of a wide range of energy efficiency measures; ensuring that contractors follow the required standards of good practice as set by, for example, the British Standards Institution, or are accredited by, for example, the British Board of Agrément; ensuring that the measures have been properly applied—for example, by infra-red thermographic assessment of the application of insulation; and providing adequate guidance to occupiers, which is often overlooked in energy efficiency investment programmes.

It is important that occupiers fully understand the measures taken. It is essential that the people who will, or will not, be making energy savings are told about the measures, how they can save energy and how they should be operated.

There is no point to preparing a plan that includes measures that will cost a great deal and save little energy. There is no point in taking cheaper measures when they will have little effect on energy efficiency. If plans had to be prepared and implemented, money would have to be found—and it would have to come from taxpayers—and well spent.

There are already many sources of the cost-effectiveness of energy-efficiency measures. Basic guidance is included in leaflets produced in my Department's "helping the Earth begins at home" campaign. More detailed information is available from the Building Research Establishment. There are tried and tested methods of working out whether an approach will provide value for money—such as that known as net present value. The guidance might take a form similar to that proposed by one of my hon. Friends.

The details were set out in an amendment that was tabled but not selected for debate—which I regret. However, on balance, it would be preferable for the Secretary of State to have a power to give guidance rather than to present detailed guidance in primary legislation.

Mr. Beith: Is the Minister determined to continue reading his brief, so that he can personally talk out this widely supported measure and make sure that everybody knows that the Government blocked the Bill? Or will the Minister sit down at 2.29 pm, so that one of his hon. Friends can do his dirty work for him?

Mr. Baldry: I am sorry that the right hon. Gentleman still has not understood the situation. I will clearly spell it out for him. He had every opportunity to negotiate with the Government amendments that would have made the Bill one that could have passed speedily through the House. The right hon. Gentleman chose not to do that.

We have consistently and persistently made it clear why we believe that the Bill in its present form would not be of benefit, in that it would place extra statutory burdens on local authorities and extra costs on taxpayers. We do not believe that would be to anyone's advantage. The money that the Bill, if unamended, would cost would be far better spent on other energy efficiency measures.

The Bill certainly cannot be seen as a touchstone of the Government's firm commitment to energy efficiency matters. This year, we doubled the EEO's budget and more than doubled the home energy efficiency scheme budget. Half a million homes will be insulated this year. That is why the United Kingdom has been one of the first—if not the first—countries to make it clear how we will achieve the targets set in international conventions on meeting and reducing carbon dioxide emissions so that they are stabilised at 1990 levels by 2000.

If right hon. and hon. Members have not understood where the Government stand on the Bill, they have not listened to anything that was said during the debate. We have made it very clear that we are determined to meet our international commitments. We believe that local authorities have a part to play in that. Everything that has been said during the debate makes it perfectly clear that—

It being half-past Two o'clock, further consideration of the Bill stood adjourned.

Bill to be further considered on Friday 13 May.

Mr. Simon Hughes: On a point of order, Madam Deputy Speaker. Only because my right hon. Friend alluded to it, I think it right to ask whether you think it is an unprecedented—I ask this seriously—breach of the procedures of the House that a Minister, who starts a debate at 9.30 am, is the person responsible for blocking the progress of a private Member's Bill through Parliament simply by the use of the delaying mechanism of time? My right hon. Friend the Member for Berwick upon Tweed (Mr. Beith) can find ways of bringing the Bill back. It is important that the House and the country know whether, if we manage to find two, three or four more days in the Session, Ministers—not Back Benchers—can block—

Madam Deputy Speaker: Order. The hon. Gentleman has made a point, but how those arrangements are made is not a matter for the Chair.

Remaining Private Members' Bills

WATER (DOMESTIC DISCONNECTIONS) BILL

Order read for resuming adjourned debate on Second Reading [25 February].

Hon. Members: Object.

Madam Deputy Speaker: Debate to be resumed what day?

Mr. Tom Cox (Tooting): With the permission of the hon. Member concerned, Friday 10 June.

Debate to be resumed on Friday 10 June.

HORSES (PROTECTIVE HEADGEAR FOR YOUNG RIDERS) (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 May.

MARRIAGE (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 May.

HEDGEROWS BILL

Order for Second Reading read.

Madam Deputy Speaker: Not moved.

Mr. Cox: On the Hedgerows Bill, with the permission of the hon. Member concerned, Friday 10 June.

Madam Deputy Speaker: The Hedgerows Bill has already been dealt with. If the hon. Gentleman wishes to act on behalf of another hon. Member, I am afraid that he must be quicker.

NURSERY EDUCATION (ASSESSMENT OF NEED) BILL

Order read for resuming adjourned debate on Second Reading [18 February].

Hon. Members: Object.

Madam Deputy Speaker: Debate to be resumed what day?

Mr. Harry Cohen (Leyton): On behalf of the hon. Member whose Bill it is, Friday 6 May.

Debate to be resumed on Friday 6 May.

SOCIAL SECURITY REGULATIONS (CHRONIC BRONCHITIS AND EMPHYSEMA) AMENDMENT (NO. 2) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 May.

Mr. Simon Hughes: On an entirely separate point of order, Madam Deputy Speaker. In relation to the Hedgerows Bill, which you have just been asked about, I heard an attempt from behind me—I did not look round—to say something on that when it was read out by the Clerk. I am concerned that it might inadvertently have been allowed to be dealt with without being moved. I accept that it was objected to, but there is a fundamental difference between not moving a Bill and an objection, even though the measure can come back. I wonder whether you could put the Bill again, Madam Deputy Speaker.

Madam Deputy Speaker: I did not hear any hon. Member say "Now", which is the trigger for further activity. If hon. Members could clarify for themselves exactly what the procedure is, there might not be these difficulties and misunderstandings. But, of course, it does not prevent the Bill from being brought back at a later stage.

Tower Colliery, Cynon Valley

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Arbuthnot.]*

2.33 pm

Mrs. Ann Clwyd (Cynon Valley): I am grateful to you, Madam Deputy Speaker, for allowing me this debate, although I must admit that a week ago I did not think that the circumstances in which I would speak would be as they are today.

I wonder how many hon. Members in the House have seen grown men weep, women cry and frightened children clutch their parents' arms apprehensively, knowing that something very wrong has happened but not quite understanding why or what. That was the dreadful scene in and around Tower colliery earlier this week. In the end, the miners accepted that their heroic battle to save the pit was over as it became obvious to them that they could no longer put any trust in the promises and pledges made to them by the management of British Coal.

I had to tell members of the National Union of Mineworkers lodge that, in my considered opinion, Neil Clarke, the chairman of British Coal, could no longer tell the difference between right and wrong and that in the conversation that I had with him he lied, lied and lied again.

I can remember the days when people in public life, even those with whom one disagreed, upheld standards of decency and integrity. They were driven by notions of fair play. Plain dealing, plain speaking and an honest approach to others were important to them. I very much regret that, in falling short of those ideals, Neil Clarke, the chairman of British Coal, has debased, demeaned and diminished public life. As a public servant, there is only one last thing that in honour he should do. He should resign from public life and promise never to return.

Put bluntly, Neil Clarke played politics with miners, their families and the local community. The sheer brutality of what he did was summed up to me yesterday when Tyrone O'Sullivan, the lodge secretary, overcome with emotion, said to me:

"Yesterday, when I went down to Newport, when we were called at short notice, to sign the final death writ on Tower Colliery, I couldn't talk, I couldn't look at them."

He was referring to the management. He continued:

"They said we must sign the pit over now, officially, that it was to close.

We stated that nobody on behalf of the National Union of Mineworkers of Tower Lodge would sign any document that agreed to the closure of Tower Colliery, and that was endorsed by the General Meeting unanimously, that Tower Lodge officials, because of the work they had done for the pit, should never, ever have to sign that final document as we felt that it would be degrading to us, as a lodge, as we had only fought for the future.

But worse of all, when I returned to the car, I could not face anybody and half way home I stopped the car and I could not stop crying.

I last felt like this when my father got killed in the pit and on the last afternoon, when they were taking the coffin, out of the front room to go to the hearse, and I had not cried throughout the whole period, as I was the oldest son at home and I had to look after my youngest brother and sister, but at that moment my whole world fell apart.

At that moment, yesterday, when I was driving back from Newport, it was exactly the same feeling. I felt as though I had lost my father again. The emotion I went through at that stage was quite incredible, even talking about it, I feel exactly the same."

He stopped at that point. He could not go on.

The Coal Board attempted to force on the miners of Tower colliery the final humiliation—to sign away one by one as members of the lodge the future of that pit. The fight to save the last pit in south Wales has been going on since 1992. We have had countless debates, rallies, delegations and petitions. You mention it, we have done it, Madam Deputy Speaker.

Just before Easter the lodge officials were called to a meeting with British Coal. They were told that the pit was to close. Press leaks the day before from British Coal mentioned geological problems as the reason. The miners knew otherwise. The next day British Coal was forced to admit that the loss of markets was the reason for closure. As we all know, those markets had already been rigged against coal.

Two days later, Tower NUM held a ballot on closure. A majority voted to fight on, but within hours British Coal's dirty tricks outfit started to try to undermine the result, telephoning men at home to try to break their resolve and briefing the press.

A week last Wednesday, 13 April, Neil Clarke, chairman of British Coal, agreed to meet my hon. Friends the Members for Livingston (Mr. Cook) and for Clackmannan (Mr. O'Neill) and me the following week to discuss Tower. He did not say that by then it would be shut.

Last Friday, 15 April, when I came up from the pit, I read a press release from British Coal that stated categorically that the pay of miners would not be cut and that conditions of work would not be altered for the worse. Miners voted again, by a much bigger majority, to fight the closure. Just one hour later, the lodge was being given a totally different story by British Coal and that promise was broken.

This Monday, 18 April, I spoke again to Neil Clarke, who assured me that the pay and conditions of miners at Tower would not be changed and that a so-called time limit of 6 pm that day, by which miners had to decide whether to accept enhanced redundancy and the other sweeteners, simply did not exist. Yet, at the same time, the lodge was told by local management, on instructions from British Coal, that it would have to accept the wage cut and that there was a 6 pm deadline. Dishonesty on this scale is almost impossible to comprehend, so one is bound to ask on whose behalf Neil Clarke was acting.

That brings me to the role of Ministers and the Government. The President of the Board of Trade and his Minister for Energy have practised a massive deception. The fact that nobody from that Department is here today speaks for itself. They have practised a deception on miners, who were asked to improve their productivity and who broke all the records, only to find that it did not make a scrap of difference, deception on the people of Britain, who were persuaded that their massive protest against pit closures in 1992 had worked, only to find that the only change was the time scale in which the pits were to be closed and deception on Conservative Back Benchers who voted for the White Paper, only to find that the 12 pits that they thought were to be saved were to be closed anyway.

Many of us remember the report that N. M. Rothschild, the merchant bankers, originally prepared for the Government—a secret report by Tory bankers predicting that thousands of miners would be thrown on the dole and that Britain could have as few as a dozen working collieries. The then Secretary of State for Energy, Lord Wakeham, blamed Labour for scare stories, which he dismissed as coming from cloud cuckoo land.

As for the present Secretary of State for Wales, let us not forget that he was investment manager and director of N.M. Rothschild between 1977 and 1987 and was a specialist on privatisation. Small wonder that he was uncontactable, as his office told me on two or three occasions, during the crucial week when the House was on holiday and the closure of Tower colliery announced. He had gone to ground, yet some months ago he was warmly congratulating miners in his office on their productivity and profitability.

The tragedy for Tower colliery and many others is that if Labour had won the last election we would have taken steps to end the rigging of the market so that British coal would have had a fair chance to compete.

I know many men who have lost their jobs in coal in my valley, and many of my hon. Friends here can say the same. Those miners have families and mortgages, and some are still trying to make up for the money that they lost during the strike of 1984. Of those made redundant in the past 10 years, less than half have found other jobs. Redundancy money goes very quickly when one has a family to support and the years slip by. As they get older, they are even less likely to get a job in the kind of world created by this Government.

Recently, men coming to my advice surgery tell me that although they have applied for 50 jobs or more, they have not got even an acknowledgment, let alone an interview. One ex-miner came to see me with tears in his eyes. He asked, "What do they expect me to do? Walk into the river?"

Miners have consistently been treated appallingly by Tory Governments. Yet another example of that was the chronic bronchitis and emphysema regulations, introduced in September 1993, which were drawn up in a way that makes it almost impossible for a miner to succeed with an application. The original regulations are in great need of amendment, and I support the Bill introduced by my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) which would reduce the qualification period from 20 to 10 years, reduce the disability threshold from 20 to 10 years, replace the FEV—forced expiratory volume—test with a sensitive medical examination and make soft expensive X-rays universal for diagnosing dust retention.

I remember walking down a street in the village of Penrhiw-ceihr during my by-election and being introduced to miners there. In almost every house in that street there was a miner taking oxygen. I walked down that street two years later and people said, "He is dead," and, "He is in hospital." Many of us can repeat similar stories. Therefore, I urge the Government to support my hon. Friend's Bill.

The economic consequences of the closure of Tower colliery on Cynon Valley are all too obvious. The independent consultants Coopers and Lybrand Deloitte recently carried out an impact study which showed those consequences. They found that it would have the single biggest impact on the economy of the valley of any industry in the area. More than £10 million each year will be lost to the local economy and male unemployment could, in their estimate, rise to one in four.

Before the industrial revolution, in the part of Wales that I represent, squirrels were able to jump from tree to tree from Hirwaun all the way to Cardiff, a distance of about 25 miles. Of course, that is no longer possible because Cynon Valley and its population are built on coal. At its peak, the industry employed more than 30,000 miners in more than 40 mines. At the time of

[Mrs. Ann Clwyd]

nationalisation in 1947, there were still 13 coal mines employing more than 8,000 men. When I was first elected to Parliament, there were three working pits in the valley. Five thousand mining jobs were lost to the area in the 1980s and, of course, we have not escaped the national decline in manufacturing industry.

Cynon Valley can claim a number of indicators of deprivation: falling population, high levels of reported long-term illness, many people without a job and a relatively high proportion of households lacking basic amenities, even in 1994. Two years ago, crime increased by 13 per cent. on the previous year compared with an increase of 4 per cent. in south Wales overall. The Aberdare job centre told me this morning that 38 people are chasing every vacancy. What is more, those figures cover only the people currently claiming unemployment benefit. If we include those who are without work but who are not entitled to benefit because the Government are massaging the figures, the position is even worse.

The economy of Cynon Valley is heavily dependent on a small number of major employers. In 1989, nearly 60 per cent. of the work force was directly employed by 2.5 per cent. of the companies in the valley. The growth of service industry jobs has been wholly insufficient to make up for the decline in other sectors.

The Great Britain increase in overall employment of 5 per cent. between 1981 and 1989 compares with the decline of 17 per cent. in Cynon Valley. It already costs £32 million each year to keep the unemployed of Cynon Valley on the dole and we can add another £5 million each year to the figure now that Tower has closed. The cost of closure to the Exchequer, in terms of redundancy, lost tax and unemployment benefit, will be more than £30 million in the next three years.

The much-trumpeted valleys initiative has provided minimal help. Its main economic aim was to create jobs —everyone agrees that it has failed in that. Even the statistical department of the Welsh Office confirms the failure of the valleys initiative. Some 6,500 manufacturing jobs were lost during the period of the programme. Furthermore, the Welsh Office has yet to provide figures that show how much additional money the valleys initiative has provided.

A report last year showed that Cynon Valley was fourth from bottom of the Welsh district poverty league table in 1981. Ten years later, using the same indices, the report's authors found that despite all the hype surrounding the valleys initiative, Cynon Valley had moved from fourth from bottom to second from bottom. I quote one section of the report, which says:

"the valleys initiative has either largely failed the core valley problem areas, or has an immense amount of work remaining, depending on one's level of cynicism."

The Minister will know that now that Tower has closed, the loss of the subsidy provided for the valleys' rail link to Cardiff by coal freight may mean the closure of the line. That would be a desperate blow to efforts at regeneration in Cynon Valley. I should like the Minister to make a statement today that will assure a secure future for that rail link.

There was no case for the closure of Tower; it is economically viable. There was a profit of £28 million in the past three years and overall productivity at Tower increased by 35 per cent. in 12 months. Last year, Britain imported 15.3 million tonnes of coal at prices ranging from £28 per tonne to £38 per tonne. That compares with the best of Tower production, which cost £30 per tonne.

Tower will now operate on a care and maintenance basis which means having to pay the costs of mothballing without getting the benefit of output. It also means that in an area of cruel and long-term unemployment, the men will receive their redundancy payments and then be put on the dole.

The Government will, of course, claim that they have done their best for the coal industry and that there is no market for coal. However, they rigged the energy market against coal. That market that has been rigged to the advantage of everyone in the world except the British coal industry and the British people. It is rigged to the advantage of the nuclear industry, foreign coal producers, the multinational oil companies, which sell the British people their own North sea gas, the foreign suppliers of orimulsion and the foreign builders of the gas-fired power stations appearing all over Britain. Indeed, the Government's energy policy is clearly intended to help every energy industry in the world except our own.

I was elected to represent Cynon Valley in the middle of the miners' strike in 1984. I have always had a strong bond with the National Union of Mineworkers—as a journalist, joining its campaign for proper compensation for pneumoconiosis and as a politician, supporting many of its struggles. I know of the human cost in lost lives and poor health for those who worked in the industry and I know of the comradeship of those who worked down the pits. Today, I join in the distress of the men at Tower and their families that the dishonest manoeuvrings of the Government and British Coal have killed the last pit in south Wales.

2.53 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Gwilym Jones): I should wish to think that it is emotion—an emotion I understand—that justifies the hon. Member for Cynon Valley (Mrs. Clwyd) in her intemperate and unjustified approach to the issue. I totally reject the charges of deception and dishonesty she so carelessly and unjustly throws at my right hon. and hon. Friends.

I well understand the uncertainties and unhappiness created in recent weeks by the discussions between British Coal and the mining unions over the future of Tower. The hon. Lady should not think that she has a monopoly on affinity or empathy with the miners of South Wales. Neither of us was born in South Wales and I have probably more coal dust in my veins than she has—both my grandfathers worked in the pits of South Wales.

The decision to end the work of the pit was announced by British Coal, following further discussions with the National Union of Mineworkers. The colliery is to be put on a care and maintenance basis and offered for sale alongside the corporation's other assets in Wales. Tower is not necessarily closing permanently. The opportunity is there for new owners, perhaps the management and employees, to take over the mine. I am sure that everyone in the House and outside it would want a prosperous future for the colliery under new ownership. If the management and employees of Tower are interested in pursuing the

possibilities, Government support is available of up to 50 per cent. of the consultancy that would be involved, up to a maximum of £80,000.

I accept entirely that the immediate effect of the announcement has been to cause great anxiety among the miners and more generally in the community about employment prospects and about the economic outlook of the area. Our response to recent events must be and will be a comprehensive and co-ordinated action programme, involving all the main parties which are concerned with economic and social regeneration of the Cynon valley.

Mr. Martin O'Neill (Clackmannan): Will the Minister explain why he is replying and not the Minister responsible? The tenor of my hon. Friend's remarks was concern about how the decisions were taken and how the opportunities for the colliery to stay in existence and to stay working were thrown away by the deception of the senior management of British Coal. Surely, a Minister from the Department of Trade and Industry should be answering, not someone from the Welsh Office who is sweeping up the mess created by the inadequacy of the DTI and British Coal.

Mr. Jones: I certainly do not accept the criticism implied by the hon. Gentleman. The Welsh Office is equally interested in and concerned about Tower and the Cynon valley. That is why I am content to be here at the Dispatch Box answering the hon. Lady.

Our aims are to create more locally based employment opportunities, to improve local infrastructure and the local environment and to create the right conditions for more investment, and to improve the attraction and training position of the towns in the area. That will require a strong and effective partnership between Government, local authorities, the Welsh Development Agency, the training and enterprise councils, British Coal Enterprise Ltd. and others, which are all fully committed to the task and working to a common agenda.

The heart of the programme must be determined by the local authorities representing the people in the communities of the Cynon valley. They understand better than anyone the problems and needs of the area and are in the best position to devise and co-ordinate an effective development strategy that sets out a clear vision for the future as well as a realistic and deliverable programme for its achievement.

At this point, I must pay tribute to the Cynon Valley borough council, which has shown skill, imagination and commitment in its economic development work. Its activities have won the confidence of the public and private sectors. I can tell the House that the borough council yesterday proposed the establishment of an enterprise zone in the Cynon valley, which it believes will improve the climate for new investment.

Of course, that is a complex and difficult area in which there are also European Commission controls. We are suggesting to the borough council that it may wish to consider obtaining professional help in assembling a full case for consideration. The Welsh Office will be offering to fund a consultancy for that purpose. We shall be ready to examine carefully any application that may be submitted.

My right hon. Friend the Secretary of State is determined that the authority should have the fullest support. It will be available on five main fronts. First, as some hon. Members will be aware, in 1991, the Welsh Development Agency, the borough council and Mid Glamorgan county council formalised their working relationship as an urban joint venture partnership with the aim of generating substantial public and private sector investment in the Cynon valley.

To date, the Welsh Development Agency has spent almost £9,000,000 in the area on a range of activities. By the mid-1990s, the agency will have been involved in reclamation of approximately 1,000 acres of derelict land. Business parks such as Cwm Cynon and Navigation are being developed as well as the industrial estates at Hirwaun and Aberaman park.

All that has represented solid progress, and on 7 April, the Welsh Development Agency announced a major expansion of its commitment to the area. Planned investment by the agency over the next two years will be increased from just over £17 million to just under £28 million, an increase of more than 60 per cent., with schemes ranging from road improvements to factory building. Those additional moneys will be channelled through the joint venture.

The Welsh Development Agency estimates that that level of investment will, over the next three to four years, trigger substantial additional investment by initiating projects that will have the backing of private companies —up to £19 million of commercial investment is anticipated in 1994-95 and a further £22 million in 1995-96. The work on that highly-productive joint venture will continue to be supported and strengthened through the operation of the Welsh Office's own programmes.

Secondly, my right hon. Friend recently announced that the A465 heads of the valleys road is to be developed as one of the major strategic east-west links. The dualling of the nine-mile Aberdulais-Glynneath stretch at a cost of £80 million began in January of this year and dualling of the 25 miles of road between Abergavenny and Hirwaun is to be accelerated. The dual carriageway link between the M4 and the A465 is to be completed, with the Pentrebach-Cefn Coed improvement due to start soon at a cost of £5O million. Those major improvements to communications with and within the valleys are a crucial consideration for investors. They form an essential part of the regeneration process.

Thirdly, in recent years, the Cynon valley has benefited substantially from support under the Welsh Office's urban programme. From the current financial year, that programme has been succeeded by the new strategic development scheme. In the recent bidding round, Cynon Valley borough council, together with Mid Glamorgan county council, submitted very sound strategies focused on the development of Aberdare and Mountain Ash.

Following recent discussions with the local authority, the Welsh Office expects shortly to give full approval to a single strategy for the area, with funding of almost £4,500,000 over three years to support 15 projects. The outputs expected from that investment include new flexible industrial units with a floor space of 25,000 square feet; improvements to 12 acres of land for development; leverage of £3,100,000 of commercial investment, achieving a total of £7,500,000; and important road improvements near Mountain Ash and access improvements.

[Mr. Jones]

Projects covered under the strategy include the Abercynon innovation centre; the Cynon Valley business centre; realignment of the railway line; and construction of a new station.

Allied to this urban development activity, and within the framework of the programme for the valleys, £500,000 was recently announced for Bryncynon for its successful community revival strategy bid for the development of community facilities in the area.

Work is also expected to start in June on the construction of a specialised scenery store and workshop in the Royal Opera house at Aberaman. Urban investment grant of nearly £1.5 million has been awarded towards total project costs of £5.5 million.

Fourthly, the training and enterprise councils play an important role in the regeneration process because of their support for the training and re-training of individuals so that they acquire the skills that the market needs. But the training and enterprise councils also have the ability to devise—

The motion having been made after half-past Two o'clock and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at three minutes past Three o'clock.

Written Answers to Questions

Tuesday 12 April 1994

LORD CHANCELLOR'S DEPARTMENT

Magistrates Courts Service Inspectorate

Mr. Luff: To ask the Parliamentary Secretary, Lord Chancellor's Department when he proposes to publish the first annual report of the magistrates courts service inspectorate.

Mr. John M. Taylor: I have done so today.

Matrimonial Cases

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 29 March, *Official Report*, column *608*, concerning matrimonial cases, if he will list the measures he has taken to prevent any future arrangements being established similar to those mentioned in his answer.

Mr. John M. Taylor: The following measures have been taken:

New written instructions have been issued, requiring that:

all plans or proposals of this sort be referred to a senior official before any action is taken;

any item intended for publication in the departmental journal 'Court Business'—through which instructions to courts are promulgated—be approved by a senior official.

New arrangements have also been introduced requring that the final draft of "Court Business" be submitted to a senior official for approval, before publication.

Care Centres

Mr. Madden: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects the national review of the designation of care centres to be completed; why the national review has been delayed; what representations he has received to designate the Bradford combined court centre as a case centre; and if he will make a statement.

Mr. John M. Taylor: The background work and consultation on the review of care centres is expected to be completed this month. A report to Ministers will follow thereafter. The commencement date of the review was put back because the level of work taken at the care centres under the Children Act 1989 has only recently stabilised. Representations have been received at the local circuit office or by my Department to designate Bradford combined court centre as a care centre from the local authority, local legal practitioners, the local panel of guardians ad litem and some local Members of Parliament.

Small Claims Court

Mr. French: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the average cost to his Department of processing a small claim which receives a preliminary hearing and final hearing in the small claims court.

Mr. John M. Taylor: The information requested is not available and could be obtained only at disproportionate cost.

Mr. French: To ask the Parliamentary Secretary, Lord Chancellor's Department what expenditure his Department has allocated in its 1994-95 budget for the provision of information relating to personal injury claims for the small claims court.

Mr. John M. Taylor: The Lord Chancellor published a consultation paper on 29 October 1993, setting out a proposed new procedure which would bring small personal injury claims into the small claims court. This would be likely to involve the provision of both new standard forms and leaflets providing information to litigants. The Lord Chancellor is currently evaluating the large number of responses received to the consultation. The precise costs of providing information to litigants cannot be assessed until the details of the procedure have been finalised.

HOME DEPARTMENT

Criminal Injuries (Compensation)

Mr. Gunnell: To ask the Secretary of State for the Home Department what was the number of *(a)* applications to the Criminal Injuries Compensation Board, *(b)* payments by the Criminal Injuries Compensation Board and *(c)* those crimes of robbery with violence, rape and others which gave rise to compensation payments in 1992-93 as a percentage of the figures for 1987-88.

Mr. Maclean: In 1987-88 there were 43,054 applications to the Criminal Injuries Compensation Board and the amount of compensation paid totalled £52·043 million. The corresponding figures for 1992-93 were 65,977 applications and £152·218 million, increases of 53 per cent. and 192 per cent. respectively.

The board does not collate information about compensation payments in respect of crimes of robbery with violence, rape or other categories.

Racial Hatred

Ms Ruddock: To ask the Secretary of State for the Home Department if he will publish a table showing the number of prosecutions for incitement to racial hatred under section 5A of the Public Order Act 1936 and sections 17 to 23 of the Public Order Act 1986, and the number of convictions in each year since 1979; and if he will list the penalties for those convicted in each case.

Mr. Maclean: I refer the hon. Member to my letter of 17 March 1994, a copy of which has been placed in the Library.

Animal Experiments

Mr. Meale: To ask the Secretary of State for the Home Department (1) if he will list the laboratories licensed under the Animals (Scientific Procedures) Act 1986 to use non-purpose-bred greyhounds in research between 1979 to 1992;

(2) if he will list the number of project licences issued from 1979 to 1992 under the Animals (Scientific Procedures) Act 1986 which are still valid to use non-purpose-bred greyhounds in research.

Mr. Charles Wardle: To list the laboratories would be in breach of the requirement of section 24(1) of the Animals (Scientific Procedures) Act 1986 which provides for the protection of confidential information.

No project licences were issued prior to the implementation of the 1986 Act on 1 January 1987. Of those issued since that date, only one is still valid for the use of non-purpose-bred greyhounds in research.

Mr. Meale: To ask the Secretary of State for the Home Department if he will give the number of scientific procedures performed on non-purpose-bred cats and dogs in 1993.

Mr. Charles Wardle: The information collected from project licence holders and published annually in the "Statistics of Scientific Procedures on Living Animals, Great Britain" does not distinguish between purpose-bred and non-purpose-bred cats and dogs. In 1992, the latest year for which figures are available, 3,692 regulated procedures were performed upon cats and 9,085 upon dogs.

Blakenhurst Prison

Ms Ruddock: To ask the Secretary of State for the Home Department, pursuant to his answer of 30 March, *Official Report*, column *843*, if he will give the reason why an appropriate financial remedy is to be taken under the terms of the contract for Blakenhurst prison in connection with the incident on 24 February.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 12 April 1994:

The Home Secretary has asked me to reply to your recent Question about Blakenhurst prison.

It is intended that an appropriate financial remedy under the terms of the contract be taken for the month of February as, in the light of the incident on 24 February, the Prison Service does not consider that UKDS fully delivered the required service during that month.

In particular, during the incident, some parts of the prison were not fully in control, with consequent effects on regime delivery; and public relations and contingency arrangements were not satisfactory. Following the incident, the population was reduced to enable essential repairs to be carried out.

Hunger Strikes

Mr. Corbyn: To ask the Secretary of State for the Home Department if he will now publish details of the status of people held in detention centres under immigration law who are engaged in hunger strikes.

Mr. Charles Wardle: On 11 April, 20 people detained under Immigration Act powers were refusing meals. Eight were detained in Immigration Service detention and 12 in Prison Service accommodation, including Haslar. Of these 20, 16 were illegal entrants, and four were passengers subject to removal following refusal of leave to enter. Seventeen of the 20 had applied for asylum at some stage and their position was as follows:

	Number
Asylum application under consideration	5
Appeals outstanding against refusal of asylum	10
Awaiting travel documents for removal	2

Of the remaining three non-asylum cases, two were subject to continuing inquiries and one was awaiting travel documentation to enable removal to be arranged.

Wheel Clamping

Mr. Bill Michie: To ask the Secretary of State for the Home Department what progress has been made on the Home Office consultation exercise into wheel clamping by private companies; what is the timetable for the report; and if he will make a statement.

Mr. Maclean: The Government are still considering what action, if any, it would be appropriate to take in respect of wheel clamping on private land. We will make our conclusions known as soon as possible.

Offences, London

Ms Ruddock: To ask the Secretary of State for the Home Department what was *(a)* the total number of recorded offences, *(b)* the number of offences resulting in a caution and *(c)* the number of offences resulting in a conviction in the Metropolitan district for 1992.

Mr. Maclean: Information on the number of notifiable offences and the number of offenders cautioned and convicted in the Metropolitan police district during 1992 is published in "Criminal Statistics, England and Wales, Supplementary tables 1992, Volume 3". A copy of this publication is available in the Library.

Safer Cities Programme

Ms Ruddock: To ask the Secretary of State for the Home Department if he will list those cities which are currently receiving, or which have in the past received, funding under the safer cities programme giving *(a)* the dates of commencement of the safer cities programme in each city, *(b)* the original planned completion date of each project as first announced and *(c)* the current planned or actual completion date of the programme for each city; and if he will show the amount of funding received by each city in each year since 1989 to the present date under the programme for (i) running costs, (ii) grants and (iii) other costs.

Mr. Charles Wardle: Twenty projects have been funded under phase 1 of the safer cities programme and 10 more have recently commenced under phase 2. A list of the projects with their start dates is shown in table A. When the phase 1 projects were set up, funding was guaranteed for a period of three years, after which decisions on alternatives, such as locally derived funding, would be made. Government funding for 16 of the phase 1 projects ceased in March 1994. The more recently established projects in Derby, Hammersmith and Fulham, Leicester and Middlesbrough will continue to receive funding until September 1995. The contracts with the managing agencies for the phase 2 projects run for three years.

The amounts of funding for each project in each year since 1989 are set out in tables B, C and D. The figures for running and other costs are not readily available and are only approximate based on estimates.

Table A

	Date project commenced
Phase 1	
Birmingham	July 1989
Bradford	November 1988
Bristol	January 1990
Coventry	October 1989
Derby	October 1991
Hammersmith and Fulham	December 1991
Hartlepool	September 1989
Hull	October 1989
Islington	January 1990
Leicester	September 1991
Lewisham	July 1989
Middlesbrough	October 1991
Nottingham	April 1989
Rochdale	August 1989
Salford	February 1990
Sunderland	August 1989
Tower Hamlets	December 1989
Wandsworth	January 1990
Wirral	September 1989
Wolverhampton	February 1989
Phase 2	
Blackburn[1]	1 April 1994
Burnley[1]	1 February 1994
Greenwich[1]	1 February 1994
Lambeth[1]	1 February 1994
Leeds[1]	1 February 1994
Manchester[2]	1 April 1994
Merthyr Tydfil	1 February 1994
Newcastle[1]	1 February 1994
Plymouth[1]	1 February 1994
Sheffield[1]	1 February 1994

[1] Funding for these projects is included in the single regeneration budget, administered by the Department of the Environment, from 1 April 1994.

Table B

Running costs (£'000)

	1989-90	*1990-91*	*1991-92*	*1992-93*	*1993-94*
Birmingham	17	27	25	30	34
Bradford	18	27	25	30	27
Bristol	8	27	25	30	34
Coventry	15	27	25	30	33
Derby	—	—	12	30	34
Hammersmith and Fulham	—	—	12	30	33
Hartlepool	16	27	25	30	35
Hull	15	27	25	30	34
Islington	8	27	25	30	33
Leicester	—	—	12	30	34
Lewisham	16	27	25	30	25
Middlesbrough	—	—	12	30	35
Nottingham	18	27	25	30	34
Rochdale	17	27	25	30	34
Salford	8	27	25	30	34
Sunderland	17	27	25	30	35
Tower Hamlets	8	27	25	30	32
Wandsworth	8	27	25	30	25
Wirral	16	27	25	30	34
Wolverhampton	18	27	25	30	34

Table C

Grants (£'000)

	1989-90	*1990-91*	*1991-92*	*1992-93*	*1993-94*
Birmingham	133	287	291	242	135
Bradford	290	265	295	291	131
Bristol	90	321	406	270	170
Coventry	133	337	385	318	240
Derby	—	—	2	257	270
Hammersmith and Fulham	—	—	—	258	280
Hartlepool	122	266	309	273	186
Hull	74	268	290	286	145
Islington	88	293	362	293	169
Leicester	—	—	10	267	275
Lewisham	308	375	413	287	171
Middlesbrough	—	—	—	291	272
Nottingham	264	268	305	236	170
Rochdale	101	276	315	242	175
Salford	100	264	315	269	169
Sunderland	172	268	264	215	183
Tower Hamlets	64	270	367	250	177
Wandsworth	67	203	249	241	116
Wirral	152	320	320	248	165
Wolverhampton	241	275	276	207	170

Table D

Other costs (£'000)

	1989-90	1990-91	1991-92	1992-93	1993-94
Birmingham	40	85	80	95	80
Bradford	45	85	80	95	80
Bristol	45	85	80	95	80
Coventry	45	85	80	95	80
Derby	—	—	80	95	80
Hammersmith and Fulham	—	—	80	95	80
Hartlepool	45	85	80	95	80
Hull	45	85	80	95	80
Islington	45	85	80	95	80
Leicester	—	—	80	95	80
Lewisham	45	85	80	95	80
Middlesbrough	—	—	80	95	80
Nottingham	45	85	80	95	80
Rochdale	45	85	80	95	80
Salford	45	85	80	95	80
Sunderland	45	85	80	95	80
Tower Hamlets	45	85	80	95	80
Wandsworth	45	85	80	95	80
Wirral	45	85	80	95	80
Wolverhampton	45	85	80	95	80

Iran (Arms Sale Trial)

Mr. David Young: To ask the Secretary of State for the Home Department what connection Mr. William Harper, Mr. John Taylor and their co-defendants, tried in 1988 in relation to the sale of arms to Iran, had with the intelligence services; and what public interest immunity certificates were signed in respect of their trial.

Mr. Howard: From time to time Mr. Taylor provided helpful information to the security and intelligence services between 1978 and 1985 on matters unrelated to the charges brought against him in 1988. His co-defendants have had no connection with the security and intelligence services. As far as can be ascertained, no public interest immunity certificates were signed in respect of their trial.

Remand Statistics

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department for the number, at the latest available date, of residents of each county in Wales who were held in remand centres in *(a)* England, *(b)* Wales and *(c)* elsewhere.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. Ieuan Wyn Jones, dated 12 April 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking how many residents of each county in Wales were held in remand centres at the latest available date in *(a)* England or *(b)* Wales and *(c)* elsewhere.

The available provisional information is for 31 December 1993 and is given in the attached table. It relates to the population in remand centres in England and Wales who were first committed to custody by a Welsh court.

Population in remand centres in England and Wales on 31 December 1993 committed by courts in Wales[1]

County of Welsh court first committing	*Numbers held in remand centres from a Welsh Court*	
	England	*Wales*
Clwyd	25	0
Dyfed	0	9
Gwent	0	11
Gwynedd	16	0
Mid Glamorgan	1	37
South Glamorgan	0	24
West Glamorgan	0	31
Powys	2	23
Total	44	135

[1] Provisional figures

Road Tax Offenders

Mr. Gerrard: To ask the Secretary of State for the Home Department how many people were imprisoned in each of the last three years for non-payment of fines imposed for not having paid road tax on a motor vehicle.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. Neil Gerrard, dated 12 April 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking how many people were imprisoned in each of the last three years for non-payment of fines imposed for not having paid road tax on a motor vehicle.

I am afraid that the information you have requested is not available centrally since the offence of non-payment of road tax is recorded under the general category of "other motoring offences".

Police (Drug-related Incidents)

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department how many police officers have been (i) injured and (ii) killed in drug-related incidents in each of the last 10 years.

Mr. Maclean: The information requested is not available centrally.

AGRICULTURE, FISHERIES AND FOOD

Local Government Legislation

Mr. Vaz: To ask the Minister of Agriculture, Fisheries and Food if she will list the Acts of Parliament and Consolidation Acts affecting local government that have been introduced by her Department since 1990.

Mr. Jack: Only one Act introduced by the Ministry since 1990 affects local government—the Food Safety Act 1990.

Eggs

Sir Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what information is available on the average consumption per person per week of eggs in each of the past 10 years; and if she will make a statement.

Mr. Jack: Estimates of household consumption of eggs in Great Britain are provided by the Ministry's national food survey. The estimates, which are expressed in terms of average number of eggs per person per week, exclude eggs used in manufacturing or in catering and institutions.

Number per person per week

	Egg consumption
1984	3·21
1985	3·15
1986	3·01
1987	2·89
1988	2·67
1989	2·29
1990	2·20
1991	2·25
1992	2·08
1993	1·92

The long-term decline in the consumption of shell eggs in households reflects a number of factors. Some of these —more eating out, lower energy requirements due to the switch to more sedentary occupations—affect total household food consumption while others, such as reductions in cooked breakfasts, home baking and high teas, will have particularly affected household consumption of eggs. The use of eggs within processed food products is, however, increasing.

Fisheries Guidance

Dr. John Cunningham: To ask the Minister of Agriculture, Fisheries and Food on what date she expects to announce which parts of the new regulation relating to the financial instrument for fisheries guidance will be implemented in the United Kingdom.

Mr. Jack: We shall make an announcement when we have drawn conclusions, in the light of our consultations with all interested parties, on what range of measures will represent the best use of taxpayers' money in this area.

Official Entertainment

Mr. Boyes: To ask the Minister of Agriculture, Fisheries and Food what was the total cost of official entertaining in her Department in each year since 1990-91; if she will list the receptions held each year at her Department's expense; and what was the cost of each reception.

Mr. Jack: The following amounts have been spent on official hospitality in each year since 1990-91:

	£
1990-91	65,229·48
1991-92	89,014·54
1992-93	80,314·80
1993-94[1]	76,401·59

[1] To end of February 1994.

The total cost of official entertainment is included in the running cost expenditure for my Department, which is published every year in the annual report; the entertainment budget is used for a variety of functions, including receptions. Separate figures are not kept for individual functions.

The principal items included in this expenditure were given on 27 October, *Official Report*, column 659.

Farming Incomes

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what was the average net annual income of farm owners in the United Kingdom in real and cash terms in each year since 1983.

Mr. Jack *[holding answer 23 March 1994]:* Information is not available on the total income of farm owners. However, in the farm business survey conducted in each country of the United Kingdom, data on incomes of farm businesses are collected from a sample of 3,900 farms which are classified as full-time holdings. Results are not readily available for the United Kingdom as a whole, but the table provides information on occupier's net income for wholly owner-occupied farms in each of our four home countries. Year-to-year comparisons can best be made by reference to the indices shown in the tables in both current prices and real terms. These are based on constant samples of farms between consecutive years. The method of farm classification has been changed and results are available only on the new classification from 1986-87 onwards.

Occupier's net income on wholly owner-occupied farms[1]

Year[2]	*England*			*Wales*		
		Indices[4]			*Indices*[4]	
	£'000 per farm	*Current prices*	*Real terms*[3]	*£'000 per farm*	*Current prices*	*Real terms*[3]
1986-87	12·0	96	123	5·4	69	88
1987-88	12·5	100	123	8·2	105	128
1988-89	12·6	99	114	14·7	158	183
1989-90	14·1	105	113	10·2	113	121

Year[2]	England			Wales		
	£'000 per farm	Indices[4] Current prices	Real terms[5]	£'000 per farm	Indices[4] Current prices	Real terms[5]
1990-91	12·9	93	92	7·4	81	79
1991-92	14·4	102	95	11·4	107	100
1992-93	19·1	121	110	14·6	146	132
	Scotland[3]			Northern Ireland		
1986-87	7·2	59	75	3·1	65	81
1987-88	11·6	95	117	9·1	192	231
1988-89	12·3	98	113	9·2	188	215
1989-90	13·0	108	116	7·2	149	158
1990-91	14·0	108	106	3·0	64	62
1991-92	10·1	84	78	4·9	87	80
1992-93	16·7	146	131	9·1	165	147

[1] Occupier's net income represents the return to the principal farmer and spouse for their manual and managerial labour and investment in the farm business.
[2] Accounting years end on average in February.
[3] Includes holdings which are both wholly and mainly owner-occupied.
[4] Average of 1989-90—1991-92 = 100.
[5] Deflated by the Retail Price Index.

Brixham and South Devon Inshore Fishing Fleet

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if she will publish the name, size, type and home port of all the Brixham and south-west Devon inshore fishing vessels accepted to date as being eligible for decommissioning.

Mr. Jack: I am not able to publish information on individual vessels. However, of the 135 vessels decommissioned under the 1993 scheme, five were from Brixham and four from Plymouth. They ranged from 10 to 20 m in length and from nine to 42 gross registered tonnes. The majority were demersal trawlers.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if she will make a statement setting out the view of Her Majesty's Government on enlargement of the European Union and its consequences for the Brixham and south Devon inshore fishing fleet.

Mr. Jack: I set out the satisfactory outcome of the negotiations on fisheries between the European Union and Norway in my reply to my hon. Friend the Member for St. Ives (Mr. Harris) on 22 March, *Official Report*, column *120*. In that reply I explained that the common fisheries policy rules applying within the waters of the Twelve generally, and the special rules applying to Spain and Portugal under their accession treaty are unchanged by the agreement. With reference to access for in-shore fishing, the Norwegian treaty will make no changes, but it will contain a joint EU-Norway declaration undertaking to pay special attention to the interests of coastal communities when the Council decides the arrangements on access to waters within the 12-mile limit which are to apply after the year 2002.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what is the policy of Her Majesty's Government on access by the Spanish fleet to the English channel; and what assessments she has made of its consequences for the Brixham and south Devon inshore fishing fleet.

Mr. Jack: Adjustments to the current restrictions on Spanish and Portuguese access to the waters and fisheries of the other 10 member states are for decision by the Council of Ministers. A proposal setting out the broad principles for the adjustment of Spanish and Portuguese fishing arrangements is before the Fisheries Council meeting on 12 April. Subsequently, detailed proposals are expected from the Commission within the next few months. In negotiations on them, I shall continue to promote United Kingdom fishing interests, including those of Brixham and south Devon fishermen.

FOREIGN AND COMMONWEALTH AFFAIRS

Nuclear Non-proliferation

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs whether his United States counterpart made available to Her Majesty's Government the United States proposals to enhance nuclear non-proliferation on the Indian sub-continent before they were put to India in March.

Mr. Douglas Hogg: We are in frequent contact with the United States Government on a range of non-proliferation issues, including nuclear non-proliferation in south Asia.

Malta

Sir Thomas Arnold: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 March, *Official Report*, column *478*, what are the institutional problems which were identified in respect of Malta's application to join the EC.

Mr. Heathcoat-Amory: I refer my hon. Friend to page 19 of the Commission opinion on Malta's application for membership, a copy of which is in the House of Commons Library. This lists the institutional problems in respect of Malta's application to join the EC as: the small number of Maltese officials with sufficient international experience to play a full part in the decision-making and operational processes of the Community institutions; the small size of the diplomatic corps and its inexperience in co-operating with other European countries; the difficulties Malta might have in taking on the Presidency; and the more general institutional problems that would be posed by the accession of Malta or any other applicant of a similar size. The Council endorsed the opinion in October 1993.

EU Qualified Majority Voting

Sir Thomas Arnold: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration was given, before Her Majesty's Government agreed to the Maastricht treaty, to the implications of that treaty for qualified majority voting; and if he will make a statement.

Mr. Heathcoat-Amory: Before agreeing to the Maastricht treaty, we considered in detail the implications of the treaty for the use of qualified majority voting. In particular, we satisfied ourselves that in areas such as foreign policy, where supreme national interests are at stake, unanimity would continue to apply.

East Timor

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he and the European Union have been making to the Indonesian Government about the future of East Timor leader Xanana Gusmao.

Mr. Goodlad: We have made representations to the Indonesian Government about the importance of International Committee of the Red Cross access to Gusmao, and his humane treatment while in detention.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Clydebank and Milngavie (Mr. Worthington) of 28 March, *Official Report*, column *544*, if he will set out the criteria he adopts to evaluate the reliability of information sources on the number of deaths that have taken place in East Timor since the Indonesian takeover.

Mr. Goodlad: We understand that none of those who have quoted figures for the numbers killed in East Timor support their estimates with detailed recorded statistics.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Lewisham, East of 29 March, *Official Report*, column *617*, what considerations led him to conclude that sanctions against Indonesia over East Timor's occupation will not be either *(a)* appropriate or *(b)* effective.

Mr. Goodlad: Sanctions would not, in our view, bring about a change in the circumstances of East Timor. We believe that the current dialogue between Indonesia and Portugal under the United Nations Secretary-General's auspices offers the best prospect for reaching agreement on a just, comprehensive and internationally acceptable settlement on the future of the territory.

North Korea

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy on moves to bring the North Korean nuclear weapon issue to the United Nations Security Council; and what is the likely timetable in respect of such moves.

Mr. Douglas Hogg: On 24 March, the International Atomic Energy Agency director general reported on the most recent round of IAEA inspections in North Korea to the United Nations Security Council. After subsequent discussions, the President of the Security Council issued a statement on 31 March in which he called upon North Korea to allow IAEA inspectors full access to all of its declared nuclear facilities. The President also declared that further Security Council consideration of the issue would take place, if necessary, in order to achieve full implementation of North Korea's safeguards agreement.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the United Nations Security Council meeting on 31 March in connection with nuclear matters and North Korea; and what stance he took.

Mr. Douglas Hogg: On 31 March the President of the United Nations Security Council made a statement on North Korea, in which he called upon North Korea to allow IAEA inspectors access to all of its declared nuclear facilities, as previously agreed by North Korea on 15 February. The President also declared that further Security Council consideration of the matter would take place, if necessary, in order to achieve full implementation of North Korea's safeguards agreement. All members of the Security Council supported the statement.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is China's position in relation to the North Korean nuclear arms crisis; and if he will make a statement.

Mr. Goodlad: China participated fully in the discussions within the United Nations Security Council which led to the presidential statement on this subject issued by the Council on 31 March.

Foreign Affairs Council

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the Foreign Affairs Council special meeting of 29 March.

Mr. Heathcoat-Amory: There was no special meeting of the Foreign Affairs Council on 29 March.

Mercenaries

Mr. Hain: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement outlining his Department's policy concerning recruitment in the United Kingdom of mercenaries for a foreign army at war with another state friendly with the United Kingdom.

Mr. Douglas Hogg: The recruitment of mercenaries in this country is always deplorable, and in some cases unlawful by reason of the provisions of the Foreign Enlistment Act 1870 which prohibits the recruitment of persons to serve with the forces of a foreign state at war with another foreign state which is at peace with the United Kingdom. Moreover, if any evidence came to light that British citizens recruited as mercenaries were engaged in illegal activities themselves, that evidence would be referred to the prosecuting authorities.

Local Government Legislation

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the Acts of Parliament and Consolidation Acts affecting local government that have been introduced by his Department since 1990.

Mr. Douglas Hogg: None.

Departmental Building Refurbishment

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 7 March, *Official Report*, columns *38-40*, what was the total cost of the refurbishment to the Foreign and Commonwealth Office building at King Charles street, London SW1.

Mr. Goodlad: Between 1978 and the planned completion date in early 1997, the estimated total cost at today's prices is £100 million.

Sri Lanka

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of Sri Lanka in the past year.

Mr. Heathcoat-Amory: We are in frequent contact with the Sri Lankan authorities on a wide range of issues.

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the authorities in Sri Lanka about human rights violations.

Mr. Heathcoat-Amory: We regularly discuss our human rights concerns with the Sri Lankan authorities, most recently at the 50th session of the United Nations Commission on Human Rights in Geneva in March.

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs when the British high commissioner to Sri Lanka last visited Jaffna.

Mr. Heathcoat-Amory: The British High Commissioner last visited Jaffna on 18 February 1993.

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs what contacts Her Majesty's Government have had with Tamil political organisations *(a)* in Sri Lanka and *(b)* elsewhere in the last year.

Mr. Heathcoat-Amory: We have had regular contacts with representatives of a wide range of Tamil political opinion both in Sri Lanka and elsewhere.

Occupied Territories

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what decisions were made at the Palestinian-Israeli talks in Cairo about the establishing of an international observer corps in the occupied territories; which nations will be represented; how large it will be; and how it will be armed.

Mr. Douglas Hogg: Israel and the PLO have agreed to deploy in Hebron an international presence of 160 observers composed of personnel from Norway, Denmark and Italy. The observers will be lightly armed for self-defence, and will operate for an initial period of three months.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people have been arrested by the Israeli forces in the occupied territories since the Hebron massacre.

Mr. Douglas Hogg: No exact figures are available for the number of people arrested since the Hebron massacre. We have no evidence to suggest that the number of arrests has risen in this period.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, after the Cairo talks between Israel and the Palestine Liberation Organisation, Britain has been asked for, or has offered, any assistance to support the peace process in the occupied territories.

Mr. Douglas Hogg: We have not been asked to contribute observers for the temporary international presence in Hebron agreed upon in Cairo by Israel and the PLO. We remain ready, together with our EU partners, to contribute to an international presence in the rest of the occupied territories if requested to by the parties.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what specific pressue he is putting on *(a)* the Israeli Government and *(b)* the PLO in respect of the peace process in the occupied territories.

Mr. Douglas Hogg: We and our EU partners have urged on both sides the necessity of a speedy conclusion of the negotiations on Israeli withdrawal from Gaza and Jericho, most recently in statements condemning the attacks in Afula and Ashdod on 6 and 7 April.

Palestinian Police Force

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made on co-ordinating the international contributions to the creation of a Palestinian police force.

Mr. Douglas Hogg: A co-ordinating committee for international assistance to a Palestinian police force has been set up in Cairo, chaired by Norway and with the participation of the European Union.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what pledges were made by the EU and the United Kingdom in Cairo on 24 March about the creation of a Palestinian police force.

Mr. Douglas Hogg: The United Kingdom stated that we were providing 200 sets of riot control equipment and training courses in the United Kingdom for senior police officers. The European Union pledged $250,000 for training for municipal police, to form the basis for a larger project later.

Luxembourg Compromise

Mr. Mike O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs whether vital interests within the terms of the Luxembourg compromise were at stake in the issue of 23 or 27 vote at the Ioannina meeting.

Mr. Heathcoat-Amory: The Luxembourg compromise was not applicable to the issue of 23 or 27 votes at the Ionnina meeting. The Luxembourg compromise refers to the case of
"decisions which may be taken by majority vote".

Mr. Mike O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs how the Luxembourg compromise enables Britain to prevent a decision being made in any case which is vital to Britain's interests and where qualified majority voting applies.

Mr. Heathcoat-Amory: If the United Kingdom believed that, on an issue of very important national interest, it was in danger of being outvoted because qualified majority voting applied, it could invoke the Luxembourg compromise. In accordance with this, the members of the Council would then continue discussion until agreement was reached on a solution which could be adopted by all member states.

Iraq

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what Her Majesty's Government's policy was in 1990 on the International Atomic Energy Agency's inspection of Iraq's nuclear installations; and what it is currently.

Mr. Douglas Hogg: Our policy in 1990 was to support IAEA inspection activities in Iraq under the terms of its fullscope safeguards agreement.

Since the Gulf war and the adoption of Security Council Resolution 687 in April 1991, we have supported, and will continue to support, the United Nations Special Commission and the IAEA in their task of destroying or removing all of Iraq's nuclear weapons-usable material and ensuring that Iraq's weapons of mass destruction programme cannot be regenerated.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy on the sending of United Nations inspection and observer teams to the marshlands of Iraq and southern Iraq to monitor human rights violations there.

Mr. Douglas Hogg: Iraq is continuing to refuse access to the United Nations Special Rapporteur on Human Rights in Iraq and United Nations human rights monitors, contrary to resolutions on the United Nations General Assembly and the United Nations Human Rights Commission. The Commission recently requested the Secretary-General to send human rights monitors to neighbouring countries. We will continue to press Iraq to allow monitors to enter the country.

Western Sahara

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his latest information about the transfer of the Moroccan civilian population to the Western Sahara; and what representations he is making at the United Nations on this matter.

Mr. Douglas Hogg: We have no reliable information about such movement of the civilian population.

We welcomed the Secretary-General's latest report. We fully support the proposal that the Identification Commission should complete the analysis of all applications received and proceed with the identification and registration of all potential voters in the referendum on the Western Sahara, on the basis of the Secretary-General's compromise proposals.

Military Nuclear Powers

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries are military nuclear powers; which other countries are thought to have mastered the necessary technology; and which other countries are thought to be pursuing military nuclear power status.

Mr. Douglas Hogg: The nuclear non-proliferation treaty, which came into force in 1970, recognises the existence of five nuclear weapon states: the United Kingdom, United States, France, China and the Russian Federation. The remaining 159 parties to the NPT are non-nuclear weapon states. We expect all of these states to abide by their treaty obligation not to develop nuclear weapons. We urge those 27 states which have yet to accede to the NPT to do so at the earliest possible date.

Nuclear Capability

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the difference in meaning between the terms "sub-strategic" and "tactical" as used by his Department.

Mr. Douglas Hogg: When applied to the United Kingdom's nuclear weapons, both terms refer to a capability of carrying out an action more limited than a strategic strike, as a means of inducing an aggressor to cease aggression without triggering strategic nuclear exchanges.

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the nuclear device exploded by India in 1974 is considered by Her Majesty's Government to be a strategic or sub-strategic nuclear capability.

Mr. Douglas Hogg: We have no evidence on which to base a firm conclusion on the nature of the event in question.

Nuclear Capability

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether North Korea is considered by Her Majesty's Government to be pursuing a strategic or sub-strategic nuclear capability.

Mr. Douglas Hogg: We have no direct evidence that North Korea has developed a nuclear weapons capability. However, as a result of North Korea's consistent failure to co-operate fully with its IAEA safeguards agreement, the agency's director general has stated that he cannot conclude that nuclear material has not been diverted for military use in North Korea. We urge North Korea to respond positively to the statement issued by the President of the United Nations Security Council on 31 March and to comply fully with its safeguards agreement and affirm permanent commitment to the non-proliferation treaty.

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the nuclear threat

posed by Israeli possession of nuclear weapons would be considered by Her Majesty's Government to be strategic or sub-strategic.

Mr. Douglas Hogg: We have no direct evidence that Israel has developed a nuclear weapons programme, though we take seriously reports that Israel has such a programme. We believe that Israel should allay suspicions about her nuclear progamme by acceding to the non-proliferation treaty as a non-nuclear weapon state, and by concluding a full scope safeguards agreement with the IAEA.

Biological Weapons

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the visits by the United Kingdom personnel to sites in Russia under the United States-United Kingdom-Russian trilateral agreement on biological weapons of September 1992.

Mr. Douglas Hogg: United Kingdom and United States experts have visited five non-military biological sites in Russia since the trilateral agreement between the United Kingdom, the United States and Russia was concluded in September 1992. The first visit was made in November 1992, followed by visits in September 1993 and January 1994.

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what computer systems his Department has brought in, for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Goodlad: During the last five years the Foreign and Commonwealth Office has brought in computer systems to enable FCO staff at home and overseas to carry out their work more effectively. Typical uses are for political, management, aid, commercial, consular, accounts and information work. A large number of these systems are still in use but will be replaced in the normal computer replacement cycle of five to seven years as they become obsolete.

The total cost for each of the last five years starting in financial year 1989-90 was—£'000—2,778, 7,078, 15,072, 19,063, and 17,526.

European Agreements

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs whether all agreements between member state Governments of the European Communities and the European Commission require formal extension on the appointment of a new European Commission.

Mr. Heathcoat-Amory: No. The need to extend an agreement would depend on the nature of the agreement.

Public Interest Immunity Certificates

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs which Ministers in his Department were approached to sign public interest immunity certificates in connection with the Matrix Churchill trial and declined to do so.

Mr. Douglas Hogg: My right hon. Friend the Member for Watford (Mr. Garel-Jones), the then Minister of State, Foreign and Commonwealth Office, signed a public interest immunity certificate and a supplemental certificate in relation to the case Commissioners of Customs and Excise *v.* Henderson, Abraham and Allen. He was the only Minister in this Department invited to sign a certificate in this case.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries are represented, with what numbers of troops, in Somalia at the present time; what changes are planned for the rest of the current year; and in what parts of Somalia each of these military forces are serving.

Mr. Douglas Hogg: At 21 March 1994 UNOSOM II was made up of the following contingents:

Country	*Strength*
Australia	54
Bangladesh	978
Belgium	4
Botswana	342
Canada	5
Egypt	1,680
Greece	2
India	4,969
Ireland	83
Italy	788
Korea	3
Kuwait	120
Malaysia	1,065
Morocco	1,359
Nepal	313
New Zealand	49
Nigeria	659
Norway	26
Pakistan	5,697
Romania	231
Saudi Arabia	150
Tunisia	1
UAE	317
USA	7
Zimbabwe	1,082
TOTAL	19,883

Most west European troop contributors, except Ireland, either withdrew their contingents or, in the case of Greece, scaled them down to a minimal presence before the end of March 1994. The Saudi Arabians have also withdrawn their contingents. In addition, Morocco and United Arab Republic are expected to withdraw their contingents by the end of April 1994.

Some 1,550 additional Pakistani troops and 250 Indonesian troops are expected to deploy to Somalia by the end of April 1994, which will bring the total to 19,225. Given the current flux in troop movements, the United Nations is not able to give up-to-date details on the location of each contingent.

Paul Goodall

Mr. Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received regarding the detention and trial of Abdul Hadi al Gahtari currently held in jail in Zenica, central Bosnia for the murder of Paul Goodall, a driver working for the United Nations.

Mr. Douglas Hogg: We are aware of newspaper reports that Mr. al Gahtari has escaped from police custody. We have asked the Bosnian authorities to look into these allegations as a matter of urgency. We have raised this case with the Bosnian authorities on a number of occasions, most recently when a Foreign Office official visited Sarajevo on 29 March. We have also been in touch via the Bosnian embassy in London and our missions in Geneva. We have reminded the Bosnian Government of our concern that their investigations into the murder of Mr. Goodall should be taken forward quickly and those responsible brought to justice. The Overseas Development Administration has been in contact with the judicial authorities in Zenica and has engaged the services of a local lawyer to represent the interests of Mr. Goodall's family.

Consultants

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what information technology consultants his Department has employed, for what purpose and at what total cost for each of the last five years.

Mr. Goodlad: Information technology consultants have been employed by the Foreign and Commonwealth Office to provide expertise not available within the Department on a range of subjects. They have been used to give specialist advice on IT strategy development, communications, cabling, software development and support, project management, systems analysis, contingency planning, procurement and management information systems.

The total cost for each of the past five years starting in financial year 1989-90 was—£'000—1,744, 2,964, 3,412, 4,688 and 5,156.

European Union

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will state, in respect of each of the undertakings announced by the Prime Minister in his oral statement of 29 March, *Official Report*, columns 797-99, concerning the assent of Her Majesty's Government to the draft treaty on enlargement of the European Community and Union *(a)* in which document they are recorded and on whose authority, *(b)* where they may be obtained or examined, *(c)* if they are to be incorporated in whole or part in the draft treaty and *(d)* the nature of the additional post-statement communication from the European Commission to which he referred in his oral answer to the hon. Member for Newham, South of 30 March, *Official Report*, column 921.

Mr. Heathcoat-Amory: The undertakings in the social field announced by my right hon. Friend the Prime Minister in his statement of 29 March were oral assurances and are not recorded in a document. They will not therefore be incorporated, in whole or in part, in the draft treaty. The additional confirmation from the Commission to which my right hon. Friend the Foreign Secretary referred in his oral answer on 30 March took the form of contacts between his office and the office of Mr. Delors.

Lockerbie Air Crash

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the response of the Arab League to the Libyan proposal that the two suspects in the Lockerbie incident be tried before the International Court of Justice in the Hague with Scottish judges sitting on the bench applying Scottish law; and what is now his policy on the suggestion.

Mr. Douglas Hogg: Following its ministerial meeting in Cairo on 26 to 27 March, the Arab League issued a resolution urging the Security Council to consider this proposal.

Our policy on the suggestion was set out in a written reply given by my right hon. Friend the Prime Minister to the hon. Member for Linlithgow (Mr. Dalyell) on 8 February 1994, *Official Report*, column *135*.

Morocco

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government will make to the Moroccan Government to urge them to continue the United Nations-sponsored dialogue begun on 17 July 1993.

Mr. Douglas Hogg: We will continue to support the efforts of the United Nations Secretary-General in the implementation of the United Nations settlement plan.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made by Her Majesty's Government to the Moroccan Government concerning the disappearance of Saharawi people in the Moroccan-occupied Western Sahara.

Mr. Douglas Hogg: We were pleased to note the appointment of a Minister for Human Rights in Morocco last November. The Moroccan Government are aware of the importance we attach to human rights and we, together with our European Union partners, will urge them to continue the process of reform.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs how much money Her Majesty's Government have spent financing the United Nations monitoring organisation MINURSO—the mission for the referendum in Western Sahara; and what benefits this has brought to United Kingdom taxpayers.

Mr. Douglas Hogg: The United Kingdom has paid $8,265,226—£5.5 million—in United Nations-assessed contributions to MINURSO since the operation began in September 1991. In addition, the costs of the United Kingdom military contribution, withdrawn in October 1993, were: financial year 1991-92: £71,600; financial year 1992-93: £815,000; financial year 1993-94: £310,000.

A solution to the conflict in Western Sahara would enhance stability in the region, ease humanitarian suffering and offer potential international trade opportunities. All parties regard MINURSO's presence as instrumental to achieving an eventual settlement, hence the participation in the operation of Argentina, Australia, Austria, Bangladesh, Belgium, Canada, Egypt, Germany, Ghana, Greece, Guinea, Honduras, Ireland, Italy, Kenya, Malaysia, Nigeria, Pakistan, Poland, Switzerland, Togo, Tunisia, Venezuela and, until the United Kingdom withdrawal, all five permanent members of the Security Council.

United Nations peacekeeping is an international obligation of member states, and is resourced according to internationally recognised criteria based upon national income.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what pressure Her Majesty's Government have put on the Moroccan Government since the ceasefire on 6 September.

Mr. Douglas Hogg: The Moroccan Government are aware of our wish to see progress towards the implementation of the United Nations settlement plan. We will maintain our position of strict neutrality in the dispute and continue to support the United Nations Secretary-General in his efforts to resolve outstanding problems, particularly those concerning identification and registration of those eligible to vote in the referendum.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government will be making to the Moroccan Government during the forthcoming signing of the GATT agreement concerning the abuse of human rights.

Mr. Douglas Hogg: None.

Reception, Santiago

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the cost to Her Majesty's Government of the reception at the British embassy in Santiago attended by Lady Thatcher.

Mr. Heathcoat-Amory: About £1,400.

"The European Elections"

Mr. Duncan Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the cost of production and distribution of the pamphlet now being sent to the electorate entitled "The European Elections"; and what contribution to the cost was made from European Community funds.

Mr. Heathcoat-Amory: Production and initial distribution costs amounted to £35,281. This covered the design, the printing of 100,000 copies and the mailing of 38,230 copies. An existing freephone facility is being used to respond to requests for further copies. Each request incurs a postage and handling charge which varies according to the number of booklets involved. Due to demand, a reprint of 150,000 copies has now been ordered at a cost of £11,007. European Comunity funds were not involved.

General Pinochet

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times General Pinochet has visited the British embassy in Santiago since 1990; and how many other meetings he has held either with embassy staff and officials or at which the embassy was represented over the same period.

Mr. Heathcoat-Amory: General Pinochet attended a recent reception in honour of Lady Thatcher at our ambassador's residence, but has never visited the embassy.

Our ambassador called on General Pinochet, who is commander in chief of the army, during his initial courtesy calls. His predecessor paid one similar call.

Our defence attaché has met General Pinochet twice in the course of routine duties.

Stability Pact (Inaugural Conference)

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs whether a date has been fixed for the inaugural conference of the stability pact to be convened in Paris by the European Union according to the decisions taken at the European Council in Brussels on 10-11 December 1993; which Ministers will represent the United Kingdom; and what the agenda will be at that conference.

Mr. Douglas Hogg: The inaugural conference of the stability pact will be held in Paris from 26 to 27 May 1994 at Foreign Minister level. All countries which participate in CSCE meetings will be invited. United Kingdom representation has still to be decided. The agenda for the conference has not yet been finalised; preparations are continuing in consultation with a wide range of countries.

European Communities Act 1972

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ask Parliament to ammend article 2(2) of the European Communities Act 1972 to make inapplicable, in the United Kingdom, without consent of Parliament, any decision of the EEC to which the United Kingdom is opposed.

Mr. Heathcoat-Amory: No. To amend article 2(2) of the European Communities Act 1972 in this manner would put the United Kingdom in breach of its international treaty obligations.

Sierra Leone

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current military situation in Sierra Leone and its effect on displaced people and refugees and the work of aid agencies, with particular reference to British agencies in the country.

Mr. Lennox-Boyd: The recent intensification of attacks by rebels in the east and south-east of the country has forced the movement of rural inhabitants into larger towns and camps. On 12 March a convoy of clearly-marked Catholic mission and hospital vehicles was ambushed, and an Irish priest, a Dutch doctor and his family were killed. As a result, most British aid agencies have withdrawn expatriate workers from the area. At least one agency has withdrawn both expatriate and local staff.

Mozambique

Mr. Hunter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a direct contribution to the funds of political parties in Mozambique for political training and the development of political structures.

Mr. Lennox-Boyd *[holding answer 21 March 1994]:* The Rome peace accords, endorsed by the international community, envisaged assistance to allow RENAMO to participate in the elections as an essential step towards democracy.

We propose to help with the democratic process in Mozambique by contributing £500,000 to the United

Nations trust fund for the implementation of the peace process in Mozambique. Our contribution is subject to confirmation of the agreement of the Government of Mozambique. Several other major donors are already contributing.

DUCHY OF LANCASTER

Premature Mortality

Ms Corston: To ask the Chancellor of the Duchy of Lancaster if he will list the latest studies funded by the Economic and Social Research Council of causes of premature mortality related to *(a)* environmental pollution, *(b)* deprived material conditions of work and *(c)* other forms of material deprivation.

Mr. Waldegrave: The latest studies funded by the Economic and Social Research Council of causes of premature mortality related to *(a)* environmental pollution, *(b)* deprived material conditions of work and *(c)* other forms of material deprivation are as follows:

a. *Environmental Pollution*

The Effects of Warmer Winters on Morbidity and Mortality in Great Britain;

Climate Change Melanoma Risk and Exposure to Ultraviolet Radiation.

Climate Change and Human Health: A Review;

Climate Change and the Incidence and Costs of Food Poisoning in England and Wales.

ESRC-funded Centre for Social and Economic Research on the Global Environment (co-located at University College London and the University of East Anglia).

b. *Deprived Material Conditions of Work*

There are no projects specifically dealing with the relation between mortality and deprived conditions of work although employment is an aspect of much of the more general research on deprivation and mortality which is listed under (c).

c. *Other Forms of Material Deprivation*

The Health of an Invisible Minority: The Irish in Britain
Liverpool University

Income Distribution and National Mortality Rates
Sussex University, Centre for Medical Research

"Deprivation" Indicators: Stability and Reliability over Locality and Lifecycle
City University

Influence of Geographical Setting on Social Differences in Health
University of London

Limiting Long Term Illness: Geographical Inequalities and Their Associations
University of East Anglia, School of Environmental Sciences

Health Inequalities Between Women and Their Families
City University

Health and Social Circumstances from Birth to Mid-Life
London: Institute of Child Health

The Fourth National Survey of Ethnic Minorities
Policy Studies Institute

A Comparison of Women's Health Concerns in Four Societies: A Feasibility Study.

In addition to the above studies funded by the Economic and Social Research Council, further work is also being financed by the Medical Research Council on issues referred to in this parliamentary question. The Department of Health and the universities may also be funding some research which may be relevant.

Ms Corston: To ask the Chancellor of the Duchy of Lancaster if he will list the latest studies funded by the Medical Research Council of causes of premature mortality related to *(a)* environmental pollution, *(b)* deprived material conditions of work and *(c)* other forms of material deprivation.

Mr. Waldegrave: The latest studies funded by the Medical Research Council of causes of premature mortality related to *(a)* environmental pollution, *(b)* deprived material conditions of work and *(c)* other forms of material deprivation are as follows:

(a) Environmental Pollution

The MRC Environmental Epidemiology Unit in Southampton:

(i) Carcinogenicity of pesticides and styrene.

(ii) exposure to aluminium in drinking water and possible association with an increased risk of Alzheimer's disease.

The MRC Cell Mutation Unit (University of Sussex, Brighton, and the MRC Toxicology Unit in Leicester jointly):
Mutant frequency in individuals exposed to petrochemicals as a result of the Braer oil spillage.

(b) Deprived Material Conditions of Work

The MRC Environmental Epidemiology Unit in Southampton:

(i) the possible association between the risk of leukaemia and lymphoma and father's occupational exposure to radiation.

(ii) The possible link between papillomavirus and lung cancer in butchers.

(iii) the relation of mortality to specific aspects of work in submariners.

(iv) whether exposure to mineral acid mists poses an important risk to health.

(v) incidence of cancer in molecular biology research workers.

(vi) mortality and cancer incidence of workers from a paper mill.

(vii) respiratory disease in radiographers.

(viii) national analysis of occupational mortality.

The MRC Cell Mutation Unit (University of Sussex, Brighton): Mutant frequencies in workers exposed to low levels of radiation in the nuclear industry.

The MRC Radiobiology Unit:
The effects of alpha radiation on haemopoietic stem cells in the context of radiation leukaemogenesis.

The Department of Epidemiology and Public Health, University College and Middlesex School of Medicine:
Possible explanations for the observation that civil servants in the lowest grades have higher levels of heart disease, chronic bronchitis, diabetes and other illnesses.

c) *Other Forms of Material Deprivation*

The MRC Cell Mutation Unit (University of Sussex, Brighton):
Mutant frequency in the parents of children who have developed leukaemia.

MRC Medical Sociology Unit in Glasgow:
The differences in morbidity and mortality at the national level between areas of residence.

Department of Public Health and Primary Care, Gibson Laboratories, Oxford:
An investigation of cancer mortality in the vicinity of nuclear establishments in England and Wales.

The H. H. Wills Physics Laboratory, University of Bristol—

MRC supported research:
Possible links between exposure to domestic radon and various non-lung cancers.

In addition to the above studies funded by the Medical Research Council, further work is also being financed by the Economic and Social Research Council on issues referred to in this parliamentary question. The Department of Health and universities may also be funding some research which may be relevant.

Charter Forums

Mr. Gordon Prentice: To ask the Chancellor of the Duchy of Lancaster if he will list the dates and venues of meetings of the charter forums and the number of people who attended.

Mr. Waldegrave: The information requested is set out in the table:

Date	*Venue*	[1]*Attendance*
21 June 1993	Manchester	226
5 July 1993	Birmingham	190
12 October 1993	Newcastle	174
15 October 1993	Bristol	163
2 November 1993	Nottingham	144
9 November 1993	Cardiff	163
24 November 1993	Southampton	155
20 December 1993	Edinburgh	286
10 March 1994	Leeds	148

[1] Registered audience. Totals exclude forum organisers and Cabinet Office staff who attended.

Parliamentary Questions

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster what consideration he gave to the implication for parliamentary questions in preparing his revised draft code of practice on Government information section XV.

Mr. Waldegrave: The code of practice on access to Government information has no implications for the practice of the House concerning parliamentary questions. The draft code published in Cm 2290 included in exemption (xv) a reference to information which could not be sought in a parliamentary question. This has been dropped in the final version of the code, which I announced on 29 March *Official Report*, columns *608-9*. Many members of the public using the code will not be familiar with parliamentary practice on admissibility of questions as described in "Erskine May". Furthermore, the code covers requests for information which may be addressed directly to non-ministerial departments and public bodies, in respect of which the rules on admissibility would be irrelevant.

Civil Estate

Mr. Gordon Prentice: To ask the Chancellor of the Duchy of Lancaster if he will publish the results of the Efficiency Unit's multi-departmental scrutiny of the management of the Government's civil estate.

Mr. Waldegrave: I am currently considering the report of the scrutiny with my colleagues and will announce the Government's conclusions as soon as possible.

NHS Estate

Mr. Gordon Prentice: To ask the Chancellor of the Duchy of Lancaster what plans the efficiency unit has to scrutinise the management of the NHS estate.

Mr. Waldegrave: The efficiency unit has been consulted about the current three-year review of the NHS Estates Agency, but plans no efficiency scrutiny in this area.

Official Entertainment

Mr. Boyes: To ask the Chancellor of the Duchy of Lancaster what was the total cost of official entertaining in his Department in each year since April 1992; if he will list the receptions held in each year at his Department's expense; and what was the cost of each reception.

Mr. Waldegrave: Expenditure on official entertaining in 1992-93 and between April 1993 and February 1994 was as follows:

	1992-93 £	*April 1993 to February 1994* £
Cabinet Office/Office of Public Service and Science (excluding the Prime Minister's Office)	[1]99,000	47,300
COI	4,640	5,680
HMSO[2]	16,000	21,950

[1] Includes £59,000 relating to the launch of Chessington Computer Centre as an executive agency.
[2] Figures for HMSO cover the calendar years 1992 and 1993.

The entertainment budget is used for a variety of functions including receptions. Separate figures for individual functions are not kept centrally.

Computer Systems

Mr. Matthew Taylor: To ask the Chancellor of the Duchy of Lancaster what computer systems his Department have brought in, for what function, and at what cost for each of the last five years; and in each case if the computer system is still in use.

Mr. David Davis: My department has no computer systems which are common to the whole of OPSS and its associated agencies. Networked office automation systems are, however, widely implemented across the Department. Costs for these systems, for the last five years, are as follows:

	£ million
1989-90	0·9
1990-91	1·9
1991-92	2·3
1992-93	3·0
1993-94	1·2

The figures above incorporate the total IT systems expenditure by OPSS Agencies. The cost of systems to support more specific business functions in the agencies, such as recruitment, training, financial management and payroll are therefore included.

Approximate figures for the Central Office of Information are:

	£
1989-90	464,000
1990-91	411,000
1991-92	95,000
1992-93	110,000
1993-94	79,000

All of the above systems are still in use, although many have been upgraded and enhanced during the period in question.

Costs for information technology systems for HMSO are not readily available because of the decentralised nature of their operations.

Consultants

Mr. Matthew Taylor: To ask the Chancellor of the Duchy of Lancaster what information technology consultants his Department has employed in each of the last five years; for what purpose; and at what total cost.

Mr. David Davis: My department has placed a large number of information technology consultancy contracts during the last five years. It is impossible to give a brief summary; I will however write to the hon. Member.

I regret that the costs of IT consultancy are not separately identifiable within my Department's overall expenditure on consultancy and related services.

HOUSE OF COMMONS

Members' Staff

Mr. Allen: To ask the Chairman of the Administration Committee (1) what is the limit on the number of passes hon. Members can have for their staff; when this was agreed; and if the Administration Committee will now review the number;

(2) what appeal an hon. Member has if an additional staff pass is refused by the Serjeant at Arms.

Mr. Michael J. Martin: On 30 January 1989 the House agreed to recommendations contained in the Second Report from the House of Commons Services Committee of Session 1987-88 that, in general, no Member should be entitled to apply for a photo-identity pass for more than three individual members of their personal staff; and that those limits should not be transferable. Any appeal against those rules should be submitted to the Administration Committee. The Committee has no immediate plans to review these arrangements.

Telephone Facilities

Mr. Parry: To ask the Chairman of the Information Committee (1) if he will call for a report into why it was impossible to ring central Liverpool from the House on Tuesday 29 March; and if he will make a statement;

(2) for how long the telephone connection between the House and central Liverpool was unavailable on Tuesday 29 March; and if he will make a statement.

Mr. Michael J. Martin: I have been asked to reply. This is a matter for the Communications Manager.

Parliamentary Questions

Mr. Flynn: To ask the Lord President of the Council what were the 10 most expensive answers to parliamentary questions answered in the past 10 years for which calculations have been made; and what was their total cost.

Mr. Newton *[holding answer 1 February 1994]:* This information could be provided only at disproportionate cost.

PRIME MINISTER

Birmingham

Q8. **Mr. Corbett:** To ask the Prime Minister when he next plans to visit the city of Birmingham.

The Prime Minister: As part of my programme of regional tours to all parts of the country I had the pleasure of visiting Birmingham only yesterday.

Efficiency Unit

Mr. Gordon Prentice: To ask the Prime Minister how many hours per week his adviser on efficiency spends on matters *(a)* relating to work of the Efficiency Unit and *(b)* relating to competition and purchasing.

The Prime Minister: The time my adviser devotes to matters relating to efficiency scrutinies on the one hand and competition and purchasing on the other, and the split between the two, depends on the matters which arise or are referred to him for advice.

European Community Treaties (Veto)

Mr. Spearing: To ask the Prime Minister, pursuant to his oral answer following his statement on 29 March, *Official Report,* column 806, if he will list each of the extant treaties of the European Community and cite the relevant articles therein that provide Her Majesty's Government with veto powers other than those linked to the Luxembourg declaration.

The Prime Minister: The United Kingdom effectively has a veto in areas where decisions are taken by unanimity. Unanimity applies under the following articles of the treaty of Rome, as amended by subsequent treaties:

Article				
8a	99	1091.5	157	198b
8b	100	121	159	201
8e	100c	128	165	209
14.7	103a.1	130	166	217
51	103a.2	130b	168a.2	223
57.2	104c.14	130d	168a.4	227
70	105.6	130i	188	228.2
73c(2)	106.5	130o	188b	235
75.3	109.1	130s	189a	—
76	109f.7	136	194	—
93.2	109l.4	145	198a	—

Kashmir

Mr. Cox: To ask the Prime Minister what requests he has made in his recent dicussions with the Indian Prime Minister for an all-party delegation of hon. Members to be allowed to visit the Indian-administered area of Kashmir; and if he will make a statement.

The Prime Minister: I discussed the issue of access to Kashmir in general terms with the Indian Prime Minister when I met him on 14 March. I welcome the recent visit to Kashmir by some United Kingdom parliamentarians. We have frequently urged the Indian Government to allow visits by independent observers and human rights groups to Kashmir.

Darwin Initiative

Mr. Dalyell: To ask the Prime Minister what proportion of the funds so far allocated as part of his Darwin initiative meet the recommendation of his advisory committee that projects are carried out in co-operation with local people.

The Prime Minister: There are currently 53 projects being funded under the Darwin initiative in almost 40 countries. All the projects involve collaboration with local universities and institutions, conservation organisations or individuals.

Lockerbie Air Crash

Mr. Dalyell: To ask the Prime Minister what is the basis of evidence available to Her Majesty's Government in relation to alleged Libyan involvement in the destruction of Pan Am 103, which has provided the foundation on which the Secretary of State for Scotland has initiated legal action against the insurers of Pan Am in relation to alleged negligence at the Rhein-Main airport in Frankfurt.

The Prime Minister: The civil action is against Pan American World Airways Inc. for damage to the A74 at Lockerbie caused by the destruction of its aircraft. The action is concerned with alleged negligence by Pan American World Airways Inc. and not with alleged Libyan involvement in the destruction of the aircraft. The action is currently being settled.

Tigris and Euphrates Valleys

Mr. Dalyell: To ask the Prime Minister what medical advice has gone to Her Majesty's Government from agencies of the United Nations and Medecins sans Frontieres about malnutrition-related disease, the lack of pharmaceuticals and the shortage of water-pump and water-filter equipment in the valleys of the Tigris and Euphrates.

The Prime Minister: We receive general reports on the humanitarian needs in Iraq from the United Nations agencies and others, although not from Medecins Sans Frontieres. I understand that researchers' attempts to assess nutrition in Iraq have been hampered by a lack of reliable data.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 12 April.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 12 April.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Political Advisers

Mr. Hutton: To ask the Prime Minister how many political advisers were employed by Cabinet Ministers in each year since 1979; and what was the cost of these advisers in constant 1994 prices.

The Prime Minister: The information requested has not been collected centrally at regular intervals. Information available on the number of special advisers, including expert advisers' total pay bills and aggregate figures, is as follows:

Table 1: Number of special advisers

As at:	
March 1994	39
May 1993	42
November 1992	38
November 1991	39
October 1990	33
October 1989	31
July 1988	30

Table 2: Cost of special advisers

As at:	*[1]Paybill £ million*	*[2]1993-94 prices £ million*
March 1994	1·38	1·38
June 1993	1·37	1·42
September 1992	1·30	1·37
September 1991	1·10	1·23
July 1990	0·95	1·12
June 1989	0·93	1·22
September 1988	0·74	1·02

[1] Not including ERNIC and other personnel overheads
[2] Calculated using the GDP deflator

Lords Lieutenant

Mr. Gordon Prentice: To ask the Prime Minister, pursuant to his answer of 3 March, *Official Report*, column *803*, (1) how much is paid from public funds to lords lieutenant towards the cost of their ceremonial uniform; (2) how much is paid from public funds to lords lieutenant towards the cost of their ceremonial uniforms.

The Prime Minister: In 1993 the total contribution paid from public funds to lords lieutenant on appointment towards the cost of their ceremonial uniforms was £4,952·07. In 1992 the figure was £6,932·50.

Mr. Gordon Prentice: To ask the Prime Minister if he will make it his policy to advertise vacancies as and when they arise for lords lieutenant and deputy lords lieutenant in the relevant regional and local press.

The Prime Minister: No. Lords lieutenant are appointed by Her Majesty the Queen on my advice under Crown prerogative. The choice of deputy lieutenants lies in the hands of the lords lieutenant.

Official Gifts

Mr. Tony Banks: To ask the Prime Minister, pursuant to his answer of 30 March, *Official Report* column *788*, if he will give a breakdown of the £18,385 spent on official gifts in 1993 giving a description and the recipient.

The Prime Minister: A range of small gifts were given to a large number of individuals for official purposes.

National Insurance

Mr. Llew Smith: To ask the Prime Minister, pursuant to his answer to the hon. Member for Hornsey and Wood Green (Mrs. Roche) of 29 March, *Official Report*, column 794, who is the right hon. Friend to whom he makes reference.

The Prime Minister: My right hon. and learned Friend the Chancellor of the Exchequer.

Scott Inquiry

Mr. Flynn: To ask the Prime Minister whether all documents requested by Lord Justice Scott from Ministers or departmental officials have now been provided to the inquiry.

The Prime Minister: Yes, although a number of oral hearings are scheduled to take place in May and the provison of further documents and material to the inquiry will continue.

EU Rights and Objectives

Mr. Austin Mitchell: To ask the Prime Minister what assessment he has made of the effectiveness of the Foreign Office in asserting British interests in Europe and defending the British case in conflicts over EU rights and objectives.

The Prime Minister: I have every confidence in the ability of the Foreign Office to further British interests in Europe.

British Manufacturing and Research Company

Mr. Cousins: To ask the Prime Minister which departments or Government agencies hold papers or records relating to the affairs of the British Manufacturing and Research Company.

The Prime Minister: Records of this company are held by Companies House, an executive agency of the Department of Trade and Industry.

General Election

Mr. Winnick: To ask the Prime Minister if he will introduce legislation to ensure that a general election will occur if a Prime Minister resigns or is defeated in a party leadership contest.

The Prime Minister: No.

EC Commission

Mr. Shore: To ask the Prime Minister, pursuant to his oral statement on 29 March, *Official Report*, columns 797-98, whether he will publish *(a)* the text of the oral or written assurances given by the Commission that proposals under the social chapter will not embrace in any way people or organisations in the United Kingdom and *(b)* the text of any Council of Ministers declaration that it is under a legal and binding obligation to seek agreement on the basis of a minority of at least 23 votes.

The Prime Minister: On *(a)*, I refer the hon. Member to the answer my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs gave to the hon. Member for Newham, South (Mr. Spearing) on 30 March. On *(b)*, the text of the Council decision on qualified majority voting has already been deposited in the House.

TREASURY

Listed Building Repairs (VAT)

Mr. Lord: To ask the Chancellor of the Exchequer what plans he has to alter the rate of value added tax on repairs to listed buildings; and if he will make a statement.

Sir John Cope: We have no plans to change the present rate of VAT of 17½ per cent. on repairs to listed buildings.

Bank Auditors

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer how many times in 1990, 1991 and 1992 bank auditors notified the Bank of England of suspected fraud and irregularities.

Mr. Nelson: The term "suspected fraud and irregularities" is capable of being interpreted in different ways. But on the basis of a reasonable interpretation, the Bank of England advises that the number of notifications in those years was as follows:

	Number
1990	2
1991	3
1992	0

I cannot, of course, comment on the details of any particular supervisory case as such information is covered by part V of the Banking Act 1987.

Public Appointments

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will list the organisations and individuals who have been asked, since June 1992, to submit names of individuals to be considered for appointments to paid and unpaid posts for which a Minister has to approve the person or shortlist for the appointment.

Mr. Nelson: The following organisations have been asked, since June 1992, to submit names of individuals to be considered for appointments to paid and unpaid posts for which a Minister has to approve the person or shortlist for the appointment:

Public Appointments Unit
Treasure Trove Reviewing Committee
Royal Mint Advisory Committee
Institute of Chartered Accountants in England and Wales
Chartered Association of Certified Accountants
Institute of Chartered Accountants of Scotland
Institute of Chartered Accountants in Ireland
Institute of Actuaries
The Law Society
The Law Society of Northern Ireland
The Law Society of Scotland
Financial Intermediaries, Managers and Brokers Regulatory Association
Securities and Investments Board
Bank of England
Investment Management Regulatory Organisation
Securities and Futures Authority
Life Assurance and Unit Trust Regulatory Organisation
Royal Institution of Chartered Surveyors

Insurance Brokers Registration Council
Cabinet Office
UK Federation of Business and Professional Women
City Women's Network
National Federation of Independent Financial Advisers Ltd.
Life Insurance Association
Association of British Insurers
British Insurance and Investment Brokers Association
IFA Promotion
Institute of Insurance Brokers
Association of Unit Trusts and Investment Funds
British Bankers Association
Building Societies Association
Building Societies Commission
Chief Registrar of Friendly Societies

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will list each appointment for which a Minister has to approve the appointment or shortlist for the appointment, showing for each appointment *(a)* which Minister exercises the responsibility, *(b)* the salary, if any, attached to the post, *(c)* the term of the appointment and *(d)* the person currently appointed to the post.

Mr. Nelson: The following list covers each appointment for which a Minister has to approve the appointment or shortlist for the appointment detailing *(a)* which Minister exercises the responsibility; *(b)* the salary; *(c)* the term of the appointment; and *(d)* the person(s) currently holding the post(s):

Treasury Trove Reviewing Committee:
(a) Chief Secretary;
(b) No salary;
(c) Five years;
(d) Professor J. D. Evans
Mr. D. Sellwood
Mr. J. A. Och
Mr. P. Finn

Central Statistical Office Management Board:
(a) Chancellor of the Exchequer;
(b) £3,500 per annum;
(c) Two years;
(d) Mrs. M. Berg;
Mr. P. Thornton

Central Statistical Office Advisory Committee:
(a) Chancellor of the Exchequer;
(b) No salary;
(c) 2 years;
(d) Mr. D. Wroe
Mr. D. A. Jones
Mr. A. Armstrong
Sir S. Brittan
Mr. R. Brown
Mr. J. Calder
Mr. A. Chanbraine
Dr. C. Cosgrove
Mr. L. Cousins
Mr. S. Jukes
Mr. M. King
Prof. D. Lievesley
Prof. D. Mayes
Mr. C. Mowl
Mrs. B. Rosewell
Dr. A. Sentance
Dr. J. Whitley
Mrs. A. Wright

Royal Mint Management Board:
(a) Chancellor of the Exchequer;
(b) £4,500 per annum;
(c) 3 years;
(d) Mr. S. Cameron
Mr. S. Taylor
Ms G. Burg, CBE

Royal Mint Advisory Committee:
(a) Her Majesty the Queen on the Chancellor of the Exchequer's recommendation in his capacity as Master of the Mint;
(b) No salary;
(c) 7 years;
(d) HRH The Duke of Edinburgh
Marchioness of Anglesey
Professor E. Arthur Bell
Mrs. Philomena Davison Davis
Sir Hugh Casson
Dr. Christopher Challis
Mr. Mark Jones
Sir John Hale
Michael Harvey
Professor Bryan Kneale
John Porteous
Dr. Conrad Swan

National Savings Board:
(a) Myself;
(b) No salary;
(c) 1 year;
(d) Mr. R. Heape
Mr. M. St. Giles

Public Works Loan Board
(a) Her Majesty the Queen on the advice of the Prime Minister who is advised by the Chancellor of the Exchequer;
(b) No salary;
(c) 4 years;
(d) Sir R. Dent, KCVO
Miss F. M. Cook
Miss V. J. Di Palma, OBE
Mr. G. Ross Russell
Mr. P. Brackfield
Mr. D. Adams
Mr. R. A. Chapman
Mr. A. Morton
Mr. G. G. Williams
Mr. R. G. Tettenborn
Mr. J. E. Scotford, CBE
Mr. A. Gillespie

Financial Services Tribunal:
(a) Treasury appointments agreed by myself;
(b) Daily rate of £291 for Chairmen and £215 for members;
(c) 3 years;
(d) Mr. J. M. Bowers
Mr. D. Campbell
Mr. P. E. Heim
Mr. E. C. Woods
Mr. A. Gordon
Mr. J. E. Drummond Young
Mr. K. A. Blundell
Mr. W. M. Carson
Mr. P. G. Green
Mr. G. C. Grover
Mr. J. L. Kirkpatrick
Mr. A. F. Lamb
Mr. H. G. Littlefair
Sir James McKinnon
Mr. A. W. Mallinson
Mr. W. O'Farrell
Mr. J. B. Page
Mr. R. C. Ritchie
Mr. R. P. Wilkinson
Mr. G. Willetts
Mr. P. D. Williams
Mr. H. Woods

Building Societies Commissioners:
(a) Treasury appointments agreed by myself;
(b) £17,750 per annum;
(c) Normally 3 years;
(d) Mr. H. R. C. Walden, CBE
Mr. F. E. Worsley
Mr. G. Sunderland
Mr. N. Fox-Bassett
Sir J. Birrell

Friendly Societies Commissioners:

(a) Treasury appointments agreed by myself;
(b) £12,700 per annum;
(c) Normally 3 years;
(d) Mr. A. Wilson
Mr. J. A. Geddes
Mr. P. E. Couse
Dr. J. Dine

Value Added Tax Tribunals:

(a) Paymaster General;
(b) £141 fee per day;
(c) 3 years (1 year if over 70);
(d) Mrs. E. R. Adams
Mr. J. Adrian
Ms Caroline S. De Albuquerque
Mr. M. H. Allan
Mr. G. K. Armstrong
Mr. R. Asbridge
Mrs. V. Ashcroft
Mr. R. W. Atkinson
Dr. Norma R. Ball
Mr. J. D. D. Bates
Mr. L. H. Berry
Mr. R. S. Boddington
Mr. R. Bridge
Mr. V. R. V. Brindley
Mr. A. B. Brown
Mr. A. E. Brown
Mr. G. Burnison
Mrs. B. M. Burrell
Mr. J. A. Byrne
Mrs. M. A. T. Calvert
Mr. F. E. T. Card
Mr. J. Carew
Mr. K. Chambers
Mr. R. Chant
Mr. A. H. Charlesworth
Mr. R. E. Cockfield
Mr. I. Condie
Mr. B. Coode
Mr. R. D. Corke
Mr. A. N. Craven
Mr. R. L. H. Crawford
Mr. J. D. Crerar
Mr. J. S. Cullen
Mr. J. P. M. Denny
Miss V. J. Di Palma
Mr. K. S. Dugdale
Mr. J. B. Dynes
Mrs. S. Edmondson
Mr. M. Farooq
Mr. H. W. M. Fiske
Mr. G. Gallon
Mr. C. B. H. Gill
Mr. J. M. Gilliat
Mr. W. Graves
Mr. R. G. Grice
Mr. D. P. Harris
Mr. C. V. Hasted
Mr. F. Hazledine
Mr. A. F. Hennessey
Mr. W. E. Hesketh
Mr. R. D. Hicks
Mr. S. Hobson
Mr. W. C. Hogg
Mr. F. P. de Montezuma Horsey
Mr. M. M. Hossain
Mr. R. M. Ivison
Ms J. M. Jacob
Mr. M. James
Mr. R. L. Jennings
Mrs. R. S. Johnson
Mr. I. A. H. Jordan
Mr. A. Khan
Mr. J. D. Kippest
Mr. J. M. Lapthorne
Mr. P. H. Lawson
Mr. P. D. Lewis
Mr. G. J. C. Lockhart
Miss K. B. Lockhart
Mr. M. McCloy
Mr. G. McCulloch
Mr. E. M. McGahey
Mrs. J. R. A. McGowan
Mr. F. McIlwee
Mr. T. McKeag
Mr. H. McMichael
Mrs. R. J. Mackworth
Mr. K. C. Manterfield
Lt. Colonel T. Marsh
Mr. J. N. Mendelssohn
Mr. G. Miles
Mr. H. W. Millar
Mr. D. V. Mundy
Mr. L. B. Ollier
Mr. R. T. Parkinson
Mrs. R. V. Penn
Mr. T. M. Petherick
Mr. N. H. Phillips
Mr. R. J. Pickerill
Mr. W. J. Pickup
Mr. A. W. Potter
Mrs. G. Pratt
Mr. J. Pratt
Mrs. G. Pritchard
Dr. W. I. Pumphrey
Mr. S. A. Rae
Mr. J. B. Rees
Mr. D. S. Richards
Mr. S. P. Riddell
Mr. A. J. Ring
Mrs. N. J. Roberts
Mr. P. J. Roberts
Mr. A. L. Robinson
Mrs. M. J. R. Rogers
Mr. D. T. S. Rutter
Mrs. S. Sadeque
Mrs. L. M. Salisbury
Mr. G. K. B. Saxby
Mr. P. J. Seward
Mr. M. A. Sharp
Mr. C. R. Shaw
Mr. S. R. Sibley
Mr. M. M. Silbert
Mr. V. Sklar
Mr. B. B. Smith
Mr. F. Smith
Mrs. J. M. Smith
Mr. R. P. Sodagar
Mr. J. T. B. Strangward
Mr. R. S. Suri
Mr. S. W. Telfer
Mr. N. F. Townsend
Mr. M. W. Trace
Mr. W. R. Turner
Dame Joan Fleetwood Varley
Mr. A. W. B. Voge
Dame Rachel E. Waterhouse
Mr. H. E. Watkinson
Mr. M. E. L. Weir
Mr. R. Welch
Mr. P. Whitehead
Mr. L. G. Wilkinson
Miss D. M. Wilson
Mr. J. A Wright

Departmental Staff

Mr. Janner: To ask the Chancellor of the Exchequer how many, and what percentage of officers in each of grades 1 to 7 and overall in his Department are *(a)* women, *(b)* from ethnic minorities and *(c)* disabled, respectively.

Mr. Nelson: The information requested is set out in the table. Figures at *(a)* and *(c)* represent the position as at 1 January 1994. Figures for *(b)* refer to respondents to the

Department's ethnic monitoring survey. Figures for *(c)* are available only for those staff who are registered disabled. The Department employs a number of people with disabilities who have chosen not to register.

	(a) Women		*(b)* Ethnic minorities	
Grade	*Number*	*Per cent.*	*Number*	*Per cent.*
1 and 1A	—	—	—	—
2	1	17	—	—
3	3	14	—	—
4/5	8	11	—	—
6	—	—	—	—
7	34	18	4	2
All staff	639	43	148	10

Proton Cars

Mr. Redmond: To ask the Chancellor of the Exchequer how many Proton cars were purchased by his Departments in each of the last 10 years for which information is available; and at what cost.

Mr. Nelson: None.

Inheritance Tax

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what were the net receipts for inheritance tax in each year since 1986.

Mr. Nelson: The net receipts for inheritance tax in each financial year since 1986-87 are:

	£ million
1986-87	995
1987-88	1,078
1988-89	1,071
1989-90	1,232
1990-91	1,262
1991-92	1,299
1992-93	1,211
[1]1993-94	1,290

[1] Provisional estimate.

The figures include receipts from capital transfer tax and estate duty.

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer (1) what is the estimated cost to the Exchequer in *(a)* 1992-93 and *(b)* 1993-94 of exempting most family businesses from inheritance tax;

(2) if he will estimate the value of inheritance tax revenues forgone by the Inland Revenue through exemptions and reliefs for *(a)* business property, *(b)* agricultural land, *(c)* woodlands, *(d)* works of art and *(e)* historic houses.

Mr. Nelson: The estimated costs of granting relief against inheritance tax for transfers in 1993-94 for the various categories are:

	£ million[1]
(a) Business property	55
(b) Agricultural land	70
(c) Woodlands	negligible

[1]Estimates rounded to nearest £5 million.

Separate estimates for relief for family business are not available: such relief is contained within the estimates for business and agricultural reliefs.

The estimated annual cost of exemptions and reliefs from inheritance tax for heritage property shows significant fluctuations from year to year. Over the past decade the average annual cost has been:

	£ million[1]
(d) Works of Art	80
(e) Land and Buildings	10

[1]Estimates rounded to nearest £5 million.

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer if he will estimate the value of inheritance tax revenues lost by the Exchequer through the use of *(a)* lifetime gifts and *(b)* offshore trusts.

Mr. Nelson: The information requested on these transfers is not kept because these transfers fall outside the inheritance tax charge.

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what percentage of estates in the United Kingdom are liable to inheritance tax.

Mr. Nelson: It is estimated that of estates passing on death in the United Kingdom in 1993-94, about 3 per cent. are liable to inheritance tax.

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer if he will estimate the value of inheritance tax revenues lost by the Inland Revenue each year through the creation of discretionary trusts made during a donor's lifetime.

Mr. Nelson: Lifetime transfers into most discretionary trusts are subject to a charge to inheritance tax at half death rates, and a top-up charge should the donor die within seven years of such transfers. Most discretionary trusts are also subject to a further charge to inheritance tax every 10 years. The purpose of this regime is to ensure that the tax payable on property passing into discretionary trusts is broadly equivalent to the tax payable if it had passed on death. There is no evidence to suggest that, overall, any inheritance tax is lost through the creation of discretionary trusts.

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what is the estimated cost to the Exchequer in *(a)* 1992-93 and *(b)* 1993-94 of raising the relief from inheritance tax from 30 per cent. to 50 per cent. for (i) shareholdings of 25 per cent. or less in unquoted companies, (ii) agricultural landlords, (iii) smaller shareholdings in unlisted securities market companies and (iv) controlling shareholdings in quoted companies.

Mr. Nelson: Under the Finance (No. 2) Act 1992, business assets and farmland which previously qualified for 30 per cent. relief from inheritance tax were granted 50 per cent. relief. Relief at 50 per cent. was also extended to holdings of 25 per cent. or less without control in unlisted securities market companies which previously did not qualify for relief. The combined costs of these changes are about £5 million in a full year. Separate costs for the different categories in terms of receipts in 1992-93 and 1993-94 are all negligible. No change was made to the 50 per cent. relief received by controlling holdings in fully quoted companies.

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer if he will estimate the total value of all property that changes ownership in one year as a result of the death of the previous owner; and what proportion of this is subject to inheritance tax.

Mr. Nelson: For estates passing on death in 1989-90, the most recent year for which figures are available, the total value of property that changed ownership as a result of the death of the previous owner is estimated to be in the region of £25 to £30 billion. Inheritance tax was charged on about £3 billion of this value.

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer if he will estimate the cost to the Exchequer in *(a)* 1992-93, *(b)* 1993-94 and *(c)* 1994-95 of raising the threshold for inheritance tax to £150,000.

Mr. Nelson: The estimated costs to the Exchequer of raising the threshold for inheritance tax to £150,000 in 1992-93, measured against an indexed base, are:

Year	*£ million*
1992-93	10
1993-94	15
1994-95	20

Income Tax

Mr. Redmond: To ask the Chancellor of the Exchequer what is the number and percentage of basic rate and higher rate taxpayers in *(a)* South Yorkshire, *(b)* North Yorkshire, *(c)* West Yorkshire, *(d)* Humberside and *(e)* the United Kingdom for the most recent year for which figures are available.

Mr. Dorrell: The table provides estimates for 1991-92, the latest available year for which information can be provided below the United Kingdom level. Estimates of MIRAS are unreliable at county and regional level and have been excluded from the calculation of tax liability for the counties in the table, and for the United Kingdom for consistency.

	Taxpayers liable at only basic rate		*Taxpayers liable at higher rate*	
	000s	*Per cent.*	*000s*	*Per cent.*
South Yorkshire	505	97·2	14	2·8
North Yorkshire	359	93·7	24	6·3
West Yorkshire	862	95·9	37	4·1
Humberside	327	94·8	18	5·2
United Kingdom	24,800	93·9	1,620	6·1

Ms Corston: To ask the Chancellor of the Exchequer what he estimates to be the total cost in 1994-95 of tax expenditures on *(a)* relief for occupational pension schemes, *(b)* contributions to personal pensions, *(c)* mortgage interest, *(d)* contracted-out rebate for occupational schemes and personal pensions, *(e)* married couple's allowance, *(f)* capital allowances for income tax and corporation tax and *(g)* inheritance tax transfers not exceeding £150,000.

Mr. Dorrell: Estimates for 1994-95 are as follows:

	£ million
Relief for:	
Occupational pension schemes	[1]7,100
Contributions to personal pensions (including retirement annuity premia and FSAVCs)	1,700
Mortgage interest[2]	3,400
Contracted-out rebate for occupational schemes and personal pensions	7,400
Married couple's allowance	3,500
Capital allowances for income tax and corporation tax	[1]14,400
Inheritance tax nil rate band for transfers not exceeding £150,000	[1]4,400

[1] These figures are particularly tentative and subject to a wide margin of error.

[2] This figure is based on the conventional assumption that mortgage interest rates remain at their current levels.

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what estimate he has made of the effect on the average family's tax bill of the Budget changes in the married couple's income tax allowance and mortgage interest relief.

Mr. Dorrell: A basic rate taxpayer in receipt of the married couple's allowance will pay £86 more in income tax in 1994-95 following its restriction to 20 per cent. Mortgage interest relief does not in general depend on the income of the mortgagor. It is estimated that the average size of mortgages in the United Kingdom will be greater than the qualifying maximum of £30,000. Assuming current levels of mortgage interest rates, the reduction in relief on the mortgage of £30,000 or over will be £115·50 in 1994-95.

Pension Schemes (Tax Relief)

Mr. Maxton: To ask the Chancellor of the Exchequer what are his estimates for 1993-94 and 1996-97 of the cost of tax relief for investment income of *(a)* occupational pension schemes and *(b)* personal pension schemes.

Mr. Dorrell: A provisional cost of income tax relief, assuming relief at the basic rate of tax, for the investment income of occupational pension schemes is estimated to be about £5·1 billion in 1993-94. The cost for 1996-97 will depend on future levels of investment, rates of return and tax rates. It is not possible to provide reliable estimates of the cost of exemption for investment income related to retirement annuity contracts and personal pensions.

Taxpayers (Age)

Mr. Maxton: To ask the Chancellor of the Exchequer how many taxpayers are aged over 64 years; and how many of them pay tax at the higher marginal rate.

Mr. Dorrell: The estimated number of taxpayers aged 65 or over in 1994-95 is about 3 million. Of these, about 150,000 will be liable at the higher rate.

Local Government Legislation

Mr. Vaz: To ask the Chancellor of the Exchequer if he will list the Acts of Parliament and Consolidation Acts that affect local government which have been introduced by his Department since 1990.

Mr. Dorrell: My Departments have not introduced any Acts of Parliament since 1990 which are specific to local government. They have, however, introduced Acts containing measures that have been general in their application and will consequently have affected local government in common with other organisations.

Regulatory Bodies

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will list the statutory, professional, self-regulatory, trade associations and other organisations which are recognised as regulatory bodies under the Financial Services Act 1986.

Mr. Nelson: The following are recognised by the Securities and Investments Board under the Financial Services Act 1986.

Self-regulating Organisations (SROs):
Financial Intermediaries, Managers and Brokers Regulatory Association (FIMBRA)
Investment Management Regulatory Organisation (IMRO)
Life Assurance and Unit Trust Regulatory Organisation (LAUTRO)
The Securities and Futures Authority (SFA)

Recognised Professional Bodies:
Chartered Association of Certified Accountants (ACCA)
Institute of Actuaries
Institute of Chartered Accountants in England and Wales (ICAEW)
Institute of Chartered Accountants in Ireland
Institute of Chartered Accountants in Scotland
Insurance Brokers' Registration Council (IBRC)
Law Society
Law Society of Northern Ireland
Law Society of Scotland

Recognised UK Investment Exchanges:
International Stock Exchange of the United Kingdom and the Republic of Ireland Ltd
London International Financial Futures Exchange (LIFFE)
London Metal Exchange (LME)
London Commodity Exchange (LCE)
International Petroleum Exchange (IPE)
OMLX London Securities and Derivatives Exchange (OMLX)

Recognised Clearing Houses:
London Clearing House (LCH)

The following recognised overseas investment exchanges are recognised by the Treasury:
Chicago Mercantile Exchange (CME)
Chicago Board of Trade (CBOT)
National Association of Securities Dealers Automated Quotations (NASDAQ)
New York Mercantile Exchange (NYMEX)
Sydney Futures Exchange (SFE)
Mercado de Futuros Financieros Sociedad Rectora de Productos Financieros Derivados de Renta Fija (MEFF RF)
Mercados de Futuros Financieros Sociedad Rectora de Productos Financieros Derivados de Renta Variable (MEFF RV)

Mr. Cousins: To ask the Chancellor of the Exchequer to what extent fines imposed by regulatory bodies created by the Financial Services Act 1986 are deductible for tax; and what representations he has received on this point.

Mr. Dorrell: The general rule when calculating trading profits for tax purposes is that revenue expenditure incurred wholly and exclusively for the purposes of the trade is an allowable deduction. Expenditure incurred on a fine imposed as a result of a trader committing an infraction would not be incurred wholly and exclusively for the purposes of the trade.

No representations have been received on this point.

National Savings

Mr. Bill Michie: To ask the Chancellor of the Exchequer what restrictions apply to the use of Post Office National Savings accounts by people who cannot sign their names due to mental impairment; and what arrangements may be made for such people living in local authority care to have access to their savings in such accounts.

Mr. Nelson: National Savings ordinary and investment accounts can be opened for mentally disordered persons but only where a receiver has been appointed by the Court of Protection. The receiver will have full control over the management of the account.

Where an account has been opened and the despositor subsequently becomes mentally disordered, National Savings will describe to the applicant the Court of Protection facility but explain that where the balance in the account is £3,000 or less the director of savings has discretion to allow withdrawals from the account where it is considered in the patient's interest and the payment is being made to a proper person.

In cases where the account balance is greater than £3,000 the applicant will be referred to the Court of Protection but the director of savings will offer the facility of discretionary payments to meet immediate needs until a Court of Protection order is issued.

Where there is any doubt in a particular case the matter can be raised with the Public Trust Office. The overriding consideration must be the interests of the patient.

Derivatives and Swaps

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the tax revenues obtained from the derivatives and swaps markets in the United Kingdom; how those revenues are obtained; and whether he has the taxation of such markets under review.

Mr. Dorrell: It is not possible to attribute amounts of tax to specific types of income or gain because tax is charged on each business's total profits, including income and capital gains.

Proposals to reform the tax treatment of financial instruments used by companies for managing interest rate and currency risk were announced in the Budget in November and are included in the present Finance Bill. These proposals will replace the current complex rules with a simple and coherent regime for taxing the profits and losses associated with these instruments.

Mr. Cousins: To ask the Chancellor of the Exchequer what steps he is taking to review the need for regulation of markets in derivatives and swaps; and what steps he has taken to discuss these issues with the Government of the United States of America or with bank and securities regulators both in Britain and the United States of America.

Mr. Nelson: Regulation of markets in derivatives and of institutions involved in derivatives trading in the United Kingdom is the responsibility of the Securities and Investments Board and other bodies recognised under the Financial Services Act 1986, and of the Bank of England and the Building Societies Commission. Representatives of the United Kingdom authorities regularly meet and discuss derivatives trading with their counterparts from other countries, including the United States, in fora such as

the Basle Committee on Banking Supervision and the International Organisation of Securities Commissions, as well as on a bilateral basis as appropriate. In addition, the Securities and Investments Board recently agreed, with the United States Securities and Exchange Commission and the Commodity Futures Trading Commission, a co-ordinated approach to the regulation of over-the-counter derivatives.

Computer Systems

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what computer systems his Department have brought in, for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Nelson: At the end of financial year 1991-92 the Treasury bought a building and asset management system by Ground Modelling Systems for £87,000. First-year maintenance and installation were included in this price. Maintenance in 1993-94 cost £10,000. The system is operational and usage is expanding as more classes of data are entered into it.

In 1992 the Treasury introduced a library system by Dynix. The capital cost of the system was £88,000; 80 per cent. was paid in 1991-92, and 20 per cent. upon completion in early 1992-93. Maintenance costs of the system were £4,000 in 1992-93 and £10,000 in 1993-94. The system is still fully operational and in use.

At the end of the financial year 1993-94 the Treasury invested £50,000 in a DIP—document image processing—pilot project. This system, which required a mixture of purchasing, leasing and utilising existing assets, is operational and is being used to assess the potential uses of DIP technology for the Department.

Corporation Tax

Mr. Mandelson: To ask the Chancellor of the Exchequer how many inspectors were employed on corporation tax technical review in 1991-92, 1992-93 and 1993-94.

Mr. Dorrell: Excluding inspectors employed in specialist offices, the table sets out the total resource input into corporation tax technical review by inspectors working in the Inland Revenue's network of local offices for each of the years since 1991-92:

	Man years
1991-92	745
1992-93	780
1993-94	749

The final figure for the year 1993-94 is not yet available. The figure quoted is based on resource usage for the nine months to January 1994 annualised. The final figure for the year is likely to be higher because the period from January to April tends to be a period when comparatively little annual leave is taken and more time is available for technical review.

Credit for Tax Sparing

Mr. Mandelson: To ask the Chancellor of the Exchequer if he will estimate the amount of revenue forgone through the granting of matching credit for tax sparing for the latest year available.

Mr. Dorrell: The information on which to base such an estimate is not available.

Travellers Charter

Sir Richard Body: To ask the Chancellor of the Exchequer how much Her Majesty's Customs and Excise travellers charter cost to *(a)* print and *(b)* distribute; and what analysis he has made of the value for money of publishing this charter.

Sir John Cope: The total cost of designing and printing the charter has been some £60,000. Commercial distribution has cost some £3,000, but internal distribution costs cannot be calculated without disproportionate expense.

The travellers charter sets standards of service to be provided and allows Customs to monitor and improve performance against those standards. The value of the charter cannot be measured in monetary terms. However, I consider it to make a worth while and effective contribution to our efforts to improve the standard of public services.

Inland Revenue

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer how many collection staff were working for the Inland Revenue in each year since 1979, including 1993; and how many were working in the areas of *(a)* capital gains tax, *(b)* schedule D tax, *(c)* corporation tax, *(d)* PAYE and *(e)* national insurance contributions in each year.

Mr. Dorrell: Figures relating to the number of staff employed by the Inland Revenue are compiled on a financial year basis and the most recent year for which information is available is 1992-93.

Excluding staff employed on central administration, the table sets out the total numbers of Inland Revenue staff engaged on the collection of tax within the Department's accounts offices, local office network, and enforcement offices for each year from 1978-79 to 1992-93 inclusive and the numbers working in the areas of *(a)* capital gains tax, *(b)* schedule D tax, *(c)* corporation tax, and *(d)* PAYE in each year. Under *(d)* the figures include staff used in collecting PAYE from employers and a relatively small number of schedule E tax assessments. As resources usage on national insurance contribution work is incidental to mainstream tax collection it is not separately recorded.

Year	*Total*	*Capital gains tax*	*Schedule D tax*	*Corporation tax*	*PAYE*
1978-79	11,041	135	5,873	560	4,473
1979-80	10,648	148	5,701	584	4,215
1980-81	10,222	143	5,529	597	3,953
1981-82	10,124	126	5,747	409	3,842
1982-83	10,221	116	5,673	390	4,042
1983-84	10,171	113	5,570	394	4,094
1984-85	9,339	92	4,674	557	4,016
1985-86	8,443	92	4,596	559	3,196
1986-87	7,989	85	4,472	530	2,902
1987-88	7,795	105	4,250	538	2,902
1988-89	7,866	121	4,243	571	2,931
1989-90	7,879	92	4,243	570	2,974
1990-91	7,846	79	4,410	549	2,808
1991-92	8,187	70	4,376	532	3,209
1992-93	8,410	69	4,730	492	3,119

Consultants

Mr. Milburn: To ask the Chancellor of the Exchequer how many contracts his Department has had with consultants; and what has been the total cost in each of the last five years.

Mr. Nelson *[holding answer 23 March 1994]:* I regret that information going back beyond 1991 can be obtained only at disproportionate cost.

The table gives the number and value of consultancy contracts awarded by HM Treasury by financial year from 1991-92 to date. Some information is only available from August 1991. In addition, the Department has also incurred expenditure on professional fees in connection with the privatisation programme. These are shown separately.

Year	Consultancy contracts		Privatisation contracts	
	Number of contracts	Value (excluding VAT) (£)	Number of contracts	Value (excluding VAT) (£)
1991-92	14	[1]258,010	10	8,860,632
1992-93	92	1,028,812	14	1,401,593
[2]1993-94	70	1,404,476	12	4,592,295

[1] August to March.
[2] To date.

Civil Servants

Ms Armstrong: To ask the Chancellor of the Exchequer if he will list for each civil service grade in his Departments the number of *(a)* male and *(b)* female, (i) full-time and (ii) part-time employees.

Mr. Nelson *[holding answer 28 March 1994]:* The information requested is set out in the tables for each of the Chancellor's Departments.

Her Majesty's Treasury

Grade	Staff in post		Of which	
	Male	Female	Full-time	Part-time
1	1	—	1	—
1a	3	—	3	—
2	6	—	6	—
Chief Accountancy Adviser	1	—	1	—
3	21	3	23	[1]1
4	3	—	3	—
5	59	9	67	[1]1
6	23	—	23	—
7	157	37	184	[2]10
Senior Executive Officer	61	24	77	[1]8
Senior Scientific Officer	1	—	1	—
Senior Information Officer	1	—	1	—
Senior Librarian	—	1	1	—
Higher Executive Officer (D)	8	5	13	—
Senior Economic Assistant	24	3	27	—
Senior Assistant Statistician	5	—	5	—
Higher Scientific Officer	—	2	2	—
Higher Executive Officer	81	41	121	[1]1
Librarian	—	4	4	—
Administrative Trainee	9	3	12	—
Economic Assistant	12	4	16	—
Assistant Statistician	3	1	4	—
Information Officer	—	1	1	—
Graduate Trainee	1	—	1	—
Executive Officer	108	55	157	[3]6
Assistant Librarian	3	2	5	—
Administrative Officer	102	106	192	[4]16
Administrative Assistant	37	57	89	[1]5
Chief Typing Manager	—	2	2	—
Senior Personal Secretary	—	16	15	[1]1
Typing Manager	—	3	3	—
Personal Secretary	2	109	97	[1]14
Typist	4	45	38	[1]11
Support Manager Band 1	1	—	—	—
Support Manager Band 2	2	2	4	—
Support Manager Band 3	5	2	7	—
Support Grade Band 1	38	15	53	—
Support Grade Band 2	77	36	113	—

[1] Female.
[2] Eight female, two male.
[3] Five female, one male.
[4] 15 female, one male.

Customs and Excise

Grade			Of Which	
	Male	Female	Full-time	Part-time
1	—	1	1	—
2	3	—	3	—
3	6	1	7	—

Grade	Male	Female	Of Which Full-time	Part-time
4	1	—	1	—
5	59	3	62	—
Assistant Solicitor	13	3	16	—
6	89	2	91	—
6/Legal	18	10	26	[1]2
6/Scientific Officer	1	—	1	—
7	381	30	410	[1]1
7/Legal	26	16	41	[1]1
Statistician	—	1	1	—
7/Scientific Officer	—	2	2	—
Economic Adviser	1	—	1	—
Senior Executive Officer	1,434	155	1,582	[1]7
Senior Economic Assistant	1	—	1	—
Senior Scientific Officer	2	2	4	—
Senior Information Officer	2	—	2	—
Senior Legal Assistant	—	1	1	—
Higher Executive Officer	4,088	1,315	5,235	[2]—
Higher Executive Officer (D)	7	4	11	—
Higher Scientific Officer	4	2	6	—
Higher Professional and Technology Officer	3	—	1	—
Higher Telecom Technical Officer	1	—	1	—
Librarian	1	1	2	—
Information Officer	3	—	3	—
Chief Typing Manager	—	2	2	—
Legal Officer	6	6	12	—
Sandwich Course Student	3	—	3	—
Executive Officer	5,562	3,341	8,494	[3]—
Assistant Statistician	1	1	2	—
Economic Assistant	—	1	1	—
Senior Personal Secretary	1	9	10	—
Scientific Officer	—	1	1	—
Photographer	4	—	4	—
Assistant Information Officer	1	1	2	—
Assistant Librarian	3	5	8	—
Legal Trainee	2	1	3	—
Administrative Trainee	2	1	3	—
Professional and Technical Officer	5	—	5	—
Typing Manager	—	23	23	—
Support Manager 2	—	1	1	—
Support Manager 3	3	7	10	—
Personal Secretary	—	110	106	4
Trainee Typist	—	3	3	—
Typist	3	420	315	[1]108
Administrative Officer	2,412	3,223	5,192	[4]—
Administrative Officer Data Processor	14	34	46	[1]2
Support Grade Band 1	80	76	149	[5]—
Administrative Assistant	1,175	1,979	2,885	[6]—
Administrative Assistant Data Processor	20	144	133	[1]31
Support Grade Band 2	378	246	503	[7]—
Support Grade 2	1	9	—	[8]—

[1] Female.
[2] 155 (Female), 13 (Male).
[3] 388 (Female), 21 (Male).
[4] 432 (Female), 11 (Male).
[5] 9 (Female), 1 (Male).
[6] 245 (Female), 24 (Male).
[7] 105 (Female), 16 (Male).
[8] 9 (Female), 1 (Male).

Government Actuary's Department

Grade	Staff in post Male	Female	Of which Full-time	Part-time
Government Actuary	1	—	1	—
Directing Actuary	3	—	3	—
Chief Actuary	7	—	7	—
Actuary	20	3	18	[1]5
Trainee Actuary	11	5	16	—
Grade 6	1	—	1	—
Grade 7	1	—	1	—
Senior Executive Officer	—	3	3	—
Higher Executive Officer	4	—	4	—
Executive Officer	2	2	4	—
Administrative Officer	2	4	5	[1]1
Administrative Assistant	1	—	1	—

Grade	Staff in post		Of which	
	Male	Female	Full-time	Part-time
Senior Personal Secretary	—	1	1	—
Personal Secretary	—	3	3	—
Typist	—	1	1	—
Support Grade Band 1	1	—	1	—
Support Grade Band 2	2	—	2	—

[1] Four male, 1 female.
[2] Female.

Inland Revenue

Civil Service grade	Equivalent Inland Revenue pay grade	Male	Female	Of which	
				Full-time	Part-time
1	—	1	—	1	—
2	—	3	—	3	—
3	—	17	—	17	—
4	Band A1	32	1	33	—
5	Band A2	200	15	213	[1]2
6	Band B1	741	75	809	[2]7
7	Band B2	1,503	409	1,844	[3]68
Higher Executive Officer (D)	Band B3	265	135	391	[4]9
Senior Executive Officer	Band C1	1,534	265	1,763	[5]36
Higher Executive Officer	Band C2	4,167	2,082	5,956	[6]293
Executive Officer	Band D	6,363	7,845	12,426	[7]1,782
Administrative Officer	Band E1	5,366	15,054	16,780	[8]3,640
Administrative Assistant/Typist	Band E2	4,416	13,130	14,188	[9]3,358

[1] Female.
[2] One male, six female.
[3] Eight male, 60 female.
[4] Four male, 32 female.
[5] 23 male, 270 female.
[6] 43 male, 1,739 female.
[7] 73 male, 3,567 female.
[8] 88 male, 3,270 female.

Central Statistical Office

Grade	Staff in post		Of which	
	Male	Female	Full-time	Part-time
1A	1	—	1	—
2	1	—	1	—
3	3	—	3	—
4	1	—	1	—
5	17	4	21	—
6	8	—	8	—
7	62	16	72	[1]6
Senior Executive Officer	31	16	47	—
Senior Assistant Statistician	16	10	25	[2]1
Assistant Statistician	8	6	14	—
Higher Executive Officer	103	72	157	[3]18
Executive Officer	175	179	327	[4]27
Administrative Officer	162	316	418	[5]60
Administrative Assistant	31	66	87	[6]10
Senior Personal Secretary	—	3	3	—
Personal Secretary	—	28	25	[6]3
Other	17	37	47	[6]7

[1] Two male, four female.
[2] Male.
[3] Two male, 16 female.
[4] Two male, 25 female.
[5] 1 male, 59 female.
[6] Female.

National investment and loans office

Grade	Male	Female	Of which	
			Full-time	Part-time
5	1	—	1	—
7	1	1	2	—
Senior Executive Officer	1	1	2	—

Grade	Male	Female	Of which Full-time	Part-time
Higher Executive Officer	5	1	6	—
Executive Officer	8	4	12	—
Administrative Officer	2	6	8	—
Administrative Assistant	—	2	1	[1]1
Personal Secretary	—	1	1	—
Typist	—	1	1	—
Support Grade Band 1	—	1	1	—
Support Grade Band 2	—	2	2	—

[1] Female.

Registry of friendly societies

Grade	Male	Female	[1]Of which Full-time	Part-time
2	—	1	1	—
3	1	—	1	—
4	3	—	3	—
5	7	—	6	[1]1
6	5	1	6	—
7	13	8	21	—
Senior Executive Officer	14	3	17	—
Higher Executive Officer	18	9	27	—
Executive Officer	21	16	34	[2]3
Administrative Officer	11	21	30	—
Administrative Assistant	6	5	11	—
Senior Personal Secretary	—	3	3	—
Personal Secretary	—	8	8	—
Specialist Typist	—	4	4	—
Support Manager 3	—	1	1	—
Support Grade Band 1	2	—	2	—
Support Grade Band 2	11	—	11	—

[1] Male.
[2] One male, two female.
[3] Female.

Office of the Paymaster General

Grade	Male	Female	Of which Full time	Part time
5	1	—	1	—
6	3	—	3	—
7	7	2	9	—
Senior Executive Officer	23	6	29	—
Higher Executive Officer	52	47	91	[1]8
Executive Officer	57	103	139	[2]21
Administrative Officer	77	298	279	[3]96
Administrative Assistant	22	142	93	[4]71
Typing Manager	—	1	1	—
Typist	—	9	3	[5]6
PS	—	2	2	—
Support Manager 3	—	1	1	—
Support Grade Band 1	2	9	8	[5]3
Support Grade Band 2	10	13	17	[5]6

[1] 1 Male, 7 Female
[2] 2 Male, 19 Female
[3] 4 Male, 92 Female
[4] 1 Male, 70 Female
[5] Female

Department for National Savings

Grade	Male	Female	Of which Full-time	Part-time
3	2	—	2	—
5	5	1	5	[1]1
6	8	—	8	—
7	38	3	41	—
Senior Executive Officer	101	17	118	—
Higher Executive Officer	200	122	319	[2]3
Executive Officer	375	478	803	[3]50
Administrative Officer	604	2,097	2,206	[4]495
Administrative Assistant	648	1,626	1,894	[5]380
Other	126	60	—	—

[1] Female.
[2] 1 Male, 2 Female.
[3] 1 Male, 49 Female.
[4] 10 Male, 485 Female.
[5] 8 Male, 372 Female.

Royal Mint

Grade	Male	Female	Of which Full-time	Of which Part-time
Grade 3	1	—	1	—
Grade 4	1	—	1	—
Grade 5	2	—	2	—
Grade 6	2	—	2	—
Grade 7	11	—	11	—
Senior Executive Officer (equivalent)	11	3	14	—
Higher Executive Officer	14	5	19	—
Curator Grade F	1	—	1	—
Executive Officer	26	20	46	[1]3
Administrative Officer	31	56	87	[1]11
Administrative Assistant	—	11	11	[1]2
Senior Personal Secretary	—	1	1	—
Personal Secretary	—	5	5	—
Typing Manager	—	1	1	—
Typists	—	8	8	—
Higher Photographic Officer	1	—	1	—
Photographic Officer	1	—	1	—
Laboratory Assistant	—	1	—	[1]1
Senior Messenger	2	—	2	—
Messenger	1	3	4	[1]3
Car Drivers	2	1	3	—
Telephonists	—	—	—	[1]2
Cleaners	—	2	2	[1]5
Senior Professional and Technical Officer (equivalent)	9	—	9	—
Higher Professional and Technical Officer	21	—	21	—
Professional and Technical Officer	72	2	74	—
Technical Grade I	1	—	1	—
Process and General Supervisory Grade D	2	—	2	—
Senior Scientific Officer	2	—	2	—
Higher Scientific Officer	2	—	2	[1]1
Scientific Officer	15	1	16	—
Engraver I	1	—	1	—
Trainee Engraver	1	—	1	—
Engraver II	5	—	5	—

[1] Female

Accommodation (Tax)

Mr. Alan Williams: To ask the Chancellor of the Exchequer whether the amount of the deduction or the market rental value of the accommodation is used to calculate the tax due when assessing the value for tax purposes of accommodation provided as part of salary.

Mr. Dorrell *[holding answer 29 March 1994]:* Employees who choose to spend part of the wages to which they are entitled on accommodation from their employer remain taxable on their full wages.

Employees who have living accommodation provided by reason of their employment are liable to tax on the value of the accommodation, subject to certain statutory exemptions. The value of the accommodation for tax purposes is the annual value of the property or the rent paid for it if that is greater. Annual value is defined in the same way as the annual value which was formerly used for rating purposes and the figures taken for income tax purposes is usually the same as the gross value last used for rating purposes. There is an additional charge for certain properties which cost more than £75,000.

The basis of valuation of living accommodation provided by reason of an employment is currently being reviewed to find a practical replacement for figures from rating lists.

Inflation

Sir John Stanley: To ask the Chancellor of the Exchequer what is the current annual rate of inflation; and in which year inflation was last lower.

Mr. Nelson *[holding answer 31 March 1994]:* In February the RPI excluding mortgage interest payments was 2·8 per cent. higher than a year earlier. Other than in November and December 1993 the inflation rate was last lower in January 1968, when it was 2·6 per cent.

International Monetary Fund (Russia)

Sir Thomas Arnold: To ask the Chancellor of the Exchequer what are the full terms of the latest agreement between the International Monetary Fund and Russia; and if he will make a statement.

Mr. Nelson *[holding answer 31 March 1994]:* A joint communiqué was issued on 22 March by the managing director of the IMF and the Russian Prime Minister announcing that agreement would soon be reached on the terms for the disbursement of the second tranche of the systemic transformation facility—$1·5 billion. Those terms were to be outlined in a Russian Government memorandum of economic policy to be presented to the IMF. As yet, that memorandum has not been finalised.

I very much welcome the progress made towards agreement between the Russian Government and the IMF.

Income Statistics

Sir John Stanley: To ask the Chancellor of the Exchequer what was the percentage change in real disposable income between February 1974 and May 1979; and what it has been since May 1979.

Mr. Nelson *[holding answer 31 March 1994]:* Figures for real personal disposable income are available only quarterly. The total increase in RPDI between the first quarter of 1974 and the second quarter of 1979 was nearly 11 per cent. The total increase in RPDI between the second quarter of 1979 and the fourth quarter of 1993 was 42 per cent.

Forward Catering

Mr. Alan Williams: To ask the Chancellor of the Exchequer what price was paid for Forward Catering; and what provision was made in the sale agreement for financial responsibility for redundancies.

Mr. Nelson *[holding answer 31 March 1994]:* I refer the right hon. Member to my reply to my hon. Friend the Member for Basingstoke (Mr. Hunter) on 15 February, column *703.* The sale agreement provided for the purchaser to indemnify the Treasury from all costs arising from the termination of employment of employees after the transfer date.

Bank Rate

Sir John Stanley: To ask the Chancellor of the Exchequer what is the current bank rate of interest; and in which year it was last lower.

Mr. Nelson *[holding answer 31 March 1994]:* Base rates now stand at 5¼ per cent. Base rates have not been lower since 1972.

EU Growth Rate

Sir John Stanley: To ask the Chancellor of the Exchequer what was the growth rate in each EU country in the latest year for which figures are available; and what are the estimated growth rates for 1994.

Mr. Nelson *[holding answer 31 March 1994]:* Estimates for 1993 are available in table 2 of the annual economic report of the European Commission. The most recent country-by-country Commission forecasts for 1994 were published in table 10 of "European Economy", edition No. 55. These figures show that the United Kingdom had the fastest growth rate in the Community in 1993 and is expected to grow faster than any other major EC country in 1994.

EMPLOYMENT

Building Projects

Mr. Redmond: To ask the Secretary of State for Employment what major building projects valued at over £1 million are being or have been wholly or partly financed since 1989 in *(a)* Doncaster, *(b)* Barnsley, *(c)* Rotherham and *(d)* Wakefield by his Department; and what was the cost of each project to his Department.

Mr. Michael Forsyth: None so far as the Department, the Health and Safety Executive and the Advisory, Conciliation and Arbitration Service are concerned. In the case of the Employment Service agency, responsibility for the subject of the question has been delegated to the chief executive. I have asked him to arrange for a reply to be given.

Letter from Mr. A. G. Johnson to Mr. Martin Redmond, dated 12 April 1994:

The Minister of State for Employment has asked me to reply to your question about major building projects valued at over £1m which are being, or have been, wholly or partly financed by the Employment Service since 1989 at Doncaster, Barnsley, Rotherham and Wakefield. I am replying in the Chief Executive's absence.

The Employment Service (ES) has commissioned three projects which meet the criteria set out in your question. The details are:

a. Doncaster—No projects.

b. Barnsley—A private developer built the ES Jobcentre to our specification and it was subsequently rented. ES expenditure on fitting out the building was £423,000. The total value of the building is estimated at £2·25 million. The building was occupied on 5 October 1992.

c. Rotherham—A private developer constructed a building housing three ES Jobcentres to our specification and it was subsequently purchased. The total cost of the project was £2,706,000 wholly funded by the ES. The building was occupied on 26 June 1992.

d. Wakefield—A private developer built the ES Jobcentre to our specification and it was subsequently rented. ES expenditure on fitting out the building was £440,000. The total value of the building is estimated at £2·25 million. The building was occupied on 19 July 1993.

I hope this is helpful.

Unemployment Benefit

Ms Armstrong: To ask the Secretary of State for Employment how many people in each region were in receipt of unemployment benefit only *(a)* in total and *(b)* who had been unemployed for more than six months at the latest available date.

Miss Widdecombe: Information is not available, by region, on the numbers of people claiming unemployment benefit only.

The available information relates to the numbers of people claiming all unemployment-related benefits—that is, unemployment benefit, income support and national insurance credits. Unadjusted information by duration for the months of January, April, July and October can be obtained from the NOMIS database in the Library.

Employment Schemes

Mr. Robert Ainsworth: To ask the Secretary of State for Employment what was *(a)* the total money spent, *(b)* the percentage of that money allocated according to decisions made by Ministers on competitive bids and *(c)* the percentage of that money allocated according to some statistical measure of need in the last available operational year of (i) Employment Service programme development fund, (ii) education business partnerships, (iii) teacher placement scheme, (iv) compacts, (v) business start-up scheme, (vi) local initiative fund and (vii) TEC Challenge.

Miss Widdecombe: Money spent on these programmes in the last available operational year—1992-93—was:

		£ million
(i)	Programme Development Fund	4·710
(ii)	Education Business Partnerships	1·980
(iii)	Teacher Placement Scheme	3·413
(iv)	Compacts	5·356
(v)	Business Start-up Scheme	62·018
(vi)	Local Initiative Fund	49·700

Expenditure for (i) was for Great Britain; expenditure for (ii) to (iv) was for England. Funding for TEC Challenge was not available in the 1992-93 operational year.

Budgets for the programme development fund were allocated with the regional level of long-term unemployment as a key consideration.

Budgets for TEC challenge were allocated in 1993-94 on the basis of competitive bids.

Budgets for the remaining programmes were allocated on the basis of proposals by training and enterprise councils in their business plans, taking into account commitments arising from previously approved programmes, performance against previous plans, for the business start-up scheme and the local initiative fund, the size of working population in different areas, and for the teacher placement service, the number of teachers.

Productivity Rewards

Mr. Austin Mitchell: To ask the Secretary of State for Employment, pursuant to his answer of 11 March, *Official Report*, column *433*, concerning rewards for productivity, to what extent the statistical series referred to have changed since 1979.

Miss Widdecombe: The following changes in classification have taken place to the new earnings survey since 1979:

1983

Employees were classified by industry according to the 1980 Standard Industrial Classification, SIC 1980. The 1982 survey was classified by both the SIC, 1968, and SIC, 1980, versions and earlier surveys were classified by SIC, 1968;

1984

Employees were classified as to whether they were paid adult or non-adult rates. In previous surveys employees were classified as being adults if they were males aged 21 or over or females aged 18 or over. The 1983 survey was classified on both bases in 1983.

1991

The occupations of employees were coded using the Standard Occupational Classification, SOC. Previously classification has been to the list of Key Occupations for Statistical Purposes, KOS. The survey was classified on both bases in 1990. *Note:* employees in the survey are classified as either manual or non-manual by their occupation.

Employees are classified to either the public or private sector in the following way: *(a)* those reported to be affected by a major collective agreement: to the sector in which the agreement mainly operates; *(b)* other employees: to the public sector—central Government, local government or public corporations—or to the private sector in accordance with the industrial classification of the firm.

During the period mentioned in the question there were compositional changes to these sectors due to the movement of businesses from the public to the private sector.

There have been no substantive changes in the method of calculating the statistical series referred to, although the output series used in the calculation of productivity in manufacturing have been revised slightly in 1980 and 1992 to reflect revised SIC definitions of manufacturing industry.

Labour Statistics

Mr. Kevin Hughes: To ask the Secretary of State for Employment what information he has on the number of unfilled vacancies in Thorne and Doncaster jobcentres from 8 January.

Miss Widdecombe: In February 1994 the number of unfilled vacancies in Thorne and Doncaster jobcentres were 66 and 426 respectively.

Mr. Kevin Hughes: To ask the Secretary of State for Employment how many people apply for each vacancy advertised in United Kingdom jobcentres.

Miss Widdecombe: The information is not available.

Unemployment (Doncaster)

Mr. Redmond: To ask the Secretary of State for Employment how many people in the Doncaster area have been unemployed for more than two years; and what percentage of the unemployed in Doncaster this represents.

Miss Widdecombe: In the Doncaster travel-to-work area the number of people who had been claimant unemployed for over two years in January 1994 was 3,436 or 22·3 per cent. of the total number of unemployed claimants in the area. These figures are on the unadjusted basis.

Mr. Redmond: To ask the Secretary of State for Employment how many people were placed into employment by jobcentres in the Doncaster area in each month since April 1992; and what percentage of the unemployed in the Doncaster area this represents.

Miss Widdecombe *[pursuant to her reply, 17 March 1994]:* I regret that due to a printing error, part of my original reply of 17 March 1994, *Official Report*, column *809*, related to census of employment figures rather than the claimant unemployment figures for the Doncaster area. The correct reply follows:

Information on monthly jobcentre placings and monthly claimant unemployment levels can be obtained from the NOMIS database in the Library. However, it is not meaningful to compare flow figures—placings—with stock figures—unemployment levels.

Moreover, jobcentre placements represent only a quarter of all placings made nationally, and this proportion is likely to vary between different regions, different skills and different occupations. Furthermore, within any one area, there is not necessarily a strong match between the skills of the unemployed and the nature of the vacancies available.

During 1993, jobcentres in the Doncaster area placed more than 400 people into employment each month.

Local Government Legislation

Mr. Vaz: To ask the Secretary of State for Employment if he will list the Acts of Parliament and Consolidation Acts that affect local government that have been introduced by his Department since 1990.

Mr. Michael Forsyth: One aspect of employment legislation since 1990 has been identified as having an effect on local government.

The Trade Union Reform and Employment Rights Act 1993, sections 45 and 46, amend the Employment and Training Act 1973 on the provision of the Careers Service.

May Day Holiday

Mr. Gunnell: To ask the Secretary of State for Employment (1) with what organisation he consulted in his 1993 discussions on the future of the May day holiday;

(2) how may individuals or organisation not otherwise consulted wrote to him on the future of the May day holiday during his 1993 consideration of this issue.

Mr. Michael Forsyth: The Department consulted a wide range of organisations. These included organisations in the manufacturing and service industries, tourism and education sectors.

A total of 1,557 copies of the consultation document were issued, 1,407 to organisations and 150 to individuals. Some 552 organisations and 433 individuals wrote to the Department in response to the consultation.

Mr. Gunnell: To ask the Secretary of State for Employment what is his estimate of the staffing costs of his 1993 consultation on the future of the May day holiday.

Mr. Michael Forsyth: The information requested could be obtained only at disproportionate cost.

Earnings

Mr. Austin Mitchell: To ask the Secretary of State for Employment, pursuant to his answer of 11 March, *Official Report*, column *433*, concerning rewards for productivity, whether he will publish in *Economic Trends* and its annual supplement figures matching those in table 23 showing as in index the increase in real wages of manual and non-manual workers broken down as between the public sector, private sector services and private sector manufacturing.

Mr. Nelson: I have been asked to reply.

Increases in real wages can be calculated by taking the average earnings index and adjusting it to take account of the retail prices index, both of which are published in *Economic Trends*.

Monthly data on average earnings are not available for manual and non-manual workers in the public sector, private sector services and private sector manufacturing.

NORTHERN IRELAND

Roads

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when he last discussed with the Republic of Ireland the improvement of the road network within the Republic to facilitate access to the ports of Belfast and Larne in Northern Ireland.

Mr. Tim Smith: There are regular exchanges at official level with the Republic of Ireland about cross-border road issues. There have been no recent discussions at ministerial level.

Transport Links

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when he last discussed transport links with *(a)* the Scottish Office and *(b)* the Republic of Ireland; and if he will make a statement about transport communications from Northern Ireland to both Scotland and the Republic of Ireland.

Mr. Tim Smith: There are frequent contacts at official level with the Scottish Office and the Republic of Ireland authorities about transport links with Scotland and the Republic of Ireland respectively. The intergovernmental conference last discussed north-south transport issues on 27 April 1992. Transport links with Scotland have not involved recent ministerial contact.

Income Support

Mr. Maginnis: To ask the Secretary of State for Northern Ireland to what extent active involvement of over 12 hours per week during normal working hours in the organisation and running of a political party is taken as sufficient ground for refusing an unemployed claimant income support on the basis that the person is not actively seeking work or available for work.

Mr. Ancram: Responsibility for the subject in question has been delegated to the Social Security Agency under its chief executive, Mr. Alec Wylie. I have asked him to arrange for a reply to be given.

Letter from A. Wylie to Mr. Ken Maginnis, dated 30 March 1994:

I have been asked to reply to your recent Parliamentary Question about the effect which active involvement in the work of a political party has on an unemployed person's entitlement to Income Support.

Firstly, I should explain that entitlement to Income Support depends on the facts surrounding the individual's circumstances, decisions on which are taken by Adjudication Officers who are independent of the Department of Health and Social Services.

Active involvement of over 12 hours a week in the organisation and running of a political party is not of itself sufficient grounds for refusing benefit. Much would depend on the individual's particular circumstances as to whether he or she fully satisfied the availability and actively seeking work conditions.

I hope this explains the position for you.

Society of Local Authorities

Mr. McGrady: To ask the Secretary of State for Northern Ireland on how many occasions, in the past two years, the Parliamentary Under-Secretary of State for the Department of the Environment (Northern Ireland) has met the Society of Local Authority Chief Executives; and what matters were discussed.

Mr. Tim Smith: Once. Following a recent invitation from the chairman of the Society of Local Authority Chief Executives, I met the society for a wide-ranging discussion on local government issues.

GP Fundholders

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland how many budget-holding practices there are in Northern Ireland; and what percentage this is of the total number of GP practices.

Mr. Ancram: There are 43 GP fundholding groups in Northern Ireland, comprising 61 GP practices. This represents 17 per cent. of the total number of practices.

Company Records

Mr. Cousins: To ask the Secretary of State for Northern Ireland if the company records of SRC Composites Ltd. and Camira Technical Corporation Ltd. are available in Companies House, Belfast.

Mr. Tim Smith: These company records are available at the Registry of Companies, Department of Economic Development, IDB house, 64 Chichester street, Belfast, BT1 4JX.

Emergency Housing

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland if he will ensures that the Housing Executive continues to make special provision in providing houses in an emergency in Northern Ireland, following consultation on the access to local authority and housing association tenancies paper.

Mr. Tim Smith: The Housing Executive ensure that, in carrying out its responsibilities, priority is given to those in greatest housing need. The consultation paper "Access to Local Authority and Housing Association Tenancies" describes the Government's proposals for ensuring fairer access to local authority and housing association tenancies in England. The views of interested parties in Northern Ireland are being sought prior to considering whether changes are needed to the arrangements operating in Northern Ireland.

Health Boards (Rationalisation)

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what assessment he has made of the effects on the health care of the population of Northern Ireland of the rationalisation plans introduced by each of the health boards.

Mr. Ancram: I am not aware of the rationalisation plans referred to. Health and social services boards are expected to produce area strategies every three years which set out how they intend to achieve the objectives set in the Government's regional strategy, the current edition of which covers the period 1992 to 1997. As part of the process of implementing the regional strategy, which is designed to improve the health and social well-being of the population of Northern Ireland, boards are required to assess health and social care needs; secure the provision of a range of services; and monitor outcomes. I am glad to say that, as a result, the health care of the people of Northern Ireland continues to improve, with, for example, more people than ever being treated in hospital, fewer people waiting for treatment, infant mortality rates at an all-time low and fewer people dying prematurely from heart disease or strokes.

Rents

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what effect the increase in rents of the Northern Ireland Executive houses has had on the total amount of housing benefit paid to tenants in Northern Ireland for each of the years 1992, 1993 and 1994.

Mr. Tim Smith: The total amount of housing benefit paid to Housing Executive tenants was £130·8 million in 1991-92, £144·1 million in 1992-93 and is projected to be £156·9 million in 1993-94. The increases in Housing Executive rents in those years were 8 per cent, 9·5 per cent. and 7·75 per cent. respectively. A number of factors affect the total amount of housing benefit paid to Housing Executive tenants and it is not feasible to isolate the impact of rent increases.

Social Security

Lady Olga Maitland: To ask the Secretary of State for Northern Ireland what is his Department's policy in giving social security to those who are suspected of supporting terrorism.

Mr. Ancram: All claims for social security benefits are treated strictly in accordance with the law and awards where there is a valid entitlement.

Lady Olga Maitland: To ask the Secretary of State for Northern Ireland what plans he has to review social security benefits to Mr. Gerry Adams and Mr. Tom Hartley.

Mr. Ancram: Responsibility for the subject in question has been delegated to the Social Security Agency under its chief executive, Mr. Alec Wylie. I have asked him to arrange for a reply to be given.

Letter from A. Wylie to Lady Olga Maitland, dated 7 April 1994:

I have been been asked to reply to your recent question on what plans there are to review social security benefits to Mr. Gerry Adams and Mr. Tom Hartley.

I should first explain that information on a person's entitlement to social security benefits, including whether or not they are claiming or getting benefit, is confidential. I am therefore unable to comment on individual cases. However, I can assure you that all claims to benefit are assessed and regularly reviewed by independent adjudication officers, strictly in accordance with social security law and payment is made only where there is a valid entitlement.

I hope this letter sets out the position for you.

Irish-medium Education

Mr. McGrady: To ask the Secretary of State for Northern Ireland when the review into Irish-medium education will be completed; and if he will make a statement.

Mr. Ancram: Officials have had a number of discussions with Irish language interests over the last year on all aspects of provision for Irish-medium education. I will be carefully considering the issues raised, with a view to reaching decisions before the end of the present school year.

Rented Accommodation

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what percentage of rented accommodation in Northern Ireland is provided by the private sector *(a)* in urban areas and *(b)* in rural areas.

Mr. Tim Smith: A total of 3·59 per cent. of total occupied housing stock in Northern Ireland is privately rented. A breakdown of this figure for urban and rural areas is not available.

Hospital Beds

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland if he will publish the number of hospital beds available for use in Northern Ireland for each of the years 1991, 1992 and 1993.

Mr. Ancram: The average number of available beds in Northern Ireland is shown in the table:

	1990-91	*1991-92*	*1992-93*
Available beds in wards open overnight	13,488	12,600	11,712
Available beds in dedicated day case wards	88	87	141
Total available beds	13,576	12,687	11,853

Ill Health

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland if he will publish details of initiatives taken by his Department to prevent ill health in the communities in Northern Ireland.

Mr. Ancram: The regional strategy for the health and personal social services in Northern Ireland, published in November 1991, emphasises health promotion and disease prevention as the key to health gain. It sets a series of objectives and targets for a number of key areas and risk factors aimed at securing lasting improvements in the health and well-being of the population of Northern Ireland.

Firearm Certificates

Sir Jerry Wiggin: To ask the Secretary of State for Northern Ireland what was the total sum received in Northern Ireland for *(a)* firearm certificates and *(b)* shotgun certificates during 1993 or the most recent year for which figures are available.

Sir John Wheeler: In Northern Ireland, the possession of any firearm, including a shotgun, requires a firearm certificate. In 1993, the total sum received for firearm certificates was £1,118,484.

It would not be possible to provide a separate figure for the cost of those firearm certificates relating solely to shotguns without incurring disproportionate cost.

Roads

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when he last discussed with the Scottish Office the road networks within Scotland leading to the Port of Stranraer and facilitating access to the ports of Belfast and Larne in Northern Ireland.

Mr. Tim Smith: There have over the years been several discussions with the Scottish Office at official level about the road networks in Scotland which provide access to the Scottish ports serving Northern Ireland. There has been no recent discussion at ministerial level.

WALES

Departmental Spending

Mr. Sweeney: To ask the Secretary of State for Wales if he will estimate how much his Department spends in each parliamentary constituency in Wales.

Mr. Redwood: Expenditure by the Welsh Office is not held on this basis.

Hospital Closures

Mr. Gordon Prentice: To ask the Secretary of State for Wales what considerations led him to collect centrally information on hospital closures.

Mr. Gwilym Jones: My right hon. Friend needs to satisfy himself that public consultation on hospital closures takes place in accordance with current guidelines. To monitor this, health authorities in Wales are providing information on planned hospital closures and major service changes. All hospital closures objected to by community health councils are referred to my right hon. Friend for decision.

Planning Policy Guidance

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will make it his policy that PPG 13 applies to Wales.

Mr. Gwilym Jones: Planning policy guidance note 13, "Highways Considerations in Development Control", remains extant in Wales. It is under review and my right hon. Friend will be issuing revised guidance for Wales.

Engagements

Mr. Richards: To ask the Secretary of State for Wales how many engagements he has fulfilled in Wales since he became Secretary of State; and if he will make a statement.

Mr. Redwood: Since I have been Secretary of State for Wales I have attended 222 events in Wales to date, which include official and political engagements.

Staff Commission

Mr. Richards: To ask the Secretary of State for Wales what arrangements he has made for the establishment of the shadow staff commission for Wales.

Mr. Redwood: The Local Government (Wales) Bill currently before Parliament provides for the creation of a Staff Commission to advise on the steps necessary to safeguard the interests of staff and other personnel implications of local government reorganisation in Wales.

The Staff Commission has been set up in shadow form today. The members are:

Sir Richard Lloyd Jones (Chairman)
Peter Bennett
Michael Roger Towers
Eleri Wynne Jones
Kevin Crowley

The commission will be funded by grant-in-aid payments. Parliamentary approval to this new service will be sought in a summer supplementary estimate for the tourism, roads and transport, housing, other environmental services, including civil defence, arts and libraries and

health and personal social services, Wales vote—class XV, vote 5. Pending that approval, expenditure estimated at £150,000 will be met by repayable advances from the contingencies fund.

M4 (Congestion)

Mr. Flynn: To ask the Secretary of State for Wales what plans he has to introduce traffic management proposals to deal with congestion at the Tredegar Park interchange on the M4.

Sir Wyn Roberts: An improvement scheme, jointly funded with Gwent county council, is programmed to commence in September this year, with completion by February 1995.

Rents

Mr. Malcolm Bruce: To ask the Secretary of State for Wales what was the total sum of rents referred to the rent registration service for the last year for which figures are available and the total sum of rents determined as reasonable for housing benefit subsidy for the same period.

Mr. Gwilym Jones: The total sum of rents referred in 1992-93 was £113·8 million. The total sum determined as reasonable for housing benefit subsidy was £98·9 million.

School Closures

Mr. Dafis: To ask the Secretary of State for Wales if he will list the schools in each education authority which have been considered for closure under the Education Act 1933.

Sir Wyn Roberts: Since 1 January 1994, local education authorities have published proposals under the Education Act 1980 to close the following schools:

Tynyfelin Primary (Clwyd)
Blaenau Primary (Dyfed)
Llanddeusant Primary (Dyfed)
Mynachlogddu Primary (Dyfed)
St. Felix RC Primary (Gwent)
Maendy Primary (South Glamorgan)

Careers Service

Mr. Richards: To ask the Secretary of State for Wales when he will announce his plans for the implementation of the new arrangements for the delivery of the careers service in Wales.

Mr. Redwood: I am publishing today a draft prospectus setting out the suggested approach to be taken in the provision of the careers service in Wales from April 1995. This is to inform those who may wish to provide the service about my intention to invite bids through open competitive tendering.

A formal invitation to interested organisations to submit bids for the provision of the careers service will be issued shortly.

Foresty Commission Land

Mr. Ron Davies: To ask the Secretary of State for Wales if he will list by county, hectarage and location the Forestry Commission land sold in Wales since 1 July 1993 where *(a)* access agreements have been concluded and *(b)* access agreements have not be concluded, and the price of each piece per hectare.

Mr. Redwood: The areas of forest land in Wales sold by the Forestry Commission since 1 July 1993 are shown in the following table, which also includes those where an access agreement has been concluded. The price paid per hectare is only given where the purchaser has agreed that such information can be made public.

County and name of property	*Area (hectares)*	*Price (£s) per hectare*	*Access agreement*
Clwyd			
Bryndethol	7·00	1,900	—
Bryn y Pys	76·00	—	—
Cambrian Quarry Wood	19·00	—	—
Coed Ezgyufa	6·00	1,700	—
Coed Galltegfa	2·00	—	—
Crown Wood	0·40	—	—
Graig Wen	13·00	—	—
Llwyngelli	10·00	—	—
Maes Mynach	10·00	800	—
Rhydygasseg	6·00	—	—
Travellers Inn (road improvement)	0·50	4,300	—
Worlds End	84·00	1,300	—
Dyfed			
Allt Cae Ffynon Wen	3·00	1,600	—
Allt Cilfrychen and Goredig	27·00	—	—
Allt Cwm Tywyll	5·50	1,900	—
Allt Hafod Wen	8·00	1,500	—
Allt Penlan Fach	4·00	—	—
Allt Pistyll Dewi	33·00	—	—
Allt Pwll Priddog	19·00	—	—
Allt y Down and Allt Pant Lleuci	16·00	—	—
Allt y Gwydre	14·00	—	—
Brist Coed	5·00	—	—
Cae Sarah	4·00	2,300	—
Careg Fadog Wood	6·00	—	—
Cefn Eithin	7·00	—	—
Coed Cae Sara	5·00	1,200	—
Coed Cwm Llwfog	15·00	—	—
Coed Newydd, Gwastad	48·60	—	—
Coed Weddus	4·00	2,800	—
Cresselly Big Wood	48·00	—	—
Cwm Bran Wood	8·00	4,100	
Cwm Croiddur Wood	7·00	—	—
Cwmfran Fawr	3·00	3,100	—
Cwmffrwd (pt)	0·50	—	—
Cwm Gwachel	15·00	—	—
Factory Wood	3·00	—	—
Gelli Cefn y Rhos	7·00	1,700	—
Glebe Farm Woods	17·00	1,600	—
Hafod Iwan	32·00	900	—
Llanerch Alder Carr	2·40	800	—
Maespant	7·00	2,100	—
North Wood	27·00	1,300	—
Quarry Wood	7·00	—	—
Rhosgeler	9·00	—	—
Taldrum	5·00	—	—
Tan y Lan	32·50	—	—
Tan yr Allt	7·00	—	—
Wenallt Fawr	17·00	1,800	—
Ystrad Einion Lea Mine	3·80	—	—
Gwent			
Barbadoes Hill (land at)	0·50	8,000	—
Graig Syddi	28·00	—	—
Luggas Wood and Youngs Grove	15·00	—	—
Gwynedd			
Braich Blaen Tafolog	28·10	—	—
Bro Cymner (land at)	0·02	—	—
Conwy Falls Fish Pass	0·70	7,500	—
Irby Plantation	4·00	—	—
Parc Main	5·00	—	—
Tyn y Coed	16·50	500	—

County and name of property	Area (hectares)	Price (£s) per hectare	Access agreement
Mid Glamorgan			
Fochriw to Deri (main sewer imp.)	0·30	1,700	—
Llanbradach (colliery road)	0·01	50,000	—
Powys			
Craig yr Heafforàd	7·50	2,500	—
Cwmbach/Cwmcoch	44·00	—	—
Gribin	21·00	3,600	—
Gwern y Bwlch Fach	2·00	3,100	—
Nant Ffridd Fawr	13·00	3,100	—
Sprigs Wood	6·00	50	—
Stocking Wood	8·00	2,000	—
Waun Fawr	18·00	3,100	—

[1] Areas of land where an access agreement has been concluded.

Mr. Ron Davies: To ask the Secretary of State for Wales if he will set out his target for the sale of Forestry Commission land in Wales in the current year and for the next five years.

Mr. Redwood: As announced in Cm 2514, "The Government's Expenditure Plans 1994-95 to 1996-97 for the Departments of the Secretary of State for Scotland and the Forestry Commission", table 13.12, the commission plans to sell 15,000 hectares of forest land in Britain in each of the next three years. The proportion of this that will be sold in Wales will depend on the state of the market, particularly the demand for forest land in different parts of Britain, but the commission estimates that it will be in the region of 15 per cent. As yet, no firm plans have been made for sales in future years.

OVERSEAS DEVELOPMENT ADMINISTRATION

Indonesia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what United Kingdom aid policy considerations underlie the changes in allocation of aid to Indonesia over the last 10 years.

Mr. Lennox-Boyd: The main considerations that have influenced allocations over the past 10 years include Indonesia's effective macroeconomic management and capacity to make good use of development assistance.

Burundi

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current state of security in Burundi; and how it is affecting the delivery of aid by British relief organisations.

Mr. Lennox-Boyd: There have been outbreaks of fighting in and around Bujumbura. However, we understand that aid operations are continuing with relative freedom.

Uganda

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Treasury about the development implications of the continuing debt crisis in Uganda.

Mr. Lennox-Boyd: By long-standing convention, discussions of this nature between Departments are confidential.

Iraq

Mr. Spellar: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the amount spent on aid to Iraq *(a)* directly and *(b)* through international agencies in each of the last 10 years.

Mr. Lennox-Boyd: The following is the information:

United Kingdom bilateral and multilateral official development assistance to Iraqis 1984-93

	Multilateral agencies[1] £ million	Iraqi people[2] £ million
1984	0·04	—
1985	0·04	—
1986	0·09	—
1987	0·07	—
1988	0·09	—
1989	0·31	—
1990	0·13	—
1991	4·80	30·35
1992	N/A	2·33
1993	N/A	5·24

[1] Estimates of United Kingdom share of official development assistance channelled through multilateral agencies. Such estimates are not yet available for 1992 and 1993.

[2] There is no bilateral official development assistance to the Government of Iraq. The amounts recorded as flows to Iraq are humanitarian assistance provided through United Nations agencies and NGOs to Iraqi citizens.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of the project to develop a sustainable environment and development strategy for the island of St. Helena.

Mr. Lennox-Boyd: In 1993 a team comprising representatives from the royal botanic gardens, Kew and the International Institute for Environment and Development was contracted by the Overseas Development Administration to visit St. Helena with the objective of identifying and developing an environmental strategy for the island.

Following the visit the consultants produced a report entitled "The St. Helena Sustainable Environmental and Development Strategy and Action Plan". The Government of St. Helena have been giving detailed consideration to the report's recommendations, and are expected to respond in the near future.

Aid and Trade

Dr. Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Oldham, West (Mr. Meacher) of 24 February, *Official Report*, column *390*, if he will list the total aid received by each country on a per capita basis.

Mr. Lennox-Boyd: The information requested is contained in table E1 of the Overseas Development Administration's British Aid Statistics 1988-89 to 1992-93. A copy is available in the Library of the House.

Banana Producers

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 March, *Official Report*, column *248*, what is his policy in respect of the EC providing a special package of aid to Latin American banana-producing countries.

Mr. Lennox-Boyd: The United Kingdom has agreed to support some assistance to Latin American producers for diversification and development.

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 March, *Official Report*, column *248*, what discussions he has had with Directorate-General VIII about the possibility of the EC providing a special package of aid to Latin American banana-producing countries.

Mr. Lennox-Boyd: We have had discussions with Commission staff about how the Community should respond to the needs of all banana producers.

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 March, *Official Report*, column *248*, what representation he has received from other EC member states on the possibility of the EC providing a special package of aid to Latin American banana-producing countries.

Mr. Lennox-Boyd: None.

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 March, *Official Report*, column *248*, if he will outline the amendments suggested by the United Kingdom to the EC proposal for aid to traditional African, Caribbean and Pacific banana-producing countries.

Mr. Lennox-Boyd: The amendments suggested by the United Kingdom will ensure funds are used to help sustain the economic viability of the industry and to promote restructuring.

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 March, *Official Report*, column *248*, what discussions he has had with Directorate-General VIII on the amendments suggested by the United Kingdom to the EC proposal for aid to traditional African, Caribbean and Pacific banana-producing countries; and if he will make a statement.

Mr. Lennox-Boyd: The amendments suggested by the United Kingdom are under discussion with Commission staff.

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 March, *Official Report*, column *248*, what discussions he has had with *(a)* the Prime Ministers of the Windward Islands Governments, *(b)* the Windward Islands Banana Growers Association and *(c)* the four individual banana growers' associations of the Windward Islands on the amendments made by the United Kingdom to the EC proposal for aid to traditional African, Caribbean and Pacific banana-producing countries.

Mr. Lennox-Boyd: My noble Friend Baroness Chalker of Wallasey has had several discussions about the EC proposal and the proposed United Kingdom amendments to it with the Prime Minister of Dominica, who was speaking on behalf of the Windward Island Governments. Our development division in the Caribbean is in close contact with WINBAN and the Banana Growers' Associations. Indeed, the amendments we have proposed are based on such discussions.

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 March, *Official Report*, column *248*, what discussions he has had with other EC member states on the amendments suggested by the United Kingdom to the EC proposal for aid to traditional African, Caribbean and Pacific banana-producing countries.

Mr. Lennox-Boyd: If the Commission agrees to incorporate the United Kingdom amendments, the revised proposal will be discussed by all member states in a working group of the EC council of Ministers.

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 March, *Official Report*, column *248*, what discussions he has had with the Commission about the likely date on which the EC aid package will be available to traditional African, Caribbean and Pacific banana-producing countries.

Mr. Lennox-Boyd: The ACP will be able to claim compensation for losses in the second half of 1993 as soon as the package is approved by the Council of Ministers.

Aid (Military Sales)

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to introduce legislation amending the Overseas Development and Co-operation Act 1980 to make explicitly illegal any direct or indirect linking of aid to sales of military equipment; and if he will make a statement.

Mr. Lennox-Boyd: The Overseas Development and Co-operation Act 1980 sets out the legal basis for the aid programme. It does not cover any specific areas of aid policy. We do not see any need to amend the Act to cover arms sales links. It is the Government's clear policy not to link the aid programme to arms sales.

HEALTH

Hospital and Community Health Services

Ms Jowell: To ask the Secretary of State for Health what is the per capita allocation to hospital and community health services to inner London health authorities for 1993-94; and what are the equivalent figures for *(a)* Birmingham, *(b)* Newcastle, *(c)* Manchester, *(d)* Liverpool and *(e)* Leeds.

Dr. Mawhinney: It is the responsibility of regional health authorities to allocate resources to districts and information held on the total resources allocated to district health authorities in 1993-94 is not available centrally.

Expenditure Statistics

Ms Jowell: To ask the Secretary of State for Health how much is spent per capita in health services for residents in *(a)* London, *(b)* Birmingham, *(c)* Manchester,

(d) Liverpool, *(e)* Leeds, *(f)* Newcastle and *(g)* in England as a whole; and what proportion is spent on treatment (i) in hospital and (ii) by community services, excluding the element of cost which is attributable to medical education and research.

Dr. Mawhinney: The table gives per capita spend for 1992-93, the latest year for which expenditure data are available. The figures include non-cash-limited family health services expenditure in addition to expenditure on cash-limited hospital and community health services. Expenditure by district health authorities as purchasers of hospital and community health services is not separately identifiable in the information collected by the Department.

The figures will include some element of expenditure on research and medical education.

	District health authorities spend per capita £	*Family health services authorities spend per capita* £	*Total spend per capita* £
London	460	124	584
Birmingham	417	132	549
Manchester	654	137	791
Liverpool	487	142	629
Leeds	381	140	521
Newcastle	514	135	649
Total England	378	132	510

Source:
Expenditure—Annual accounts of health authorities (England).
Population—Mid-year population estimates for 1992 (1991 Census based)
Notes:
1. There is additional hospital and community health services expenditure from national and regional top-sliced budgets.
2. Figures exclude expenditure by the London Postgraduate Hospitals Special Health Authorities. London residents are the main users.

Family Health Services Authorities

Mr. Alexander: To ask the Secretary of State for Health, pursuant to her answer to the hon. Member for Eltham (Mr. Bottomley) of 3 March, *Official Report*, column *851*, what was the percentage increase of the *(a)* FHSA administration costs and *(b)* FHSA medicine costs in each of the last three years.

Dr. Mawhinney: The percentage increases in family health services authorities' administration expenditure for 1990-91, 1991-92 and 1992-93 over the previous year were 25·2, 30·8 and 19·1 respectively. The percentage increases in family health services drugs expenditure for 1990-91, 1991-92 and 1992-93 over the previous year were 7·1, 11·4 and 14 respectively.

FHSAs manage the introduction of general practitioner fundholding, the monitoring of general practitioner prescribing, and the development of clinical audit in primary care—all initiatives to improve the effectiveness of patient care and value for money. In 1992-93 administration expenditure represented only 2·5 per cent. of the £6·5 billion of taxpayers' money spent on the FHS.

Internal Market

Ms Primarolo: To ask the Secretary of State for Health if she will make a statement on the principles driving the internal market; and what plans she has to regulate it.

Dr. Mawhinney: The internal market enables district health authorities and general practioner fundholders to assess their patient's needs and purchase services more responsively. This means that money for services follows patient care to those hospitals and community units which provide high quality and cost effective care. Hospitals and community units therefore have an incentive to develop their services in an environment which encourages increasing efficiency through competition. We already have mechanisms in place to manage the market and these are constantly updated.

NHS Budget

Ms Primarolo: To ask the Secretary of State for Health what was the management overhead as a percentage of the total budget of the national health service in each year since 1990-91.

Dr. Mawhinney: The gross salary costs of general and senior managers as a percentage of the total hospital and community health services revenue expenditure in 1990-91, 1991-92 and 1992-93 was 1·7, 1·9 and 2·4 respectively. The figures need to be treated with caution. The number of managers has been deliberately increased since the mid 1980s—not just since the reforms—because the service was previously undermanaged. Much of the increase arises from the reclassification of existing staff, including many senior nurses, as managers. General and senior managers account for only 2 per cent. of the total national health service work force in England.

NHS Trusts

Ms Jowell: To ask the Secretary of State for Health what criteria she applies when considering proposals for mergers of NHS trusts.

Dr. Mawhinney: The same criteria area used to assess all applications for national health service trust status, including proposals for trust mergers. They are that the establishment of the trust will give clear benefits and improved quality of service to patients; that management has the necessary skills and capacity to operate independently; that senior professional staff, especially consultants, are involved in the management of the unit and that the trust will be financially viable.

Mr. Blunkett: To ask the Secretary of State for Health how many of the chief executives of the fourth wave of NHS trusts will receive remuneration of £80,000 per year or above; and if she will make a statement.

Dr. Mawhinney: Information about the individual remuneration of trust chief executives is not held centrally. The remuneration of trust chief executives is a matter for trust boards but information about their emoluments is published in annual accounts and annual reports available locally.

Ms Jowell: To ask the Secretary of State for Health how many mergers of hospital trusts have taken place in London and in England since 1990; and how many hospital beds have closed as a result.

Dr. Mawhinney: There have been three mergers of national health service trusts since 1990. Information on bed closures is not available centrally.

Tobacco Advertising

Mr. Barron: To ask the Secretary of State for Health how many shop fronts advertising tobacco products are currently covered by the voluntary agreement with the tobacco manufacturing companies; and how many she estimates are within *(a)* three miles, *(b)* two miles, *(c)* one mile, *(d)* three-quarters of a mile, *(e)* half a mile and *(f)* one-quarter of a mile of school premises.

Dr. Mawhinney: All cigarette and hand-rolling tobacco brand advertising material displayed on shop fronts is covered by the voluntary agreement, in that the advertising should comply with the cigarette code of the British code of advertising practice. In addition, all such material of 40 sq in or more must carry a health warning. Under the voluntary agreement the total number of external permanent cigarette and hand-rolling tobacco advertisements at retail premises is being reduced by 50 per cent. over five years from July 1991. Priority is being given to reducing the number of signs on shops clearly visible from school. Information on the number of shop fronts advertising tobacco products within different distances of school premises is not held centrally.

Surplus Property

Mr. Gordon Prentice: To ask the Secretary of State for Health, pursuant to her answer of 28 March, *Official Report,* column *594,* when she last had occasion to comment adversely on the time taken to dispose of surplus national health service property.

Mr. Sackville: Regional health authorities have been very successful in disposing of surplus national health service property. In the past 10 years, over £1 billion has been raised which has been reinvested in patient care.

Some properties do prove to be hard to sell given the difficult property market of recent years. I see no reason to comment adversely on the regional health authorities' performance in this area.

Mental Health

Mrs. Dunwoody: To ask the Secretary of State for Health when she will implement the 10-point plan for supervised discharge of mental health patients set out in the report of the mental health nursing review team.

Mr. Bowis: My right hon. Friend the Secretary of State for Health announced our 10-point plan to reinforce community care for mentally ill people on 12 August 1993, following the Department's internal review of legal powers in this area.

We have made substantial progress on the matters covered by the plan. Following wide consultation we shall be introducing legislation as soon as possible to give effect to the review team's proposals for a new power of supervised discharge and for extending the present Mental Health Act provision for leave of absence.

The revised Mental Health Act code of practice was published at the end of August.

Draft guidance on the discharge of psychiatric patients from hospitals, and their continuing care in the community, was issued for consultation on 12 January. We are now considering more than 250 comments received on the draft and will be issuing the definitive guidance shortly.

Guidance on the development of supervision registers for the most vulnerable patients was issued in February and health authorities were required to introduce these registers from 1 April.

As part of our programme to improve training for key workers with mentally ill people, we held a successful conference in London on 3 March, at which I gave the keynote address.

The clinical standards advisory group is on schedule with its review of standards of care for people with schizophrenia, on which it expects to report to Ministers in December.

The mental health task force has been reinforced to carry out a special review of mental health services in the London implementation zone. This work is being jointly led by the head of the task force, Mr. David King, and Dr. Peter Kennedy who has been seconded from his post as chief executive of the York health services trust. The team will be working with district health authorities and other agencies to develop short and long-term action plans, and will be reporting to Ministers on progress against the plans and any issues requiring action in the longer term.

We attach a very high priority to services for mentally ill people and will maintain the vigorous action we have been taking in these and other areas to develop and improve them still further.

Community Care

Ms Jowell: To ask the Secretary of State for Health what advice her Department has given to local authorities and health authorities on consultation with users and carers in producing local purchasing plans for community care; and if she will make a statement.

Mr. Bowis: I refer the hon. Member to the reply I gave the hon. Member for Wakefield (Mr. Hinchcliffe) on 9 March, *Official Report,* column *307.*

Mentally Ill People (Homicide)

Dr. Lynne Jones: To ask the Secretary of State for Health when the first report of the confidential inquiry into homicides by mentally ill people is expected to be available.

Mr. Bowis: We expect to receive the first report later this year.

Chinese Swabs

Mrs. Mahon: To ask the Secretary of State for Health (1) what representations she has received about Chinese swabs;

(2) what advice her Department is giving to national health service supplies authorities on the purchasing of Chinese swabs.

Mr. Sackville: Two representations have been received. A defective product was withdrawn from use last year and the contract in question was terminated.

No advice has been given on the purchase of divisions swabs from particular sources. The various purchasing of the National Health Service Supplies Authority are aware of the standards to be applied when purchasing surgical dressings, and that sterile dressings should be purchased from suppliers who operate recognised quality assurance systems.

Royal Victoria Infirmary, Newcastle

Mr. Cousins: To ask the Secretary of State for Health what response she has given to the request from the Royal Victoria infirmary trust in Newcastle for extra paediatric intensive care provision.

Dr. Mawhinney: The Royal Victoria infirmary and associated hospitals national health service trust has made no request for additional resources for paediatric intensive care provision. The National Health Service Management Executive has asked all regional general managers and district general managers to ensure that levels of paediatric intensive care provision adequately meet the needs of the local population.

Accountants

Mr. Austin Mitchell: To ask the Secretary of State for Health if she will list the contracts currently being worked on for her Department by Coopers and Lybrand, Ernst and Young, Price Waterhouse, KPMG Peat Marwick, Grant Thornton, Robson Rhodes, Levy Gee, Hacker Young, BDO Binder Hamlyn, Pannell Kerr Forster and Stoy Hayward.

Mr. Sackville: The available information is as shown.

KPMG Peat Marwick

Support to Market Test (In-House bid) Prescription Pricing.
Local Authority Systems Project.
Support to Market Test (In-House bid) Main frame computer services.

Coopers and Lybrand

Review of Organisations in receipt of Section 64 Grants.
Hospital Episode Statistics—Business case for redevelopment.
BACS Payment system.
Personal Social Services Information Strategy—Mental Illness Project.
Hospital and Community Health Service Information Strategy Statement.
Accruals Based Accounting.
Health Service Indicators Technical Options.
National Health Service Administrative Register—Benefits Evaluation.
Development of Information Systems for Providers-Purchaser progress review.
Investment Scrutiny process.

Michael Buchanan

Dr. Lynne Jones: To ask the Secretary of State for Health, pursuant to her answer of 16 March, *Official Report*, column 727, if she will increase the membership of the inquiry panel set up by the North West London mental health trust to investigate the care and treatment of Michael Buchanan, convicted of manslaughter after discharge from Shenley psychiatric hospital, to include two members of the public to ensure that it is as independent and objective as possible, as recommended in the Ritchie report.

Mr. Bowis: The panel of inquiry set up by the North West London mental health trust is an independent inquiry and not an internal one of the type referred to in the Ritchie report.

St. Mary's Hospital

Mr. Patchett: To ask the Secretary of State for Health if she will hold an investigation into the use by Neil Goodwin, chief executive of the St. Mary's hospital trust, of a private room in his hospital; what arrangements were made for payments; and if she will make a statement.

Mr. Sackville: No. Mr. Goodwin was treated as a private patient at his own expense.

Psychiatric Wards, London

Mr. Harry Greenway: To ask the Secretary of State for Health what representations she has received about the need to increase the number of beds on psychiatric wards in London.

Dr. Mawhinney: The Department has received a number of representations about mental health services including the number of beds provided on psychiatric wards in London.

IT Consultants

Mr. Matthew Taylor: To ask the Secretary of State for Health what information technology consultants her Department has employed, for what purpose and at what total cost for each of the last five years.

Mr. Sackville: Detailed information could be provided only at disproportionate cost. The total expenditure on information technology consultants by the Department for each year since 1990-91, the earliest year for which figures are available was:

	£ million
1990-91	10·19
1991-92	12·50
1992-93	13·37
1993-94	12·55

The services covered by this expenditure included advice on procurement and information strategies, the design, development and implementation of the office automation system and user support services. A very wide range of firms is used for this purpose.

Pharmaceutical Investment

Mr. Cousins: To ask the Secretary of State for Health when the initial stage of the strategy to encourage inward pharmaceutical direct investment from the United States and Japan is expected to be completed; and what input has been given from the Board of Trade.

Dr. Mawhinney: The initial stage of the inward investment strategy is expected to be completed in a few weeks. The Department of Trade and Industry and the Invest in Britain Bureau are represented on the working group set up to develop the strategy.

Anthrax

Mr. Cousins: To ask the Secretary of State for Health what provision she has made for the treatment of, or vaccination against, penicillin-resistant anthrax.

Mr. Sackville: Anthrax vaccine creates protective immunity to the toxin produced by the anthrax bacillus. The vaccine is, therefore, effective against all strains of anthrax, irrespective of their antibiotic sensitivity.

The anthrax bacillus is sensitive to a number of common antibiotics and these would be available for treatment in the rare event of penicillin-resistant strains.

Mr. Cousins: To ask the Secretary of State for Health what assessment her Department has made of the extent to

which naturally occurring strains of anthrax are resistant to penicillin; and if she will make a statement on penicillin-resistant anthrax.

Mr. Sackville: Only three cases of penicillin-resistant anthrax have been described in the world literature. One of these occurred in 1974 in the United Kingdom and this was verified at the Public Health Laboratory Service's centre for applied microbiology and research. The other two reports were from Bosnia and Japan, but it has been impossible to verify these. With these exceptions, natural strains of anthrax are not resistant to penicillin.

Medical Certificates

Mr. Blunkett: To ask the Secretary of State for Health in what circumstances general practitioners can charge a fee for issuing a medical certificate to a patient.

Dr. Mawhinney: Under paragraph 37 of their terms of service, general practitioners are required to issue a defined list of medical certificates free of charge. They may charge a fee for issuing certificates not included on this list.

Dental Services

Mr. Blunkett: To ask the Secretary of State for Health what guidelines there are to regulate the use of premises, equipment and staff, paid for from public funds, for the development of private dental practice.

Dr. Mawhinney: Fees paid to general dental practitioners do not fund the development of private practice. Fees are set to take account of the average level of expenses incurred in the provision of national health service treatment.

Wythenshawe Hospital

Mr. Alfred Morris: To ask the Secretary of State for Health what discussions her Department has had with the Manchester Health Purchasing Consortium about the major improvements planned for Wythenshawe hospital; for what reason a new and more limited scheme will now have to be submitted to her Department; what effect an amended scheme will have on the running down of Withington hospital; what other hospitals in the city will be affected; and if she will make a statement.

Dr. Mawhinney: When considering major capital proposals we need to be satisfied that schemes are cost effective and offer the best value for money. Officials support Ministers in this by meeting national health service staff and discussing new schemes in detail. The Wythenshawe hospital development is subject to this process. Further improvements to the scheme will deliver better services for less cost. It is too soon to detail the impact that the current revision will have upon the scheme or on other hospitals in the city, including Withington hospital.

Hospital Consultants

Mr. Milburn: To ask the Secretary of State for Health what representations she has received alleging difficulties in recruiting hospital consultants in *(a)* anaesthetics, *(b)* accident and emergency, *(c)* ophthalmology, *(d)* paediatrics and *(e)* other specialties.

Dr. Mawhinney: The Department of Health has received representations regarding recruitment of hospital consultants in anaesthetics and paediatrics. No specific concerns have been raised relating to recruitment in the accident and emergency area.

In ophthalmology there are a number of senior registrars available to take up consultant appointments, but who, for personal reasons, are not submitting applications for posts.

In paediatrics, concern regarding shortages of suitably qualified doctors available to take up consultant appointments is known to the Department. The British Paediatric Association has met separately with the then chief executive of the national health service management executive and me to express their concerns. Steps are being taken to alleviate these problems. Regions have indicated to the Department that they expect to fund the additional senior registrar posts they were allocated by the Joint Planning Advisory Committee after the 1992 review within the required time scale of March 1995 at the latest. The increased throughput of higher specialist trainees following the implementation of the Report of the Working Group on Specialist Medical Training, "Hospital Doctors: Training for the Future" should also be of assistance in making suitable candidates available to take up consultant appointments.

In anaesthetics, a similar situation exists. The Department is fully aware of the Royal College of Anaesthetists' concerns over the availability of suitably trained candidates for consultant posts. Again, positive steps have been taken by the NHS executive to respond to these issues, including the introduction of innovative mechanisms to increase the number of doctors in training in the specialty. As with paediatrics, regions have indicated that they expect to be able to establish all senior registrar posts allocated to them within the required time scale, in this case of March 1996.

Employing bodies may experience difficulties in recruiting consultants for a range of reasons. These include the nature of the post, its geographical location and the facilities offered at the hospital concerned.

Hospital Beds

Mr. Cryer: To ask the Secretary of State for Health what provision is being made to ensure adequate provision of long-term beds in the NHS following the recent decision of the health service ombudsman; and if she will make a statement.

Mr. Bowis: The recommendations on the specific care instigated by the Commissioner have been accepted by the Leeds health authority. We are considering whether there are any wider implications to the Health Service Commissioner's report.

Recruitment Consultants

Mr. Milburn: To ask the Secretary of State for Health how much the NHS has spent on employing recruitment consultants in the last year for which figures are available.

Dr. Mawhinney: Responsibility for recruitment of staff, and the procedures they use for doing so, are a matter for national health service employers.

Mr. Milburn: To ask the Secretary of State for Health how much her Department has spent on recruitment consultant purposes in the last year.

Mr. Sackville: During 1993-94 the Department of Health, excluding its agencies, spent £259,659 on

recruitment, of which £204,606 was spent on work carried out by Recruitment and Assessment Services Agency, an executive agency of the Cabinet Office.

Home Helps

Mr. Blunkett: To ask the Secretary of State for Health how many home helps were employed by each local authority responsible for community care; and what was the ratio of home helps to population in each authority, at 30 September 1993.

Mr. Bowis: I refer the hon. Member to the reply I gave the hon. Member for Bristol, South (Ms Primarolo) on 15 July 1993, *Official Report,* columns *624-26* for data in respect of the position at 30 September 1992. Information about the position at 30 September 1993 should be available shortly.

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for Health what computer systems her Department have brought in, for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Sackville: The Department has a large number of computer systems mainly for office support and statistics. It would not be possible fully to list these without incurring disproportionate costs.

NHS Management Executive

Mr. Milburn: To ask the Secretary of State for Health what have been the costs associated with redesignating the NHS management executive as the NHS executive.

Dr. Mawhinney: I refer the hon. Member to the reply I gave the hon. Member for Sheffield, Brightside (Mr. Blunkett) on 31 March, *Official Report,* columns *1049-50.*

NHS Reform

Mr. Blunkett: To ask the Secretary of State for Health what meetings she has held with, and what representations she has received from, the Institute for Economic Affairs, Centre for Policy Studies, Adam Smith Institute and Institute of Directors regarding reform of the NHS.

Dr. Mawhinney: Since late 1992, my right hon. Friend the Secretary of State for Health has met only once with the Institute of Directors and once with the Institute of Economic Affairs. I am not aware, since then, of any written representations which have been received from these organisations on the subject of National Health Service reform.

Surgical Operations

Ms Primarolo: To ask the Secretary of State for Health what reports have been made to her of instances in which surgical operations have been conducted without an anaesthetic in NHS hospitals because of lack of supplies.

Mr. Sackville: None.

Care Orders

Ms Primarolo: To ask the Secretary of State for Health, pursuant to her answer of 29 March, *Official Report,* column *687,* where those children aged 16 or 17 years subject to care orders, were discharged to other than those placed with foster parents or become residents in community homes.

Mr. Bowis: The latest centrally available information relates to the position at 31 March 1992, when of the estimated 6,900 children aged 16 or 17 subject to care orders, 2,900 were in placements other than with foster parents or in community homes. Details of these are shown in the table.

Number of children looked after by local authorities under care orders aged 16 or 17 years by placement at 31 March 1992, England, excluding children in foster placements and community homes

	Number
England—Estimated Total	2,900
In lodgings, living independently of residential employment	1,100
Placed for adoption	30
Placement with parents regulations	1,100
In private registered homes	50
In schools for children with special needs, residential care and other schools and homes	130
In voluntary homes and hostels	170
Remaining placements[1]	390

[1]Remaining placements include: youth treatment centres, mother and baby homes, national health service or other establishments providing medical and/or nursing care, young offender institution or prison establishment, children absent from agreed placement, and placements not specifically categorised.

Figures are rounded to the nearest 100 for estimates of a thousand or more and to the nearest 10 otherwise.

GP Fundholders

Ms Primarolo: To ask the Secretary of State for Health, pursuant to her answer of 14 March, *Official Report,* column *537,* what was the average, maximum and minimum overspend by the 49 fundholders in 1991-92; and when she expects figures for 1992-93 to be available.

Dr. Mawhinney: Out of the 49 fundholders who overspent in 1991-92, the average overspend was £51,481. The maximum overspend was £158,988 and the minimum £1,236. We are not yet able to say when final audited information for 1992-93 will be available.

Unwanted Pregnancies

Mr. Rooker: To ask the Secretary of State for Health if she will bring forward proposals to help reduce unwanted pregnancies.

Mr. Sackville: The Government have for some years been actively promoting initiatives to enable people to plan and space their families as they wish and avoid unwanted pregnancies. This activity has received renewed impetus with the publication of the "The Health of the Nation" White Paper which sets challenging targets, in particular to reduce unwanted conceptions amongst under 16s. I am today writing to the hon. Member with further details. A copy of this letter will be placed in the Library.

"Your Pocket Guide to Sex"

Mr. Blunkett: To ask the Secretary of State for Health what has been the cost of *(a)* commissioning, *(b)* printing, *(c)* distributing, *(d)* promoting and *(e)* recalling "Your Pocket Guide to Sex", written by Nick Fisher for the Health Education Authority, which was withdrawn on 23 March.

Dr. Mawhinney *[holding answer 29 March 1994]:* The Health Education Authority estimate the total cost of withdrawing "Your Pocket Guide to Sex" as £17,000. This should be seen in the context of estimated publication income generated by the HEA in 1993-94 of £700,000.

TRANSPORT

New Roads

Mr. Lewis: To ask the Secretary of State for Transport how many new road schemes have attracted more than 17,500 representations in the past five years in England and Wales.

Mr. Key: Two.

Mr. Lewis: To ask the Secretary of State for Transport if he will list the 10 new road schemes which have attracted the most representations in the past five years.

Mr. Key: The 10 new road schemes which have attracted the greatest number of representations arising out of public consultation over the last five years are as follows:

Scheme	*Number of representations*
1. M1-M62 link road[1]	26,700
2. M62 relief road	18,000
3. M25 junctions 12-15 link roads	11,800
4. A453 Clifton lane	7,200
5. Greater Manchester western and northern relief road (M56-M62)[1]	6,300
6. Western orbital route/Kidderminster, Blakedown and Hagley bypass[2]	6,000
7. A3 Hindhead improvement	5,000
8. A418 west of Aylesbury to Wing	5,000
9. A27 Lewes to Polegate improvement	4,300
10. Gateshead western bypass	3,900

Included in the totals given are the numbers of signatures to petitions as well as those returning departmental questionnaires or other forms of pre-printed reply.

[1] Schemes have been withdrawn from the road programme.

[2] Schemes separated in May 1991.

Driving Standards Agency

Mr. Lester: To ask the Secretary of State for Transport what targets he has set for the Driving Standards Agency for 1994-95.

Mr. Key: My right hon. Friend has set the following key targets for the Driving Standards Agency, which are contained in the agency's business Plan, a copy of which will be placed in the Library: to achieve, or better, unit costs of £24·50 for car tests; £59·03 for bus, coach and lorry tests; £32·66 for motorcycle tests; and £38·62 for overall approved driving instructor register activities; to recover full costs through fees and charges, including the recovery of accumulated deficits by 1995-96; to achieve a national average waiting time of no more than six weeks for car tests and no more than four weeks for motorcycle, bus, coach and lorry test; and to answer 90 per cent. of telephone calls to booking offices within one minute.

Mrs. Dunwoody: To ask the Secretary of State for Transport whether the Institute of Professional Driving Examiners is a recognised trade union in the Driving Standards Agency for the purposes of negotiation or consultation.

Mr. Key: Responsibility for the subject of the question has been delegated to the Driving Standards Agency under its chief executive, Dr. John Ford. I have asked him to arrange for a reply to be given.

Letter from Dr. S. J. Ford to Mrs. Gwyneth Dunwoody, dated 30 March 1994:

The Secretary of State for Transport has asked to reply to your question about recognition of the Institute of Professional Driving Examiners (IPDE) by this Agency.

IPDE has been recognised as a trade union in the Driving Standards Agency only for the purposes of consultation. I have no plans at present to recognise IPDE for negotiation purposes.

British Rail (Coal Tonnage)

Mr. Skinner: To ask the Secretary of State for Transport what was *(a)* the national figure and *(b)* the regional figures for the total coal tonnage carried by British Rail in 1993.

Mr. Freeman: The most recent national data can be found in table 1.12 of "Transport Statistics Great Britain 1993," a copy of which has been placed in the Library. Regional figures are not available.

Roads (Worcestershire)

Mr. Luff: To ask the Secretary of State for Transport what effect his review of the trunk roads programme in England will have on the availability of transport supplementary grant for the Worcester western orbital road and the Wyre Piddle by-pass.

Mr. Key: None. As my right hon. Friend made clear in answering a question following his statement in the House on 30 March on the trunk road programme review, the review does not affect local authority roads.

Health and Safety Inspectors

Mr. Keith Hill: To ask the Secretary of State for Transport how many health and safety inspectors were employed to cover each section of the transport industry in *(a)* 1978-79 and *(b)* 1992-93.

Mr. MacGregor: The definition and responsibilities of health and safety inspectors varies greatly from sector to sector of the transport industry. Details are as follows:

Rail: HM Railway Inspectorate employed 21 inspectors in 1978 and 30 in 1992.

Aviation: Responsibility for safety inspections rest with the Safety Regulation Group of the Civil Aviation Authority which employed 777 people in 1992-93, not all of whom work as safety inspectors. Figures for 1978-79 are not available due to organisational changes.

Shipping: The Surveyor General Organisation of the Department of Transport employed 186 marine surveyors involved safety inspection work in 1992-93. Comparable figures for 1978-79 are not available.

Road transport: The Vehicle Inspectorate Executive Agency employs 925 staff in vehicle inspection and enforcement work. Figures for 1978-79 are not available.

Roundabouts (Safety)

Mr. French: To ask the Secretary of State for Transport what research has been conducted on the correlation between the diameter of roundabouts and the occurrence of vehicular accidents around them.

Mr. Key: An investigation into accidents at roundabouts, and which addressed the effects of roundabout

diameters, has been undertaken by the Transport Research Laboratory and is reported in TRRL Laboratory report 1120. A copy of the report has been placed in the Library.

Running Costs Review

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will make a statement on the progress of the review of running costs within his Department; and if he will make it his policy to inform the appropriate trade union as soon as surplus posts are identified.

Mr. MacGregor: The Department or its agency will enter into consultation with the trade unions if a surplus staffing situation occurs which might result in the declaration of redundancies.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list each meeting held by central Department of Transport management, since the announcement of the running costs review in his Department, to discuss this matter; and who was the senior manager present at each of these meetings.

Mr. MacGregor: I understand that running costs are discussed at many meetings of management within the Department. It is not normal practice to provide information of the sort which the hon. Lady requests about the internal management of a Government Department.

Channel Tunnel Freight Lines

Ms Jowell: To ask the Secretary of State for Transport what steps he is taking to ensure that sound-proofing insulation is installed along the two south London rail lines to be used by channel tunnel freight traffic to protect local residents from increased noise levels; and if he will make a statement.

Mr. Freeman: Steps being taken by British Rail (Railfreight Distribution) to reduce the effect of the international rail freight traffic include the introduction of new locomotives and rolling stock and continuously welded rail. In addition, BR (RfD) has agreed jointly funded schemes with local authorities, including the London borough of Bromley, for the provision of acoustic barriers alongside existing tracks expected to be most affected at night. BR (RfD) is willing to hold talks on a corresponding basis with any other local authority whose area is likely to be similarly affected.

I have recently agreed to provide supplementary credit approval for £0·336 million to Bromley in this context. I and my colleagues will be prepared to consider TPP—transport policies and plans—applications for resources in 1995-96 from other authorities in London which agree schemes with BR (RfD). Such applications will be considered on their merits and in the light of the resources available.

Staff Redundancies

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will define *(a)* skills and *(b)* individual ability as used in his Department's "Establishment News", ENT 2/94; and how the criteria will be used to select staff for compulsory redundancy.

Mr. Norris: The Department's "Establishment News", ENT 2/94, set out the principles and procedures the Department or its agencies would follow in dealing with potential redundancy situations. The actual criteria adopted to deal with each situation and the way in which they would be used will be decided following consultation with the trade unions at the time.

Staff, Newcastle

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the offices of his Department in the Newcastle upon Tyne travel-to-work area; and how many posts at each are covered by *(a)* casual, *(b)* agency or *(c)* fixed-term appointment staff.

Mr. Norris: The Department and its agencies have 30 offices of varying size in the Newcastle-upon-Tyne travel-to-work area. At present, a total of 27 casual staff are employed at six of these offices, and one person is employed on a fixed-term appointment. Details are as follows.

Building	*Casuals*	*Agency*	*Fixed term appointments*
Longbenton Newcastle upon Tyne Tyne and Wear	—	—	—
Government buildings Kenton Bar Newcastle upon Tyne NE7 2YY	—	—	—
Priory Grounds North Shields Tyne and Wear NE30 4DA	—	—	—
12-16 Woodlands Road Middlesbrough Cleveland TS1 3BE	—	—	1
Amble Morpeth Northumberland NE65 0AP	—	—	—
Government Buildings Broadway West Newcastle upon Tyne	1	—	—
Seahouses Northumberland	—	—	—
Wellbar House Gallowgate Newcastle upon Tyne	—	—	—
Bovis House Victoria Road Hartlepool TS24 7EA	—	—	—
Eagle Star House Regent Farm Road Gosforth NE3 3JN	2	—	—
Corporation House Albert Road Middlesbrough TS1 2BP	3	—	—
Maxwell Road Middlesbrough Cleveland TS3 8TE	—	—	—
St. Andrews House Industrial Trading Estate Haugh Lane Hexham	—	—	—
The Call Stand Low Quay Blyth Northumberland NE24 3EX	—	—	—
Banks Road Darlington Co. Durham DL1 1YE	—	—	—
Wyveston Lodge Sunderland Road South Shields	—	—	—
Crown House Surtees Street Hartlepool TS24 7AN	—	—	—
Westgate House Westgate Road Newcastle upon Tyne NE1 1TW	16	—	—
Brus House Thornaby Cleveland	—	—	—
McMullen Road Darlington Durham	3	—	—
Sandy Lane Gosforth Wideopen Newcastle upon Tyne	—	—	—
159 High Street Stockton on Tees Cleveland	—	—	—
Station Approach Bishop Auckland Durham	—	—	—
5 Stanley Street Blyth Northumberland	—	—	—

Building	Casuals	Agency	Fixed term appointments
Elvet House Hallgarth Street Durham	—	—	—
Mainforth Terrace Hartlepool Cleveland	—	—	—
5 Albert Terrace Linthorpe Middlesbrough TS1 3PA	—	—	—
1 The Cloisters Stockton Road Sunderland Tyne-Wear	2	—	—
Corporation Road Darlington Durham	—	—	—
Seventh Avenue Team Valley Estate Tyne and Wear NE11 0NG	—	—	—
Total	27	—	1

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will hold open all vacant posts currently covered by casual staff in the Newcastle vehicle registration office in order that staff declared surplus in the Driving Standards Agency can be redeployed.

Mr. Norris: It is the Department's practice to manage staffing so as to allow where possible for the redeployment into other posts of suitable staff who become surplus from their existing work. Firm plans for the posts referred to will not be possible until the current review of the vehicle registration office network, and market testing of work in the Driving Standards Agency, are complete.

Permanent Secretary

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the objectives set by his Department for the Permanent Secretary for the financial year 1994-95.

Mr. Norris: The permanent secretary supports my right hon. Friend in securing the aims and objectives set out in the Department's annual report.

Child Care Schemes

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the child care schemes operated by his Department and agencies and the number of places available on each scheme.

Mr. Norris: Child care schemes operated in the Department of Transport and its agencies are listed in the table:

Location	Child care scheme	Number of places
Swansea	DVLA Nursery	60
Swansea	DVLA Holiday Playscheme	70
Crowthorne	TRL Summer Holiday Playscheme	24

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the child care schemes with which his Department has an involvement excluding those run solely by the Department of Transport and the number of places offered on each scheme.

Mr. Norris: Child care schemes in which the Department of Transport has involvement are listed in the table:

Location and childcare scheme	Number of places available overall
Hastings	
Child Support Agency Nursery	35
Bristol	
Bristol Acorns Nursery	25
Bristol Civil Service Holiday Playscheme	40
Exeter	
Exeter Civil Service Holiday Playscheme	30
London	
Westminster Holiday Playscheme	64
Newcastle	
Newcastle City Council Holiday Playscheme	100
Nottingham	
Nottingham Inland Revenue Holiday Playscheme	30
Manchester	
Manchester Midland Bank Holiday Playscheme	7
Liverpool	
Ministry of Defence Holiday Playscheme	3
Bedford	
Bedford Civil Service Holiday Playscheme	42
Birmingham	
Ladywood Civil Service Holiday Playscheme	40

Driver and Vehicle Licensing Agency

Sir David Steel: To ask the Secretary of State for Transport under what authority the DVLA passes information about drivers to commercial organisations; and if he will make a statement.

Mr. Key: No information from the DVLA driver record is disclosed to any commercial organisation other than with the express consent of the driver concerned.

Railway Stations (Safety)

Ms Jowell: To ask the Secretary of State for Transport how much Railtrack will spend in its first year of operation on measures to improve passenger safety at United Kingdom rail stations; how much it will spend at stations in south London; and how much British Rail spent on passenger safety improvements at stations in each of the last five years.

Mr. Freeman: Expenditure on safety is no longer recorded separately because it is impossible to identify precisely what proportion of expenditure on infrastructure and other improvements is related to safety as opposed to such things as quality of service or efficiency.

Roads Expenditure, West Midlands

Mr. Mills: To ask the Secretary of State for Transport if he will publish the total expenditure in 1992-93 prices for all expenditure involved on new road construction and maintenance on all roads in the west midlands in each year from 1982-83 to 1992-93.

Mr. Key: The figures include expenditure on both new construction and maintenance on all roads—motorways,

trunk roads and local authority roads. Some estimation has been involved, particularly for 1992-93 where not all figures are yet available.

	£ million (1992-93 prices)
1982-83	370
1983-84	400
1984-85	410
1985-86	410
1986-87	410
1987-88	400
1988-89	520
1989-90	560
1990-91	460
1991-92	510
1992-93	490

Redundancies

Mrs. Dunwoody: To ask the Secretary of State for Transport what provision has been made in the next financial year's budget for his Department or agencies to run an early retirement/redundancy scheme.

Mr. Norris: The position remains as in the reply on severance payments which I gave the hon. Lady on 24 March.

Mrs. Dunwoody: To ask the Secretary of State for Transport if the Driving Standards Agency management will consult the Institute of Professional Driving Examiners in line with the departmental redundancy arrangements in the event of any IPDE members becoming surplus.

Mr. Key: Responsibility for the subject of the question has been delegated to the Driving Standards Agency under its chief executive, Dr. John Ford. I have asked him to arrange for a reply to be given.

Letter from Dr. S. J. Ford to Mrs. Gwyneth Dunwoody, dated 30 March 1994:

The Secretary of State for Transport has asked me to reply to your question about consultation with the Institute of Professional Driving Examiners (IPDE) in the event of any of their members becoming surplus.

In accordance with the departmental redundancy arrangements the Agency will consult with IPDE, and any other Trade Union representing the staff involved, in the event of staff in the Agency becoming surplus.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will make it his policy that the relevant trades unions will be consulted at the earliest opportunity if staff within his Department are going to be made surplus.

Mr. Norris: The Department or its agency will, in seeking to address any surplus staffing situation which might result in the declaration of redundancies, consult the trades unions representing the staff concerned at the earliest opportunity.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will consider, when faced with a surplus staff situation or redundancies, redeploying staff elsewhere in the Department even if that means transferring staff from one agency to another.

Mr. Norris: The Department or its agency will consider the transfer of staff to other areas of work in the event of a surplus staffing or redundancy situation.

Mrs. Dunwoody: To ask the Secretary of State for Transport whether any of his staff are likely to become surplus as a result of the forthcoming move of the traffic area office in Edinburgh.

Mr. Key: As a result of the move of the Edinburgh traffic area office, two members of staff will become surplus to the traffic area office requirements. The traffic area office is working with the regional personnel unit to find alternative posts.

Mrs. Dunwoody: To ask the Secretary of State for Transport what access his Department has to European Union funds to retrain staff who are liable to be made redundant or who are made redundant.

Mr. Norris: I understand that the European Union funds in question—the European social fund—may be used only for those who are already unemployed. The Employment Department administers the European social fund in Great Britain. Any retraining of staff still employed by the Department would therefore not be eligible for such funds.

Mrs. Dunwoody: To ask the Secretary of State for Transport what is the practice of his Department when faced with a potential need to declare redundancies of the type requiring consultation between his Department, and its agencies, and the recognised trade unions, regarding the seeking of agreement about the means of *(a)* avoiding redundancies, *(b)* reducing the numbers of redundancies or *(c)* mitigating the consequences of redundancies.

Mr. Norris: In seeking to address any surplus staffing situation which might result in the declaration of redundancies, the Department or its agency will at the earliest opportunity consult the trade unions representing the staff involved. Such consultation will be with a view to considering the ways and means of avoiding compulsory redundancies and with a view to meeting management needs and ending staff uncertainty as quickly as possible.

Highways Agency

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the objectives set by his Department for the newly appointed chief executive of the Highways Agency for the financial year 1994-95.

Mr. Key: The Secretary of State has set the following objectives for the chief executive of the Highways Agency which are published in the Highways Agency framework document:

- to provide the best possible service both to road users and those affected by roads;
- to manage the new construction and maintenance programmes to secure the best value for money within the Government's overall strategy for trunk roads;
- to contribute to the Secretary of State's target of reducing road casualties by one third by the year 2000 compared with the annual average from 1981 to 1985;
- to give full weight to both the environmental and economic costs and benefits associated with the use, construction and maintenance of trunk roads and to strike a balance accordingly;
- to improve the efficiency of the Agency year on year.

The chief executive has been set a number of key tasks and targets for the financial year 1994-95 which underpin these objectives. The key tasks and targets are published in the agency's 1994-95 business plan, a copy of which has been placed in the House Library.

Taxi Drivers (Nottingham)

Mr. Allen: To ask the Secretary of State for Transport when he will reply to the letter from the hon. Member for Nottingham, North of 21 February regarding Nottingham taxi drivers.

Mr. Norris: My reply to the hon. Member was sent on 7 March 1994. With receipt of the hon. Member's letter of 22 March, it became clear that he had not received my letter and my private secretary thereupon faxed him a copy of it.

Birmingham Northern Relief Road

Mr. Mike O'Brien: To ask the Secretary of State for Transport on what date the public inquiry on the Birmingham northern relief road will commence; how long it is expected to take; if he will set out the terms of reference for the public inquiry with particular reference to whether it is open to the public inquiry to reject the possibility of building the road; and if the terms of reference will be restricted to the line of the road.

Mr. Key: The inquiry will commence on 21 June. It will consider all the draft schemes and orders which have been published. If made, these would establish the route of BNRR, junction and side road arrangements, the compulsory purchase of the land needed for the scheme and ancillary features and the right to levy tolls. The inquiry could last several months.

Dr. Wright: To ask the Secretary of State for Transport if the tolling design of the Birmingham northern relief road is consistent with the recommendations of his Department's Green Paper on motorway charging; and if he will make a statement.

Mr. Key: The Green Paper, "Paying For Better Motorways" suggested that while conventional tolling, with toll booths and barriers, had several advantages it would be impracticable to toll the entire motorway network by conventional methods. This is because existing motorways were not designed for tolling and land was therefore not set aside for the purpose; and because conventional tolling over the whole network would cause unacceptable traffic delays. These arguments do not apply to individual stretches of road, such as the Birmingham northern relief road, where provision for tolling is part of the design.

Shipping Subsidies

Mr. Luff: To ask the Secretary of State for Transport what representations he is making to the French Government and the European Commission about the plans developed by the French Government to subsidise the state-owned shipping company Compagnie Generale Maritime.

Mr. Norris: The EC Commission has responsibility for initial consideration of these matters. My Department has made clear that we consider that a number of subsidies to shipping companies in the Community may represent illegal state aids within the terms of the treaty of Rome. We understand that the Commission is investigating whether subsidies paid by the French Government to Compagnie Generale Maritime, or proposed to be paid in the future, contravene the treaty.

Mr. Luff: To ask the Secretary of State for Transport what assessment he has made of the subsidy and tax concessions made available by member states of the European Union to their domestic shipping companies; and if he will make a statement.

Mr. Norris: We believe that some subsidies and tax concessions made available by member states to their domestic shipping industries may constitute illegal state aid within the terms of the treaty of Rome. We have presented detailed information to the EC Commission which has responsibility for the initial consideration of these matters, and we understand that it is currently investigating certain cases.

Mersey Rail (Signalling)

Mr. Matthew Banks: To ask the Secretary of State for Transport what representations he has received from Southport and Merseyside relating to safety with the new signalling system on Mersey Rail; and what assessment he has made of the extent to which the travelling public are protected as a result of this new investment.

Mr. Freeman: I am not aware of any representations from Southport and Merseyside. Her Majesty's chief inspecting officer of railways has received representations from the general secretary of ASLEF.

The safety assessment by the Health and Safety Executive's railway inspectorate of phase 1 of the new Mersey Rail signalling scheme is almost complete. Her Majesty's railway inspectorate has raised a number of questions with Railtrack. It is anticipated that approval of the works will be granted by the Health and Safety Executive on behalf of the Secretary of State following a satisfactory response to the points raised and a site inspection.

Vehicles (Blacked-out Windows)

Mr. French: To ask the Secretary of State for Transport (1) from what organisations he has received representations about vehicles with blacked-out windows;

(2) what is his assessment of the effectiveness of regulation 32 of the Road Vehicles (Construction and Use) Regulations 1986;

(3) how many prosecutions have been made under regulation 32 of the Road Vehicles (Construction and Use) Regulations 1986 in each of the past five years.

Mr. Key: We have received 15 representations about blacked-out windows from members of the public during the last three years.

Regulation 32 of the Road Vehicles (Construction and Use) Regulations 1986 makes the fitment of excessively dark glass illegal. The British and European standards to which this regulation refers requires not less than 70 per cent. light transmission through all window glass. We believe that all vehicle manufacturers comply with this regulation.

Details of prosecutions for obscuration of windows are not available because prosecutions for all construction and use offences are recorded jointly. We understand that the police would be more likely to bring prosecutions under regulation 30 which relates to the driver's view of the road being unobscured. Some police forces have ordered darkened windows to be cleaned, or dark plastic film to be removed, under their vehicle rectification schemes.

Traffic Warden Duties

Mr. Mike O'Brien: To ask the Secretary of State for Transport (1) which local authorities have taken over traffic warden duties;

(2) what plans he has to transfer traffic warden duties to local authority responsibility.

Mr. Key: Under the Road Traffic Act 1991, local authorities can apply to the Secretary of State for Transport for designation orders enabling them to use parking attendants to enforce most parking offences in their areas. At present, these offences are enforced by traffic wardens and the police.

Nine London boroughs—Wandsworth, Bromley, Hammersmith and Fulham, Lewisham, Camden, Hackney, Hounslow, Richmond and Southwark—are currently using parking attendants to enforce most parking offences in their areas. It is the Government's intention that all the London boroughs will be enforcing permitted parking by July this year; by that date, it is expected that the majority of the boroughs will also be enforcing most restricted parking. Enforcement on the red routes in London is to remain with the police and their traffic wardens.

The Government are currently preparing guidance for the local authorities outside London which would like to enforce parking offences in their areas. Once the guidance has been published, local authorities outside London will be able to apply to the Secretary of State for designation orders giving them the necessary powers.

Road Tax Offences

Mr. David Porter: To ask the Secretary of State for Transport if he will make a statement on the number of road tax offences reported by police to the Driver and Vehicle Licensing Agency, Swansea in the past year; how many were brought to prosecution; and what was done with those cases not prosecuted.

Mr. Key *[holding answer 28 March 1994]:* The number of vehicles reported to the DVLA by the police for alleged vehicle excise duty offences in 1992-93 was 1·8 million. Some 435,000 evaders were penalised, of which 242,000 settled out of court and 193,000 were successfully prosecuted. A further 180,000 evaders were encouraged to relicense their vehicles promptly as a direct result of enforcement activity. In a large proportion of the remaining cases, subsequent checks of the DVLA vehicle register revealed that the vehicles were in fact licensed and no offence had been committed. Other cases were not completed because of defects in offence reports, more than one report being received for the same offence, problems in tracking down offenders, difficulties in serving summonses and availability of resources.

Air Passenger Safety

Mr. David Marshall: To ask the Secretary of State for Transport if he will deposit in the Library a copy of the report by Edward James Trimble, the Principal Inspector of Accidents, entitled "The Management of Aircraft Passenger Survival in Fire."

Mr. Norris *[holding answer 30 March 1994]:* The report referred to is the thesis by Dr. E. Trimble undertaken in his own time under the auspices of the faculty of management of Robert Gordon university, Aberdeen. The conclusions of this thesis are therefore Dr. Trimble's and not necessarily those of the AAIB or the Department of Transport. The thesis carries a note to this effect. It is therefore not appropriate for copies to be deposited in the Library of the House.

Air Traffic Control

Mr. David Marshall: To ask the Secretary of State for Transport (1) what assessment he has made of the occasions on which the final approach separations used when there is no additional wake vortex separation requirement for Heathrow are less than the legal minima; and if he will make a statement;

(2) what were the reasons for the decision by the Civil Aviation Authority to authorise air traffic controllers employed by National Air Traffic Services who are qualified commercial pilots to undertake commercial AOC flying activities during their off-duty rest days; and if he will make a statement;

(3) what is the purpose of the National Air Traffic Services Safety Regulation Group interface document; and if he will place a copy in the Library;

(4) if the air traffic control separation monitoring function at London air traffic control centre, can respond to aircraft final approach separations applied by controllers at the Heathrow approach radar facility; what plans there are to re-programme the separation monitoring function; and if he will make a statement.

Mr. Norris *[holding answer 30 March 1994]:* As these four questions all concern matters which are within the responsibility of the CAA, I am asking the chairman of the CAA to write to the hon. Member.

Mr. David Marshall: To ask the Secretary of State for Transport if he will call for, and publish, a report from the Civil Aviation Authority as to its view on the research by Dr. E. J. Trimble, the Principal Inspector of Accidents, on the management of aviation passenger survival in situations of aviation fire; and if he will make a statement.

Mr. Norris *[holding answer 30 March 1994]:* the responsibility for the safety regulation of United Kingdom civil aviation, including the provision of passenger safety equipment, rests with the Civil Aviation Authority.

The authority published its view on passenger survival in situations of aviation fire in CAP 586, "Improving Passenger Survivability in Aircraft Fires: A Review". The authority's position on the issue of smokehoods, which is the main issue addressed by Dr. Trimble in his private research, was last published in the civil aviation publication CAP 594. I do not have any plans to call upon the authority to publish a direct response to the research in question from Dr. Trimble. However, I shall bring the hon. Member's question to the attention of the authority and ask it to write to him direct to explain its position regarding the conclusions reached by Dr. Trimble.

Vehicle Inspections

Mrs. Helen Jackson: To ask the Secretary of State for Transport, pursuant to his answer of 21 March, *Official Report*, columns *106-7*, which categories of vehicle other than public service were covered by his answer; and if he will give the corresponding figures for *(a)* goods vehicles and *(b)* other vehicles.

Mr. Key *[holding answer 28 March 1994]:* My answer of 21 March referred to public service vehicles only. the table attached to that answer shows in addition to the PSV figures, the annual roadworthiness sport checks for heavy goods vehicles, light goods vehicles, cars and motor cycles, as well as the traffic enforcement spot checks for heavy goods vehicles.

Rail Expenditure

Mr. Gunnell: To ask the Secretary of State for Transport (1) what will be the level of Government funding to each of the PTEs, via the relevant district or regional councils, for payment of Railtrack charges for 1994-95.

(2) what is the total section 20 spending for each PTA area for 1994-95 and that planned for 1995-96 and 1996-97.

Mr. Freeman: Figures are not available for planned section 20 spending in each passenger transport authority area. It is for each passenger transport executive to determine the level of local rail services to be provided, in the light of PTA policies for its area.

Assistance to local authority programmes is given through revenue support grant paid by the Department of the Environment in England and the Scottish Office in Scotland. An amount is provided within the all other services block for distribution to district councils in the six English metropolitan county areas in respect of their responsibility for supporting local rail services. For 1994-95 this element will be £112·9 million. In Scotland an amount is included in the aggregate external finance settlement, which for 1994-95 amounts to £35·2 million in respect of supported rail services in the Strathclyde region. These figures reflect estimates of the cost of maintaining services made on the basis of the railway charging principles applicable up to March 1994.

Under the new railway charging systems introduced on 1 April 1994 we expect the headline cost to PTEs of maintaining their existing service levels to increase. We have undertaken to cover the increased cost in 1994-95 by making special grant payments to the six PTAs in England and through similar payments to Strathclyde regional council. These will be sufficient, when taken together with the sums provided through the local government finance system, to cover the full cost to PTEs of maintaining their service levels, including the access charges relating to their services. For 1994-95 the PTEs will not be making payments direct to Railtrack for the access charges attributable to their rail services, but will be paying the subsidy required by BR to run the trains. BR, in turn, will pay access charges to Railtrack.

Thereafter, we intend to enhance the support provided through the local government finance system to reflect the net increase in the level of support required to maintain existing services in future years.

School Minibuses

Mr. David Young: To ask the Secretary of State for Transport how many children have been killed and injured in school minibuses in the last year.

Mr. Key: In 1992, the latest year for which data are available, it is estimated that 105 school children were slightly injured, and three children were seriously injured in minibuses in journeys to and from school. In addition 193 school children were slightly injured and 19 seriously injured in minibuses on journeys other than going to and from school. There were no child fatalities in minibuses in 1992.

Seat Belts

Mr. David Young: To ask the Secretary of State for Transport what proposals he has to ensure that no school minibus is used without adequate seat belts being fitted.

Mr. Key: We are currently considering the full technical and cost implications of fitting seat belts in all minibuses and coaches. We hope to publish the conclusions shortly.

Pelican Crossings

Mr. William O'Brien: To ask the Secretary of State for Transport (1) what advice he gives to local authorities on the provision of pelican crossings where the criteria laid down by his Department are marginally above the traffic and road conditions; and if he will make a statement;

(2) if he intends to relax the conditions and criteria for the provision of pelican crossings where a community or parish council consider that local conditions demand such a crossing; and if he will make a statement.

Mr. Key: The current advice given to local authorities is that the provision of crossings should not rest solely on the volumes of vehicles and pedestrians but should also take into account local features. The advice is contained in departmental advice note TA 52/87 "Design Considerations for Pelican and Zebra Crossings". A copy is in the Library. This advice is non-mandatory and it is entirely a matter for local judgment whether crossings can be justified at specific sites. Revised advice will be published this year which will stress the importance of taking a broad range of local factors into account rather than relying on rigid arithmetic factors.

TRADE AND INDUSTRY

Consultants

Mr. Cousins: To ask the President of the Board of Trade whether any of the consultants retained by him on the Post Office review have advised him of conflicts of interest.

Mr. Heseltine: On a number of occasions the consultants have approached the Department to determine whether work which they were contemplating undertaking for other clients would create a conflict of interest. Each such case has been considered and decided on its merits.

Mr. Cousins: To ask the President of the Board of Trade how much has been spent on consultancies relevant to *(a)* the review of the Post Office and Parcelforce, *(b)* the review of the DTI research laboratories and the Atomic Energy Authority and *(c)* the review of the Accounts Services Agency, the Patent Office, Companies House and the Insolvency Service Agency in each of the calendar years 1992 and 1993; and how such expenditures are recorded in MINIS returns.

Mr. Eggar: Total expenditure on consultancy advice relating to the Post Office review and privatisation of Parcelforce amounted to £411,624·12 in the calendar year

1992 and £854,651·35 in 1993. On each of the other reviews a single company was appointed and the individual fees paid to these are commercially confidential. This expenditure is not recorded separately in MINIS. It can be found as part of the running costs or programme budget, as appropriate, in the form "O" of the relevant management unit's MINIS return.

Mr. Cousins: To ask the President of the Board of Trade whether consultants continue to be employed on the review of Parcelforce and the Post Office; on what occasions such consultancies have been subject to renewal or renegotiations; and whether competitive tenders were sought on every such occasion.

Mr. McLoughlin: All appointments of consultants in connection with the Post Office review and the privatisation of Parcelforce have been made after a competitive tendering process. The resulting contracts have been extended as appropriate, and some remain in force. Details of individual contracts are commercially confidential.

Launch Aid

Mr. Cousins: To ask the President of the Board of Trade if he will publish a table showing which companies have received launch aid; what the total receipts and expenditure in cash and current prices has been; and what receipts and expenditure in current prices are expected to be in the current public expenditure policy period.

Mr. Heseltine: The information on launch aid is in the table:

	Past launch aid 1983-84 to 1993-94	*Current public expenditure period* 1994-95	1995-96	1996-97	1997-98
Payments—£ million cash					
British Aerospace	696·4 (878·9)	0	0	0	0
Rolls Royce	146·1 (234·4)	0	0	0	0
Westland	87·5 (119·5)	2	0	0	0
Shorts	0	0	20	2·5	0
Receipts—£ million cash					
British Aerospace	173·5 (182·4)	28·9	34·0	53·5	53·5
Rolls Royce	240·9 (291·8)	22·8	34·8	24·9	24·9
Westland	0	0	0	0	0
Shorts	0	0	5	2·5	0

Notes:
1. Constant/current prices are in brackets.
2. Constant/current prices are deflated to 1992-93, most recent Treasury deflator index.

Wind Power Station, Humble Hill

Mr. Cousins: To ask the President of the Board of Trade whether he intends to hold a public inquiry into the proposed Humble Hill wind power station, Northumberland.

Mr. Eggar: Discussions on the proposed windfarm are continuing. My right hon. Friend the President of the Board of Trade will wish to take account of the outcome of those discussions before deciding whether to hold a public inquiry into the application.

Monopoly Inquiries

Mr. Nigel Griffiths: To ask the President of the Board of Trade if he will estimate the cost to the Monopolies and Mergers Commission of its inquiry into *(a)* perfumes and fine fragrances and *(b)* ice cream supplies.

Mr. Neil Hamilton: The MMC estimates that the cost to it of carrying out these inquiries was £559,000 for fine fragrances and £368,000 for ice cream.

World Trade Organisation

Dr. Lynne Jones: To ask the President of the Board of Trade how often a ministerial conference of the World Trade Organisation will be called; and if he will make a statement.

Mr. Needham: The ministerial conference of the proposed World Trade Organisation is to meet every two years.

Dr. Lynne Jones: To ask the President of the Board of Trade if he will make a statement on the voting arrangements for member nations of the World Trade Organisation.

Mr. Needham: Each member of the proposed World Trade Organisation will have one vote.

Dr. Lynne Jones: To ask the President of the Board of Trade whether measures to promote *(a)* sustainable development and *(b)* environmental protection are enshrined in the constitution establishing the World Trade Organisation.

Mr. Needham: A commitment to sustainable development is set out in the preamble of the proposed agreement establishing the World Trade Organisation. In addition, a work programme on trade and environment issues is to be agreed at the time of the Marrakech ministerial meeting. This will involve examination by the members of the WTO of a wide range of issues associated with the interaction of the rules of the trading system and environmental protection.

Consorzio Ital Offshore

Mr. Charles Kennedy: To ask the President of the Board of Trade, pursuant to his answer of 29 March, *Official Report*, column 656, what further steps he now proposes to take to reschedule the visit to Ital Offshore by Offshore Supplies Office officials; if he will approach the EU Commission under the terms of the Single European Act; and if he will make a statement.

Mr. Eggar: The invitation to OSO to visit CIO's fabrication site was unsolicited and was subsequently cancelled by the yard. Despite extensive discussions in the United Kingdom and Sicily, the OSO, working with the consulate general Naples, has been unable to establish grounds for making a formal complaint to the EU Commission about the Judy award.

Ethylene (Substitution)

Mr. John Morris: To ask the President of the Board of Trade what discussions have taken place between BP Chemicals and his Department, and between his Department and the European Commission regarding the substitution of ethylene now being produced at BP Chemicals Baglan Bay from alternative sources.

Mr. Sainsbury: None. This is a matter for commercial decision by the company.

Caparo Judgment

Mr. Austin Mitchell: To ask the President of the Board of Trade what proposals he has for reversal of the Caparo judgment.

Mr. Neil Hamilton: I have no plans to seek to change the present state of the law.

Supervisory Bodies

Mr. Austin Mitchell: To ask the President of the Board of Trade what plans he has for legislation under which the recognised supervisory bodies would owe a duty of care to individual shareholders.

Mr. Neil Hamilton: I have no plans to seek to change the present state of the law.

Healthcall (MMC Referral)

Ms Primarolo: To ask the President of the Board of Trade if he will investigate whether there is a case for referring Healthcall to the Monopolies and Mergers Commission.

Mr. Neil Hamilton: Such investigations are a matter for the Director General of Fair Trading, and any concerns the hon. Member has should be directed to him.

European Union Trade Policies

Mr. Llew Smith: To ask the President of the Board of Trade if he will make a statement on the effects on United Kingdom sovereignty of the trade policies of the European Union.

Mr. Heseltine: Under article 113 of the treaty of Rome, the EC acts as a single party in most areas of trade policy. The Commission negotiates for the Community, in consultation with member states and subject to Council approval of resulting agreements. The United Kingdom remains a GATT contracting party, and will be an original member of the World Trade Organisation.

Environmental Technology Exhibition

Mr. Llew Smith: To ask the President of the Board of Trade what *(a)* Ministers and *(b)* staff attended the employment training "94 Environmental Technology" exhibition at Birmingham from 22 to 24 March.

Mr. Heseltine: Due to prior engagements no DTI Minister was able to attend the ET "94 Environmental Technology" exhibition. However, the DTI once again exhibited and also organised two seminars on the capabilities of United Kingdom environmental technology suppliers and export opportunities.

Aerosol Sprays

Mr. Gareth Wardell: To ask the President of the Board of Trade if he will make it a mandatory requirement that all aerosol sprays which carry a "Flammable" warning label should also carry the flame symbol.

Mr. Heseltine: The use of the flame symbol is governed by Commission directive 67/548/EEC as amended, which has been implemented in this country by the Chemicals (Hazard Information and Packaging) Regulations 1993. The directive and these implementing regulations require the symbol to be used only where a product is labelled "Extremely Flammable" or "Highly Flammable" and not just "Flammable".

Immovable Property Transactions Report

Mr. Nicholas Winterton: To ask the President of the Board of Trade what reports other than the principal report by Wilde Sapte and Maclay Murray and Spens entitled "Information and Protection of Transactions concerning Immovable Property Purchased by Consumers" have been commissioned by the European Commission in areas which might reasonably be expected to have an impact upon the detailed regulation of the United Kingdom's manufacturing and construction industries; if he will make it his policy in future to notify the House and industry of the commissioning of all such reports in future; and if he will make arrangements to ensure that British industry has the opportunity to be consulted in the preparation of all such reports.

Mr. Heseltine: The European Commission does not inform the United Kingdom Government of all the reports which it commissions.

Mr. Nicholas Winterton: To ask the President of the Board of Trade what information he has concerning the extent to which copies of the principal report by Wilde Sapte and Maclay Murray and Spens entitled "Information and Protection of Transactions concerning Immovable Property Purchased by Consumers" are available in other member countries of the European Community; what consultation about the recommendations of the report has been undertaken with industry in those countries; and what preliminary conclusions have been reached by the European Commission on those recommendations.

Mr. Heseltine: The Commission has not officially released the report, although we understand that some

copies are in circulation. It is understood that the Commission has no plans at present to take forward the recommendations in the report.

Mr. Nicholas Winterton: To ask the President of the Board of Trade whether Her Majesty's Government were approached or consulted by Wilde Sapte and Maclay Murray and Spens during the research which they recently undertook and which led to the production of a principal report entitled "Information and Protection of Transactions concerning Immovable Property Purchased by Consumers".

Mr. Heseltine: The Office of Fair Trading and the Lord Chancellor's Department were approached during the research before the report was made.

Mr. Nicholas Winterton: To ask the President of the Board of Trade what was the cost to the European Commission of the principal report by Wilde Sapte and Maclay Murray and Spens entitled "Information and Protection of Transactions concerning Immovable Property Purchased by Consumers"; by whom, specifically, that report was commissioned; what is the status of that report; and if he will make a statement.

Mr. Heseltine: The European Commission has not disclosed the cost of the report which it commissioned. The status of the report is that it is an unreleased confidential report made to the European Commission.

Mr. Nicholas Winterton: To ask the President of the Board of Trade (1) what plans he has to circulate copies of the principal report by Wilde Sapte and Maclay Murray and Spens entitled "Information and Protection of Transactions concerning Immovable Property Purchased by Consumers" to the Confederation of British Industry, the National Association of Estate Agents, the Building Societies Association, the Building Employers Confederation, the Personal Investment Authority, the Law Society and all those financial services regulatory bodies whose members are involved in the provision of advice about lending in connection with immovable property purchase;

(2) pursuant to his answer of 22 March, *Official Report*, column *204*, whether he now intends to make available to industry copies of the principal report by Wilde Sapte and Maclay Murray and Spens entitled, "Information and Protection of Transactions concerning Immovable Property Purchased by Consumers"; and if he will invite the comments of industry on the recommendations of that document;

(3) what plans he has to bring forward proposals to change the law in any of those areas which are his responsibility and which were included in the recommendations of the principal report by Wilde Sapte and Maclay Murray and Spens entitled "Information and Protection of Transactions concerning Immovable Property Purchased by Consumers".

Mr. Heseltine: The Government are not entitled to make public the contents of a confidential report which is the property of the European Commission.

Pergau Dam

Mr. Worthington: To ask the President of the Board of Trade when his Department was first approached under aid and trade provisions for support for the Pergau dam; by which firm he was approached; and if he will set out, the dates of each step in the main sequence of events in his Department's consideration of the application.

Mr. Needham: According to DTI records, DTI officials were in frequent discussions during the summer of 1988 with Balfour Beatty and GEC about the Ulu Jelai hydro-electric project, which these two companies had formed a consortium to pursue, and for which they had applied for ATP in July 1988. On 20 September representatives of these companies expressed to DTI officials their interest in Pergau and GEC indicated that it was intending to apply for ATP for that project, rather than for Ulu Jelai. Subsequently a formal application for ATP dated 11 November was submitted by Balfour Beatty on behalf of the United Kingdom consortium. The industrial and commercial benefits that ATP support would bring to the United Kingdom were then assessed by DTI officials. Following approval by the then Minister for Trade on 20 January the ATP case paper was circulated to other Government Departments for consideration on 24 January 1989.

Mr. Worthington: To ask the President of the Board of Trade if he will list the dates and give the actual changes that occurred in the costs of the Pergau dam project and the detailed reasons that were given for the changes in costs.

Mr. Needham: A formal ATP application with a contract value of £315 million was lodged by Balfour Beatty on behalf of the United Kingdom consortium on 11 November 1988. On 3 March 1989 the United Kingdom consortium submitted a revised price of £316 million broken down by its various elements. No reason was given for the increase but it was known that the United Kingdom consortium had been working on its price since November 1988. Information on the further price rises to £397 million and £417 million respectively is contained in the National Audit Office report on the Pergau hydro-electric project, dated 22 October 1993. Copies of this are available in the Library of the House.

Technology Transfer Programmes

Mr. Cousins: To ask the President of the Board of Trade if he will list the projects approved under, and give the regional distribution of expenditure incurred within each of the technology transfer programmes relating to *(a)* advanced control technology, *(b)* biochemical engineering and *(c)* neural computing technology in each of the last five years.

Mr. McLoughlin: The details requested could be obtained only at disproportionate cost.

Redundancies

Mr. Ingram: To ask the President of the Board of Trade if he will give details of the compensation payments given to members of staff at the National Engineering laboratory and Warren Springs laboratory who have been made redundant in the last year.

Mr. Heseltine: There have been no redundancies at either the National Engineering laboratory or Warren Spring laboratory.

At both laboratories, staff numbers have been reduced through voluntary early retirement, voluntary early severance and through placement in other posts in the Department.

Regional Selective Assistance

Mr. Mike O'Brien: To ask the President of the Board of Trade (1) to what extent administrative delays have resulted in a delay in his Department making a decision about regional selective assistance grants to Stone Plastics Ltd. and Tape Seals Ltd. of Atherstone, Warwickshire;

(2) whether his Department has investigated the effect on jobs and exports of delays in approving regional selective assistance grants for Stone Plastics and Tape Seals Ltd.

Mr. Needham: There have been no delays in reaching decisions on the regional selective assistance applications from Stone Plastics Ltd. and Tapeseals Ltd. Both cases are currently undergoing appraisal to determine whether the criteria for assistance are met.

Electricity Tariffs

Mr. Thurnham: To ask the President of the Board of Trade if he will list the different domestic electricity tariffs throughout the United Kingdom, in descending order of price.

Mr. Eggar: The information is set out in the table:

Domestic Electricity Tariffs 1 April 1994

	Standard tariff		*Economy 7*		
	Standing charge per quarter (£)	*P/kwh*	*Standing charge per quarter (£)*	*P/kwh (day)*	*P/kwh (night)*
Public Electricity Supplier					
South Wales	11·25	8·08	14·10	8·66	2·65
Northern	11·04	7·95	13·92	8·37	2·65
Manweb	11·55	7·78	14·80	8·15	2·81
Northern Ireland	13·95	7·75	18·55	8·21	2·68
Eastern	9·10	7·42	14·30	7·42	2·74
East Midlands	9·30	7·34	13·08	7·34	2·70
Southern	10·33	7·27	13·25	7·90	2·64
Yorkshire	10·13	7·22	13·21	7·63	2·83
Seeboard	10·84	7·21	13·92	7·21	2·68
Midlands	8·79	7·18	12·65	7·75	2·75
Scottish Power	10·11	7·13	15·22	7·70	2·93
South Western	11·45	7·11	15·00	8·52	2·84
London	12·22	7·08	15·31	7·67	2·76
Scottish Hydro	11·03	6·78	14·00	7·18	2·68
Norweb	10·84	6·60	14·27	7·07	2·61

NB. Companies are listed in descending order of unit cost per kilowatt hour under the standard tariff.

Other Notes:

Manweb are giving a £10 rebate, Seeboard a £8 rebate and SWEB a £4·50 rebate.

Most companies offer a set reduction for payments by direct debit.

There are other tariffs by domestic consumers such as power key and special tariffs for storage heaters.

Coal Privatisation

Mr. Tipping: To ask the President of the Board of Trade, pursuant to his answer of 19 January, *Official Report*, column *648*, if he will update his list of consultants commissioned to provide advice on the privatisation of British Coal.

Mr. Eggar: Brodies WS was appointed on 22 March 1994 to provide legal advice in connection with Scottish aspects of the privatisation of British Coal.

Mr. Brazier: To ask the President of the Board of Trade when he proposes to make further information available about coal privatisation.

Mr. Eggar: N. M. Rothschild will issue a preliminary memorandum on behalf of Her Majesty's Government on 13 April at 11 am. Copies will be placed in the Library of the House.

THORP

Mr. Llew Smith: To ask the President of the Board of Trade what information he has received from *(a)* British Nuclear Fuels and *(b)* Her Majesty's inspectorate of pollution as to the awarding of licensing instruments by Her Majesty's inspectorate of pollution in the commissioning process for THORP at Sellafield.

Mr. Eggar: The issuing of a licensing instrument—LI—is a matter for the Health and Safety Executive's nuclear installations inspectorate, the NII. I understand that the NII, on completion of its assessment of the results of uranium testing at the THORP plant at Sellafield, issued an LI on 25 March. Reprocessing at THORP subsequently started on 27 March.

Arms Exports

Mr. Llew Smith: To ask the President of the Board of Trade what type, quantity and value of arms have been exported to south-east Asia in aggregate, without detailing country by country information, by the United Kingdom, in each year since 1985.

Mr. Needham: The available information is published regularly by the Ministry of Defence in "UK Defence Statistics" which is available from the Library of the House.

Mr. Cousins: To ask the President of the Board of Trade which banks backed the ECGD credits on the successive Government to Government arms deals with Jordan.

Mr. Needham: It has been the policy of successive Governments not to make public details of individual defence export orders or the related financing arrangements unless the relevant parties have agreed to this. No such agreement has been given in these cases.

British Coal Superannuation Scheme

Ms Rachel Squire: To ask the President of the Board of Trade (1) if there will be an evaluation of the British Coal staff superannuation scheme prior to privatisation; and if the Government will provide funds to meet the costs;

(2) whether the three-year evaluation of the British Coal staff superannuation scheme will continue; when the next evaluation will take place; and if Her Majesty's Government will provide funds to meet the cost of such an evaluation.

Mr. Eggar: It is proposed that after the privatisation of British Coal the industry pension schemes should have valuations at intervals of not more than three and a half years. The possibility of a further valuation of the staff superannuation scheme before privatisation is a matter for the trustees. The costs of valuations will continue to be met from scheme funds.

Electricity (French Interconnector)

Mr. Jack Thompson: To ask the President of the Board of Trade if he will list the ratio of United Kingdom imports to exports of electricity supply via the electricity supply link between the United Kindom and France in each year since 1986 on a quarterly basis and in the first quarter of 1994 expressed in gigajoules.

Mr. Eggar: The information requested is set out in the table:

10^6 gigajoules

	Electricity imported from France	*Electricity exported to France*
1986		
Q1	0·39	0·03
Q2	3·62	0·01
Q3	2·95	0·30
Q4	9·05	0·35
1987		
Q1	7·96	0·00
Q2	11·88	0·10
Q3	10·12	0·03
Q4	12·07	0·00
1988		
Q1	11·16	0·00
Q2	12·33	0·04
Q3	12·61	0·01
Q4	10·13	0·00
1989		
Q1	11·35	0·00
Q2	14·28	0·00
Q3	12·68	0·00
Q4	10·40	3·23
1990		
Q1	0·17	0·16
Q2	12·74	0·00
Q3	14·75	0·00
Q4	15·51	0·01
1991		
Q1	15·46	0·02
Q2	13·41	0·02
Q3	14·81	0·01
Q4	15·45	0·00
1992		
Q1	15·53	0·00
Q2	14·38	0·02
Q3	14·79	0·08
Q4	15·50	0·02
1993		
Q1	15·43	0·02
Q2	14·48	0·00
Q3	14·78	0·00
Q4	15·49	0·00

Note:
Information for the first quarter of 1994 is not yet available.

Coal Industry Bill

Mr. Mullin: To ask the President of the Board of Trade what representations he has received from the National Rivers Authority regarding the Coal Industry Bill; and if he will make a statement.

Mr. Eggar: My Department has received no representations from the National Rivers Authority on the Coal Industry Bill. The NRA has, however, provided comments in the context of the consultation exercise on the Coal Authority explanatory note and draft model licensing and leasing documents.

New and Renewables Programme

Mr. Cousins: To ask the President of the Board of Trade if he will list the projects approved under the new and renewables programme since its inception, together with the geographical distribution of the expenditure incurred.

Mr. Eggar: The list of projects approved under the new and renewable energy programme since its inception is very long and I will write to the hon. Member with a full list of approved projects in due course. I will place that letter in the Library of the House.

I regret that it will not be possible for this listing to provide a geographical distribution of the expenditure incurred. This information is not readily available and its presentation would entail disproportionate cost.

Overseas Projects Board

Mr. Cousins: To ask the President of the Board of Trade, pursuant to his answer to the hon. Member for Birmingham, Northfield (Mr. Burden) of 9 February, *Official Report*, column *323*, if he will list all the members of the Overseas Projects Board since 1984 with the terms and conditions of the appointment, including any recompense, expenses or remuneration.

Mr. Needham: I refer the hon. Member to the reply that I gave to the hon. Member for Birmingham, Northfield (Mr. Burden) on 21 February 1994, *Official Report*, columns *22-23*.

With regard to conditions of service, appointments are made by the Minister of Trade normally for a period of three years. Members are required to treat all commercially classified material which they may obtain during the course of their membership as strictly confidential. Members are reminded that Government information is subject to the provisions of the Official Secrets Act.

Members are asked to provide the Department of Trade and Industry with a list of companies in which they hold directorships and/or have financial interests and to update the information as necessary. This list is treated in the strictest confidence and is not made available outside the Department.

The appointment does not carry rights to recompense, expenses or remuneration.

I have placed a copy of the board's terms of reference in the Library of the House.

Carrier Technology Programme

Mr. Cousins: To ask the President of the Board of Trade if he will list the projects approved under, and the regional distribution of expenditure incurred within, the carrier technology programme since its inception.

Mr. McLoughlin: One project on the application of chaos theory to the production of spring wire has been approved within the carrier technology programme. The project began in December 1993 and will last two years. It will cost £156,000 and has a DTI grant of £76,000. The Spring Research and Manufacturers Association of Sheffield, and the university of Warwick are the main collaborators.

Space and Satellite Industry

Mr. Cousins: To ask the President of the Board of Trade what review he is undertaking of the British space and satellite industry; and whether the retention of a directly owned British satellite manufacturing capability forms part of his strategy for competitiveness.

Mr. McLoughlin: My officials are in regular contact with the British space and satellite industry, although no specific review is currently being undertaken. In encouraging the British satellite manufacturing industry to enhance its competitiveness, we work with the companies involved on the best means of achieving that objective.

Manufacturing, Planning and Implementation Scheme

Mr. Cousins: To ask the President of the Board of Trade if he will list the projects approved under, and the regional distribution of expenditure incurred, within the manufacturing, planning and implementation scheme since its inception.

Mr. McLoughlin: A list of projects approved under the manufacturing, planning and implementation scheme that have reached grant status is attached. The approximate distribution of expenditure by region is as follows:

	£ Thousand
North, West	900
North East	400
South West	550
South East	850
Yorkshire and Humberside	950
East Anglia	450
West Midlands	1,250
Scotland	500
Wales	300
East Midlands	800

List of Supported Projects

1 Platon International
2 Skippingdale Paper
3 Rainford Group
4 Hinckley Mouldings
5 CMK Treatments
6 KM-Comark
7 MDH Limited
8 Saamex International
9 Permoid Ind.
10 Dalepak Foods plc
11 Dewhursts plc
12 Elkay Electrical
13 Appor Limited
14 Mulberry Co. Ltd.
15 Bloxwich Engineering
16 Kirpac Ltd.
17 Helix
18 Airedale International
19 Gledhill Water Storage
20 The Dane Group
21 Hobart Rose
22 Carlton Int
23 Montan Group
24 Federation Breweries
25 Carver and Co.
26 Hillary's Blinds
27 Econ Engineering
28 Pulsafe Safety Products
29 Regent Belt Co.
30 Kitchen Range Foods
31 Hilden Manufacturing
32 Cherub Ltd.
33 Edward MacBean
34 Ebac Ltd.
35 Autonumis
36 Oxley Developments
37 Hocking NDT
38 Ambi-Rad
39 Safeline
40 Simon Jersey
41 Blowspeed Industrial Mouldings
42 Albion Concrete products
43 Hozelock
44 Lewis Woolf Griptight
45 M. R. Hadida Ltd.
46 Unipack Ltd.
47 Asme Lt.
48 GFE Bartlett and Sons
49 Craig and Rose
50 Souplex Ltd.
51 Weatherite Ltd.
52 East Yorkshire Glass
53 AM Paper Convertors
54 Meridian Foods
55 Regent Lock Ltd.
56 Cooke Bros Ltd.
57 Phostrogen ltd.
58 Grower Marketing Services
59 MSP Ltd.
60 Manchester Circuits
61 Hayes Tubes
62 Aulds (Foods) Ltd.
63 Shering Weighing
64 Crane Electronics
65 Stemwest Produce Ltd.
66 Servomex plc
67 Silverscreen Print
68 Darron Tool and Engineering
69 Turner Brothers
70 P. and L. Suswin
71 Premier Pottery
72 Cambridge Optical
73 John Blackburn
74 W. Karp and Sons
75 Charles Walker
76 Crabtree
77 S. and A. Foods
78 Nusteel Structures
79 Redler
80 Stewart Buchanan Gauges
81 Leslie and Co. (Coventry) Ltd.
82 Progenitive Services
83 Circast Electronics
84 Thompson Carmichael
85 Chromalock
86 Zincast Foundry
87 Lancaster Glass Fibre

88 Self Serve Hygiene
89 FERMEC
90 Brookside Group (Meighs) Ltd.
91 Cardinal Broach
92 Foward Group plc
93 George Ward
94 Burall Plastec
95 Ford Component Manufacturing
96 Applied Security Design Ltd.
97 Welbeck (UK) Ltd.
98 Roberts Capsule Stopper
99 Morgan Motor Company
100 Porter Hopkins Ltd.
101 Metalformers Ltd.
102 CLF International
103 Brooke Tool Engineering
104 Reid Group plc
105 Wild Country Ltd.
106 Cranford Circuits
107 Assembly and Automation Ltd.
108 Concord Temperature Controls
109 Unwins Seeds Ltd.
110 Meteorway Ltd.
111 Plastic Developments
112 Blackburn Starling
113 Kleeneze plc
114 Swift
115 Atreus plc
116 HC Slingsby
117 Vedonis
118 Bode and Son Ltd.
119 Newport Technology Group
120 Fox Brothers and Co. Ltd.
121 The Michelmersh Brick and Tile Co. Ltd.
122 Langley Alloys Ltd.
123 C. H. Branham Ltd.
124 Envair Ltd.
125 Dagless Ltd.
126 Armeg Ltd.
127 Gilberts
128 Meridian House
129 Poole Pottery Ltd.
130 Storforth Engineering
131 C. C. L. Group plc
132 Eclipse Blinds
133 ETAL
134 Strathclyde Fabricators
135 William Baker (Leicester) Ltd.
136 Thwaites Ltd.
137 Kembrey Wiring Systems
138 Robor Cartons Ltd.
139 Danline Int. Ltd.

Postal Services

Mr. Cousins: To ask the President of the Board of Trade if he will place in the Library returns showing for each country of the OECD, for each country of the European Union and for Jordan, Iraq, Iran and Saudi Arabia, the imports and exports of postal services as defined in the Standard International Trade Classification for each year between 1982 and 1993.

Mr. Needham: The only postal services recorded within the Standard International Trade Classification are SITC 911·0—mail not classified by kind. The information is not readily available for all the countries listed over the period requested and could be obtained only at disproportionate cost. Information for some of the countries is published in the relevant country volumes of the "United Nations Commodity Trade Statistics", copies of which are available in the Library of the House.

Environmental Best Practice Programme

Mr. Cousins: To ask the President of the Board of Trade if he will list the projects approved under, and the regional distribution of expenditure incurred within, the environmental best practice programme since its inception.

Mr. McLoughlin: The environmental technology best practice programme is expected to be launched in June 1994. No expenditure under the programme has yet been incurred.

Advanced Technology Programme

Mr. Cousins: To ask the President of the Board of Trade what are the reasons for the closure of the advanced technology programme and support for innovation; and what evaluation of these programmes was carried out before their closure.

Mr. McLoughlin: The support for innovation scheme was withdrawn as a result of the decision, announced in the 1988 White Paper, "DTI—the Department for Enterprise", Cm 278, to end DTI support for near-market research and development through grants to individual companies. An evaluation of the scheme was carried out in July 1987.

The advanced technology programmes were closed in September 1993 following a further review of DTI's science and technology policy and programmes in the context of the White Paper on science, engineering and technology, "Realising our potential" (Cm 2250). The review decided that the balance of DTI's innovation support should be shifted away from generating new technology, on which DTI spend was less than 2 per cent. of industry's own research and development spend, towards technology transfer and exploitation and the promotion of innovation. Two programmes were evaluated; gallium arsenide in May 1991 and wealth from the oceans in December 1992.

Fees (Export Credit Cover)

Mr. Cousins: To ask the President of the Board of Trade what is his policy on granting export credit cover on long-term project costs which include *(a)* initial design and other fees preparatory to the award of any contract or *(b)* any commissions or brokerage fees; what written guidance on such matters is available to ECGD or exporters; and if he will place a copy in the Library.

Mr. Needham: Initial design and other preparatory fees can in principle be covered provided these are part of the overall export contract. Commissions and brokerage payments may also be eligible for export credit support if these form part of the exporter's overall costs of the contract.

There are no specific internal instructions in ECGD on cover for design and other preparatory fees. The internal instructions on cover for commission payments have been placed in the Library of the House. There is no written guidance for exporters on either issue; advice is usually given in the context of the contract being considered for ECGD support. Copies of ECGD's information guides for exporters are also being placed in the Library of the House.

"Good Government" Rule

Mr. Cousins: To ask the President of the Board of Trade whether the Exports Credits Guarantee Department observes any rules, or guidance similar, or equivalent to, the "good government" rule of the Overseas Development Administration.

Mr. Needham: The ODA's "good government" objective, alongside other objectives for the aid programme, is specifically designed to assist the ODA's decision making process.

The ECGD's function is to support United Kingdom exporters bidding for commercial contracts overseas by providing insurance and guarantees against the risks of non payment. In assessing these risks ECGD takes account of the economic and political circumstances of the markets in question as well as the credit worthiness of the individual buyers and borrowers concerned. It is a condition of the ECGD's guarantees that the exporter must obtain all necessary licences and authorisations for the exports to proceed.

Export Credits Guarantee Department

Mr. Cousins: To ask the President of the Board of Trade how many staff the Export Credits Guarantee Department has seconded to the British offset office at the Ministry of Defence.

Mr. Needham: There are no ECGD staff seconded to the Ministry of Defence.

Mr. Cousins: To ask the President of the Board of Trade what amount of Export Credits Guarantee Department cover *(a)* has been offered and *(b)* is outstanding in relation to the Saudi Arabia offset programme.

Mr. Needham: The answer is *(a)* Nil and *(b)* nil.

EDUCATION

Further Education

Mr. Bryan Davies: To ask the Secretary of State for Education what will be the role, remit, funding and governance of the new development agency for further education; and if he will make a statement.

Mr. Boswell: The Government have accepted the broad thrust of recommendations from the further education funding councils, to establish a new body to support and develop the quality and delivery of further education. This new body will supersede the further education unit and the Staff college, and will build on the valuable contributions that both have made. Arrangements for the transition to the new body will be finalised in the light of discussion with the funding councils, the further education unit and the Staff college.

Mr. Bryan Davies: To ask the Secretary of State for Education what percentage of the costs of the new development agency for further education will be met by is Department in each of the first three years of its existence.

Mr. Boswell: The Government intend that, over time, the new body should generate a substantial proportion of its income direct from colleges. It will be funded at the outset through a combination of block grant from the further education funding councils, and income from other sources including charges for services. The balance between these will depend on the needs and wishes of the customers, and the potential for attracting income.

Local Management of Schools

Mr. Walden: To ask the Secretary of State for Education what are the reasons for not including heads and governors of grant-maintained schools in the consultative processes which set the local management of schools formula for their schools.

Mr. Forth: Since 1 January 1994, local authorities have been required by law to consult heads and governors of grant-maintained schools in their area, as well as those of the schools which they maintain, about proposed amendments to their schemes of local management where these amendments constitute "significant variations" which require the Secretary of State's approval.

HMI/Ofsted Reports

Mr. Jamieson: To ask the Secretary of State for Education what measures his Department intends to take to ensure that HMI/Ofsted reports on private and independent schools which receive public funds are sent to parents of children at those schools.

Mr. Forth: All independent schools are monitored regularly as part of a programme of inspections by the Office for Standards in Education—Ofsted. Schools which are the subject of a published report are supplied with a stock of copies for distribution to parents, and are made aware that further copies may be obtained free from Ofsted. Ofsted also sends copies to the national and local press, thus alerting parents to the existence of the report and their right to obtain a copy.

School Buses (Seat Belts)

Mr. David Young: To ask the Secretary of State for Education if he will make it his policy to provide adequate funding to ensure seat belts are fitted to minibuses used by schools for the transportation of children.

Mr. Forth: The Department of Transport is currently reviewing the full technical and cost implications of fitting seatbelts to all minibuses and coaches, including those used for the transportation of school children. My right hon. Friend the Secretary of State for Transport will be publishing his conclusions shortly.

Student Income and Expenditure Survey

Mr. Cousins: To ask the Secretary of State for Education when his Department's survey of student income and expenditure was published for 1990, 1991 and 1992; when he expects the survey for 1993 to be published; and what expenditure was incurred on the preparation of each of these surveys.

Mr. Boswell: The report of the student income and expenditure survey for the 1992-93 academic year was published by Research Services Limited on 16 December 1993. The cost of the survey funded by the Department for Education was £181,000. The previous survey covered the 1988-89 academic year. There were no such surveys in the intervening years.

Consultants

Mr. Milburn: To ask the Secretary of State for Education, pursuant to his answer of 23 March, *Official Report*, column 269, if he will list the firms of consultants employed by his Department and the number of contracts they have undertaken.

Mr. Forth: The information requested is as listed:

1989

	Contracts
BIS Ltd.	3
Peat Marwick Mclintock	3
Coopers and Lybrand	2
CMG Ltd.	1
Digitus	1
Fearnhart	1
Illston and Crowcroft	1
Scoll Ltd.	1
TOTAL	13
VALUE	£555,000

1990

	Contracts
Coopers and Lybrand	6
BIS Ltd.	3
ICL Ltd.	3
PE International	3
Butler Cox	2
KPMG	2
Oracle Ltd.	2
Peat Marwick Mclintock	2
Touche Ross	2
Amtec Consulting	1
CMC Ltd.	1
CMG Ltd.	1
Elizabeth Braiden	1
Ernst and Young	1
F. Parrott	1
FI Group	1
Henley Consultants	1
Hoskyns Ltd.	1
Intac Ltd.	1
J. Broadbent	1
Kinesis Computing	1
Lalcrest Ltd.	1
LBMS Ltd.	1
Oxford Computer Training	1
Peter Pierce-Price	1
Radius Ltd.	1
RML Ltd.	1
SCOLL Ltd.	1
Tranrate Ltd.	1
Tunnock and Parish	1
Two B Ltd.	1
TOTAL	47
VALUE	£974,000

1991

	Contracts
Coopers and Lybrand	7
Sema Systems	6
LBMS Ltd.	5
PE International	4
Touche Ross	4
Duhig Berry	3
Kinesis Computing	3
Admiral Ltd.	2
BIS Ltd.	2
EIS Ltd.	2
Express Consultancy	2
Forvus Ltd.	2
Hugh Whiteside	2
Insight Consulting	2
Price Waterhouse	2
Thorn EMI	2
WS Atkins	2
BBT Ltd.	1
Brown Associates	1
CSL Ltd.	1
Dataflex	1
Derek Etherington	1
Ernst and Young	1
Howard Whiteside and Partners	1
Kingsley Lord	1
KPMG	1
London University	1
Mcneil Robertson Partnership	1
Michael Gill	1
Microsoft Ltd.	1
MSL Ltd.	1
MTA Ltd.	1
National Computing Centre	1
Neville Russell	1
Oracle Ltd.	1
Oxford Computer Training	1
PA Consulting	1
Peat Marwick Mclintock	1
Poplar Consultants	1
Radius Ltd.	1
Research Machines Ltd.	1
Robert Young	1
Robson Rhodes	1
ROCC Computing Ltd.	1
SC Scicon	1
SCS Ltd.	1
Software Sciences	1
Sybase Ltd.	1
TOTAL	83
VALUE	£1,517,000

1992

	Contracts
KPMG	4
BIS Ltd	3
Coopers and Lybrand	3
Ernst and Young	2
Insight Consulting	2
Price Waterhouse	2
Admiral Ltd	1
Aid to Industry	1
Alan Marshall	1
Audit Consultancy and Training	1
BBT Ltd	1
Central Office of Information	1
CSL Ltd	1
Duhig Berry	1
Express Consultancy	1
Forvus Ltd	1
Granada Computer Services	1
Kinesis Computing	1
MFT Computer Systems	1
MSL Ltd	1
Oxford Computer Training	1

	Contracts
Oracle Ltd	1
Peter Kemp	1
PE International	1
Richard Ellis	1
Saxton Bampfylde	1
Sema Systems	1
Shreeveport Ltd	1
Thomas Henley	1
Touche Ross	1
TOTAL	40
VALUE	£1,994,000

1993

	Contracts
Coopers and Lybrand	8
KPMG	5
Ove Arup	3
PA Consulting	3
Price Waterhouse	3
Arden Business Consultants	2
Express Consultancy	2
Touche Ross	2
Uden Consulting Ltd.	2
Alan Wilkinson	1
AMP Systems	1
Barony Consulting	1
Beard Dove Ltd.	1
BIS Ltd.	1
BUPA Occupational Health	1
Capita Ltd.	1
CMG Ltd.	1
CSL Ltd.	1
David Medd	1
DEGW London	1
Dr. J. Haskell	1
Eric Granshaw	1
Ingres Ltd.	1
J. Holdsworth	1
J. Huskins	1
Kinesis Computing	1
Kingdom Technology	1
KPG Ltd.	1
Loretta Franklin	1
Lorraine Stout	1
Microsoft Ltd.	1
Morgan Harris Burrows	1
N. M. Rothschild	1
Oxford Computer Training	1
Peter Kemp	1
Sophie Jackson	1
Steven Jackson	1
Terry Kinnard	1
Trackit Systems	1
W. S. Atkins	1
TOTAL	61
VALUE	£1,629,000
GRAND TOTAL	244
VALUE	£6,669,000

Student Debts

Mr. Rooker: To ask the Secretary of State for Education (1) what is the current average debt of students in England to the Student Loans Company Ltd; (2) how many graduates became liable from 1 April to make repayments to the Student Loans Company Ltd.; what is the average debt; and what have been the changes in these figures since April 1993.

Mr. Boswell: These are matters for the Student Loans Company. I have asked the chief executive to write to the hon. Member.

Autism

Mr. Win Griffiths: To ask the Secretary of State for Education what assessment he has made of the effectiveness of educational support services provided for children with autism in England.

Mr. Forth: The effectiveness of educational provision in schools for pupils with special educational needs, including autism, which may include the effects of special educational needs support services, is inspected as part of the continuing inspection programme of the Office for Standards in Education.

School Inspections

Mr. Redmond: To ask the Secretary of State for Education (1) how many local education authority school inspections have so far been awarded, despite a cheaper bid from the private sector; if he will total the differences between the value of the contract and the level of the lowest private bid in each of those cases; and if he will make a statement;

(2) what was the total of the differences between the value of the private sector contract, and the local education authority sector contract lowest bids submitted to Ofsted for each school inspection to date; and if he will make a statement;

(3) how many Ofsted inspections have currently been awarded to *(a)* the private sector and *(b)* the local education authority sector; and what was the amount of each bid.

Mr. Robin Squire: The arrangements for inspecting schools under the Education (Schools) Act 1992 are a matter for Ofsted.

I have asked Professor Sutherland to write to the hon. Member.

Literary Programmes

Mr. Win Griffiths: To ask the Secretary of State for Education, pursuant to his answer of 28 March, *Official Report*, columns *520-21*, what evaluation he has made of the literacy programmes mentioned in his answer.

Mr. Robin Squire: As I said in my answer of 28 March, the reading recovery trial is still in progress, as is the independent research project sponsored by the School Curriculum and Assessment Authority. We will evaluate the programme once the trial and the research project have been completed.

Of the other GEST-funded literacy projects, some have only just been completed; others will not finish until March 1995. They will be evaluated in due course.

The adult literacy and basic skills unit is responsible for monitoring and evaluating the family literacy initiative. The unit will report to my right hon. Friend when the initiative has concluded.

The increased grant to the volunteer reading help—VRH—organisation is to help it expand its operation,

particularly in the north of England. The organisation provides regular information to the Department on numbers of volunteers trained and placed with schools. The evidence provided by VRH is that its work provides an effective contribution to the raising of reading standards.

Hampstead Garden Suburb Institute

Mr. John Marshall: To ask the Secretary of State for Education what was the level of funding by the Further and Higher Education Council to Hampstead Garden Suburb Institute in 1993-94; and what is the planned level in 1994-95.

Mr. Boswell: In 1993-94, the Further Education Funding Council made available funding of £15,855 for the Hampstead Garden Suburb Institute. In 1994-95, provisional funding from the council, excluding any additional money for growth, will be £98,576.

Overseas Students (Fees)

Mr. Cousins: To ask the Secretary of State for Education if he will publish a table showing the fees charged for overseas students for each of the last five academic years, including the current academic year; and what proposals he has for levels of fees over the future public expenditure planning period.

Mr. Boswell: The Government do not set the level of fees charged to overseas students originating from outside the EC. Further and higher education institutions are expected to recover the full cost of the courses that they provide to overseas students. The establishment of fee levels therefore falls outside the public expenditure planning process.

The tables show the illustrative minimum fee levels circulated by the Committee of Vice Chancellors and Principals and the Council of Local Education Authorities over the last five academic years as guidance to institutions in determining their fee levels.

Higher Education Institutions

	Arts degree	*Science degree*	*Clinical years (medicine, dentistry, veterinary science*
	£	£	£
1989-90	4,300	5,700	10,500
1990-91	4,560	6,050	11,150
1991-92	5,000	6,630	12,210
1992-93	5,320	7,055	12,990
1993-94	5,550	7,360	13,550

Further Education Institutions

	Arts degree	*Science degree*	*FE courses*
	£	£	£
1989-90	4,107		no level set
1990-91	3,000 to 5,670		no level set
1991-92	5,019		2,778
1992-93	5,319		2,946
1993-94	5,547		3,072

Reading Skills

Mr. Win Griffiths: To ask the Secretary of State for Education, pursuant to his answer of 28 March, *Official Report*, columns *520-21*, what plans he has to develop the existing specific programmes to improve reading skills among young children beyond 1995; and what plans he has to ensure that the expertise gained by those involved in reading recovery programmes will be utilised after 1995.

Mr. Robin Squire: No decisions have been taken about specific programmes beyond 1995. As I said in my answer of 28 March, we will consider what further action might be taken on reading recovery in the light of evidence from the trial and the independent research project, both of which have yet to be completed.

Dogs

Ms Hoey: To ask the Secretary of State for Education (1) if he will make a statement on the activities of commercial concerns in the promotion of dog ownership in primary schools;

(2) how many educational visits to schools have been made by dog wardens and other agencies with interest in dogs since 1988;

(3) what measures the Government intend to take to end the promotion of dog ownership to primary school children.

Mr. Forth: This information is not collected centrally. Individual schools and the parents of the pupils concerned will wish to take a responsible attitude to dog ownership.

Official Entertainment

Mr. Boyes: To ask the Secretary of State for Education what was the total cost of official entertaining in his Department in each year since 1990-91; if he will list the receptions held in each year at his Department's expense; and what was the cost of each reception.

Mr. Boswell: The information available is as follows:

	£ thousands
1990-91	57
1991-92	86
1992-93	96

The cost of official entertainment in each of these years is included in the running cost expenditure for the Department which is published every year in the annual report; figures for 1993-94 are not yet available. The entertainment budget is used for a variety of functions including receptions. Separate figures are not kept for individual functions.

SCOTLAND

Official Entertainment

Mr. Boyes: To ask the Secretary of State for Scotland what was the total cost of official entertaining in his Department in each year since 1990-91; if he will list the receptions held in each year at his Department's expense; and what was the cost of each reception.

Mr. Lang: Total expenditure on ministerial hospitality for the years in question was:

Year	£
1990-91	65,123
1991-92	62,800
1992-93	94,385
1993-94	49,805

Expenditure on hospitality is included within the running cost expenditure for my Department which is published each year in the annual report. The hospitality budget is used for a variety of functions including receptions but providing details of individual events would incur disproportionate costs.

Highlands and Islands Veterinary Service

Mr. Wallace: To ask the Secretary of State for Scotland which bodies he has consulted regarding possible changes to the Highland and Islands veterinary services schemes following the completion of consultants reports on the scheme; and when he issued any consultation guidelines.

Mr. Lang *[holding answer 31 March 1994]:* The following organisations were sent a copy of the consultant's report on 4 June 1991; and were invited to comment.

British Veterinary Association
Royal College of Veterinary Surgeons
Crofters Commission
Scottish Crofters Union
Highlands and Islands Enterprises
Convention of Scottish Local Authorities
Strathclyde Regional Council
Highland Regional Council

Conservation Areas

Mr. Maclennan: To ask the Secretary of State for Scotland (1) what proportion of the land area in *(a)* Scotland and *(b)* Highland region is covered by the proposed list of special areas of conservation which he has received from Scottish Natural Heritage;

(2) what proportion of the sites of special scientific interest in *(a)* Scotland and *(b)* Highland region are included in the proposed list of special areas of conservation which he has received from Scottish Natural Heritage.

Sir Hector Monro *[holding answer 31 March 1994]:* Scottish Natural Heritage, in conjunction with the Joint Nature Conservation Committee, has submitted to the Government a preliminary and confidential list of sites from which candidate special areas of conservation under the EC habitats directive, 92/43/EEC, may be chosen. This list does not constitute a list of proposed special areas of conservation, but merely a contribution to the Government's consideration of what sites may be proposed as candidate special areas of conservation.

The Government expect to publish for consultation later this year proposals for candidate special areas of conservation.

Mr. Maclennan: To ask the Secretary of State for Scotland if he will take advice from the local authorities on the economic and social needs of those areas contained in the proposed list of special areas of conservation he has received from Scottish Natural Heritage prior to its issue for public consultation.

Sir Hector Monro *[holding answer 31 March 1994]:* The preliminary advice received from Scottish Natural Heritage does not constitute a list of proposed special areas of conservation. The Government believe that when a list of candidate special areas of conservation has been prepared, the owners and occupiers of those sites should be the first to be informed. Nonetheless, the Scottish Office would be interested in any advice which local authorities might care to give about areas which they consider suitable or unsuitable for proposal as special areas of conservation.

Civil Servants (EC Matters)

Mr. Salmond: To ask the Secretary of State for Scotland if he will give numbers, ranks and departments within Scottish Office of those civil servants who work exclusively on EC affairs; which are monitoring EC activities; and which are administering and advising on grants.

Mr. Lang: The number of staff from grade HEO to grade 5 who spend a significant proportion of their time on EC business in each of the departments of the Scottish Office is set out in the table. Figures are not available for grades other than those listed.

The figures indicate the overall percentage of time which officers spend on EC work; information on the proportion of time spent on the different aspects of EC business is not available.

Scottish Office officers involved in EC business

Grade	*Percentage of time spent on EC work*		
	100-60 per cent.	*60-25 per cent.*	*25-10 per cent.*
The Scottish Office Agriculture and Fisheries Department			
5	4	3	1
7	13	6	2
SEO	3	1	1
HEO(D)	2	—	—
HEO	19	8	2
Senior Prof Grades	8	2	1
The Scottish Office Education Department			
Senior Prof Grades	2	1	1
The Scottish Office Environment Department			
5	—	—	2
6	—	1	1
7	—	—	5
HEO(D)	—	—	1
HEO	—	1	4
Senior Prof Grades	—	7	3
The Scottish Office Home and Health Department			
HEO	—	—	1
The Scottish Office Industry Department			
5	1	—	1
6	1	—	—
7	3	—	—
SEO	4	1	—
HEO(D)	1	—	—
HEO	7	1	1
Senior Prof Grade	—	—	3
Central Services			
5	—	—	1
7	—	2	—
HEO	—	1	—

Lamb Losses

Mr. McMaster: To ask the Secretary of State for Scotland what scientific evidence he has that fox destruction clubs are actually reducing lamb losses; how the extent of economic loss compares with expenditure on funding fox destruction clubs; and if he will make a statement.

Sir Hector Monro: Studies carried out by the Scottish Office and others indicate that between 1 per cent. and 2 per cent. of viable lambs may be predated by foxes. Losses at the level of 1 per cent. would represent some £1·2 million per annm compared with grants amounting to £70,068 in 1993-94. If foxes are numerous, predation on lambs may increase. The fox destruction clubs have been successful in reducing the numbers of foxes by between 3,500 and 4,000 a year mainly before and during the lambing period. A further study of this matter is neither necessary nor would it be practicable at reasonable cost.

Skye Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland if he will place in the Library a copy of the geological survey reports relating to the Skye bridge.

Lord James Douglas-Hamilton: A copy of the geological survey reports were lodged in the Library last year following a similar request from the hon. Gentleman on 8 February 1993.

Skill Shortages

Mr. Worthington: To ask the Secretary of State for Scotland what information he holds centrally about the specific skill shortages that Government training schemes are remedying.

Mr. Stewart: Information on specific skill shortages remedied by Government training schemes is not held centrally. It is the responsibility of Scottish Enterprise and Highlands and Islands Enterprise, through their respective networks of local enterprise companies, to deliver Governnment training schemes, with the aim of providing young people and unemployed adults with the skills, vocational qualifications and work experience to help meet the needs of local labour markets.

Departmental Contracts

Mr. Austin Mitchell: To ask the Secretary of State for Scotland if he will list the contracts currently being worked on for his Department by Coopers and Lybrand, Ernst and Young, Price Waterhouse, BDO Binder Hamlyn, KPMG Peat Marwick, Grant Thornton, Robson Rhodes, Levy Gee, Hacker Young, Pannell Kerr Forster and Stoy Hayward.

Mr. Lang: My Department does not maintain a central record of all current contracts and it would be disporportionately costly to compile the information sought. Information is available for the 1993-94 financial year and the details are as follows.

Name of company and contract

PRICE WATERHOUSE
1. Finance Group Review
2. Milk Marketing Reorganisation
3. Commercialisation review of a Development Corporation
4. Computer System for FE Colleges

COOPERS AND LYBRAND
1. Financial Health Checks on FE Colleges
2. IT Strategy Studies
3. Computerised Financial and Management Information Systems Project for an Executive Agency
4. Managing the migration of an Executive Agency's IT System to a new building
5. Preparation of Annual Accounts for an Executive Agency

KPMG
1. Community Care Database

European Regional Development Trust

Mr. Win Griffiths: To ask the Secretary of State for Scotland if he will list the annual sums of money committed since the inception of the European regional development trust to each recipient local authority and each regional council and the annual amounts paid to each from the fund.

Mr. Stewart: The information is not readily available in the form requested. Since 1975, local authorities in Scotland have received awards totalling almost £677 million which have resulted in payments to date totalling almost £576 million. The total awards and payments to each recipient local authority are as follows:

District Councils	£ *Award*	£ *Payment*
Angus	1,328,797	1,152,268
Argyll and Bute	759,245	518,624
Caithness	153,000	61,200
City of Dundee	9,277,976	6,612,747
Clackmannan	1,389,900	1,153,943
Clydebank	2,719,599	2,607,408
Clydesdale	827,969	789,187
Cumnock and Doon Valley	1,651,443	838,411
Cunninghame	5,978,945	4,587,373
Dumbarton	1,063,271	860,060
Dunfermline	2,754,280	1,839,478
East Kilbride	3,271,456	1,256,160
East Lothian	565,144	318,097
Eastwood	55,000	51,250
Edinburgh	1,014,146	811,629
Falkirk	2,683,080	2,026,781
Glasgow	20,626,470	19,088,113
Gordon	193,000	193,000
Hamilton	2,621,622	1,845,712
Inverclyde	2,995,450	1,375,888
Inverness	1,495,696	1,126,923
Kilmarnock and Loudoun	2,374,200	476,382
Kirkcaldy	2,542,336	1,797,626
Kyle and Carrick	553,350	215,336
Lochaber	531,600	38,600
Midlothian	1,957,911	824,423
Monklands	5,062,430	4,419,117
Moray	59,640	33,133
Motherwell	3,029,719	2,930,359
Nairn	45,727	27,318
Nithsdale	174,500	165,988
North East Fife	189,300	165,403
Perth and Kinross	16,406	13,637
Renfrew	5,055,215	4,192,037
Ross and Cromarty	1,256,509	939,398
Skye and Lochalsh	55,000	55,000
Stewartry	144,000	144,000
Stirling	6,033,266	3,496,497
Strathkelvin	1,290,835	1,076,405
Sutherland	18,000	18,000
West Lothian	3,608,214	2,705,641
Wigtown	920,000	834,542
Regional Councils		
Borders	2,551,288	1,744,124
Central	27,363,430	22,353,603
Dumfries and Galloway	12,868,995	10,158,583
Fife	29,261,460	23,388,543
Grampian	14,439,042	13,601,252
Highland	64,744,265	58,893,445
Lothian	39,450,238	31,770,343
Strathclyde	277,464,202	248,789,512
Tayside	32,583,733	28,537,101

District Councils	£ Award	£ Payment
Islands Councils		
Orkney	18,844,047	13,036,540
Shetland	29,790,829	25,302,973
Western Isles	29,113,521	24,304,728

Scottish Enterprise

Mr. Worthington: To ask the Secretary of State for Scotland what representations he has received from Scottish Enterprise about its ability to respond to the training needs of existing work forces within Government guidelines.

Mr. Stewart: My right hon. Friend has received no such representations from Scottish Enterprise. His officials in the Scottish Office Industry Department meet and discuss with Scottish Enterprise officials from time to time a range of issues affecting delivery of Government training programmes, including the application of the guidelines governing these programmes.

Mr. Worthington: To ask the Secretary of State for Scotland what representations he has received from Scottish Enterprise about the adequacy of the supply of serviced sites of differing sizes in the Scottish economy.

Mr. Stewart: Ensuring an adequate supply of suitable sites and premises for businesses, including inward investors, is a key function of the enterprise bodies; and it is a matter on which Scottish Enterprise and the Scottish Office are in regular contact.

Consultants

Mr. Milburn: To ask the Secretary of State for Scotland if he will list the firms of consultants employed by his Department and the number of contracts they have undertaken.

Mr. Lang: I refer the hon. Member to my replies to the hon. Member for Oldham, West (Mr. Meacher) of 21 February 1994, *Official Report*, columns *51-52* and to the hon. Member for Greenock and Port Glasgow (Dr. Godman) of 16 March 1994, *Official Report*, columns *659-60*.

Mr. Matthew Taylor: To ask the Secretary of State for Scotland what information technology consultants his Department has employed, for what purpose and at what total cost, for each of the last five years.

Mr. Lang: I refer the hon. Member to my replies to the hon. Member for Oldham, West (Mr. Meacher) of 21 February 1994, *Official Report*, columns *51-52* and to the hon. Member for Greenock and Port Glasgow (Dr. Godman), on 16 March 1994, *Official Report*, columns *659-60*. These include details of information technology consultancy contracts.

Dounreay

Mr. Morley: To ask the Secretary of State for Scotland whether the Paris Commission's policy agreed in June 1993 will be used in deciding whether to allow the Dounreay reprocessing plant to increase levels of radioactive discharge.

Sir Hector Monro *[holding answer 7 March 1994]:* Recommendations of the Paris Commission are not binding although the United Kingdom complies with those it accepts. The United Kingdom entered a reservation to recommendation 93/5 and takes the view that it is inappropriate for the Commission to have a role in the approval or rejection of individual projects. Nevertheless, the United Kingdom takes most seriously its commitments under the Paris convention and it is expected that the national competent authority will have full regard to these commitments in arriving at decisions in respect of the current applications for revised discharge authorisations at Dounreay.

Mr. Morley: To ask the Secretary of State for Scotland if he will make a statement on the arrangements made for international scrutiny and consultation on allowing increased radioactive discharge from Dounreay reprocessing plant.

Sir Hector Monro *[holding answer 7 March 1994]:* All international obligations with respect to the current applications for a revised discharge authorisation for Dounreay will be complied with.

Forestry Commission

Mrs. Ewing: To ask the Secretary of State for Scotland if he will list all Forestry Commission woods currently for sale in *(a)* Scotland, *(b)* Wales and *(c)* England; and if he will give details of all current targets for the disposal of Forestry Commission land both by area and projected income.

Sir Hector Monro *[holding answer 23 March 1994]:* The areas of forest land currently being offered for sale by the Forestry Commission on the open market are given below.

As set out in the Government's expenditure plans 1994-95 to 1996-97, the commission plans to sell about 15,000 hectares of forest land in each of the next three years, and expects to receive a total of about £61 million from the sale of forest land and surplus properties during that period.

Region and Name	Area (hectares)
Scotland	
Borders	
Lumsdaine	5
Dumfries and Galloway	
Aldouran	15
Grampian	
Auchintoul Moss	62
Bithaie	129
Craigmuir Wood	34
Cruchie Wood	7
Haremoss	19
Lauchentilly Moss	30
Longhill	120
Morenear of Hatton	38
Mormond Hill	255
New Pitsligo (2 lots)	42
Whitestones	5
Highland	
Ardelve	26
Balmore (Craskie)	49
Balmore (Glencannich)	70
Balmore (Main Road)	40

Region and Name	Area (hectares)
Balmore (Muchrachd)	29
Clava and Craggie (Lot 1)	33
Crofidhu	14
Dundonnell	312
Eilean Darach	110
Faichem	7
Fain (Cpt 2038)	22
Fain South (Cpt 2037)	4
Gleann Mor	17
Old Calder	40
Score Farm and Roadside Strips	17
Storr (East)	79
STRATHCLYDE	
Auchindrain	234
Dalsmirren	1,094
High Ugdale	21
Inverneill	102
Loch Sween	179
Scoor and Beech (Lots 3, 4, 5, 6)	1,784
TAYSIDE	
Auchleeks	358
Keillour (part)	11

County and name	Area (hectares)
Wales	
DYFED	
Allt Cil y Llyn Fawr	3
Allt y Fergwm	23
Cilgwyn Wood	11
Coed Cefn Pwll Hen	20
Hafod Wood	12
Llwyn y Gwair	14
Penrallt Ddu	13
Ty'r Skyme	7
GWENT	
Llandafal Wood	10
Ty Fry Big Wood	17
POWYS	
Coed Llwydrai	3
Coed Pen-yr-Herber	4
Cyfronydd	8
Dewis Gwyn	6
Dolarddyn Wood	4
Henllan	5
Henryhd Wood	11
Moel Groes Heol	130
Moydog Wood	6
Pen-y-Coed	4
WEST GLAMORGAN	
Bryn Llefrith	26
Nant y Stalwyn	44

County and name	Area (hectares)
England	
BERKSHIRE	
Lot Wood	6
CORNWALL	
Croft Pascoe	45
Haywood	54
Penance and Derry's	7
Port Elliot Estate	108
Prideaux	24
Treworgey	17
Wheal Pir	5

County and name	Area (hectares)
DERBYSHIRE	
Overton Wood (Part)	23
DEVON	
Bedpark	8
Brownsham Wood	70
Buckmill	24
Clagford (5 Lots)	33
Deanhill Wood	11
Hawkmoor	22
Knowle Wood	8
Little Silver/Crowball Wood	8
Northpark	17
Pulsworthy	3
HAMPSHIRE	
Fishers/Tiddles	28
Land at Bassett Green	2
ISLE OF WIGHT	
Long Lane	9
Woodhouse	18
KENT	
Cole Wood	22
LINCOLNSHIRE	
Black Plantation	5
Hallbush	10
Hungram Gorse	6
Pleasurehouse Wood	10
Square Wood	2
NORTHUMBERLAND	
Haydon Fell	20
NOTTINGHAMSHIRE	
Coombs Wood	16
SHROPSHIRE	
Coed Detton	14
SOMERSET	
Chantry	6
East Wood	12
Fry's Wood	24
Hartidge Wood	39
Higher Bitcombe	30
Lower Bitcombe	18
Oaktrow Wood	17
Stowey Wood	3
The Thickets	4
Timbercombe (East)	7
West Wood	9
SOUTH YORKSHIRE	
Green Springs	12
The Old Park	41
WEST SUSSEX	
Hedgelands Copse	11
WILTSHIRE	
Roundway Hill Covert	27

Secondary School Teachers

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list the number of graduates trained as secondary school teachers at each college in Scotland for the past 10 years and the subjects being studied; if he will list the number of new graduate teachers employed per

local authority in that time; if he will show what occupations each graduate qualifying in secondary school teaching has entered in the last 10 years; if he will list the cost of the training of graduate secondary school teachers in each year since 1984; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 28 March 1994]:* Information is not available in the precise form requested. The number of graduates trained as secondary school teachers by subject area is set out in statistical bulletins published by the Scottish Office in June 1992 and December 1993—reference numbers Edn/G1/1992/8 and Edn/G1/1993/11—copies of which are available in the Library of the House. Tables 1 and 2 following provide information about the number of newly qualified secondary teachers known to have been appointed to teaching posts in Scotland and the first destination of newly qualified teachers. Table 3 provides information about the cost of training secondary school teachers.

Table 1

Number of newly qualified secondary teachers known to have been appointed to teaching posts in Scotland at March of each year following graduation

Employer in Scotland	Qualified in June of 1987	1988	1989	1990	1991	1992
Scotland total	395	369	283	404	434	602
Borders	5	11	6	5	7	11
Central	17	19	4	15	23	31
Dumfries and Galloway	26	27	9	12	15	10
Fife	24	25	23	35	25	34
Grampian	44	48	51	35	59	80
Highland	20	20	15	25	18	21
Lothian	21	23	24	24	24	60
Strathclyde	174	125	116	198	204	284
Tayside	45	28	12	18	26	28
Islands authorities	16	19	10	14	10	11
Independent or other schools	3	23	13	23	23	32
Outside Scotland	61	60	53	45	74	82
TOTAL	456	429	336	449	508	684

Table 2

First destination of newly qualified secondary teachers in Scotland at March of year following graduation

Qualified in June of	Employed as teachers	Employed (non-teaching)	Unemployed	Other	Not known	Total
1987	456	57	87	11	67	678
1988	429	50	23	8	70	580
1989	336	45	39	9	40	469
1990	449	35	43	6	75	608
1991	508	47	82	13	212	862
1992	684	46	98	7	298	1,133

Notes:

1. Information on the first destination of newly qualified teachers is obtained from a twice-yearly survey of graduates from the five colleges of education and former colleges of education. The first survey is taken at September following graduation; a follow-up survey takes place in March.
2. There is a high level of non-response to this survey, so that currently the first destination of around 25 per cent. of newly qualified teachers is unknown. Direct comparison between years is complicated by the effect of varying degrees of non-response to the survey in different years.
3. Figures are unavailable prior to 1987.
4. Information on the nature of non-teaching employment is unavailable.
5. The figures in both tables include an element of estimation in cases where only partial information is known.
6. Information on Stirling University teacher training graduates is not available in this form.

Table 3

Course	Estimated cost per student (£)	Year
BEd Secondary	26,460	1989-90
(4-year course)	31,320	1990-91
	26,880	1991-92
PGCE Secondary	6,610	1989-90
(one-year postgraduate course)	7,600	1990-91
	7,300	1991-92

Notes:

1. Information for earlier years is unavailable.
2. The information is based upon returns from teacher training institutions (other than the University of Stirling) detailing course costs. The figures include also an estimate of student support costs, assuming entitlement to full maintenance grant and loan at the "home" rates.

ENVIRONMENT

Local Taxes

Mr. Straw: To ask the Secretary of State for the Environment what proposals he has to permit the contracting out of local tax collection, including the exercise of discretion in granting discounts and initiating prosecutions; and if he will make a statement.

Mr. Gummer: I have issued a consultation paper setting out my intentions, subject to the passage of the Deregulation and Contracting Out Bill. This was sent to interested parties and placed in the Library on 25 March.

Air Pollution

Mr. Shore: To ask the Secretary of State for the Environment what plans he has to increase *(a)* the number of nitrogen dioxide pollution monitoring sites in London and *(b)* the number of London sites in the enhanced urban network of air quality monitoring stations; and what is the average cost of each pollution monitoring site.

Mr. Atkins: The Government are committed to extending the enhanced urban monitoring network to cover all major cities by 1997. In addition the Government are currently considering responses to the recently published consultation paper on "The Future of Air Quality Monitoring Networks in the United Kingdom", in which proposals were made to develop a framework which draws local and national air quality monitoring together into a coherent quality assured network. Any expansion in the number of monitoring sites within the London area will be made in the context of these two initiatives.

The average cost to establish an enhanced urban network site is of the order of £110,000 with an additional annual running cost of £75,000. The capital cost of establishing an automatic nitrogen dioxide monitoring site is about £30,000 with a subsequent annual running cost of an additional £25,000.

Mr. Morgan: To ask the Secretary of State for the Environment what proposals he has for co-ordinating the collection and assessment of air pollution data from local

authority environmental health department monitoring equipment and his Department's network of pollution monitoring stations.

Mr. Atkins: The Government are considering responses to the recently published consultation paper on "The Future of Air Quality Monitoring Networks in the United Kingdom", which included proposals to develop a framework which draws local and national air quality monitoring together into a coherent quality assured network.

Mr. Morgan: To ask the Secretary of State for the Environment what consultations he has had with the OPSIS users group of local authority air pollution monitoring equipment users.

Mr. Atkins: My Department is aware of the work of this group.

Mr. Morgan: To ask the Secretary of State for the Environment what representations he has received to resite the Frederick street, Cardiff, air pollution monitoring station away from the pedestrian shopping precinct and to resite the Croft street monitoring station away from the traffic management scheme area; what guidelines he has issued as to the priority of *(a)* kerbside and *(b)* pedestrian congregation areas for measurement of vehicle exhaust emission levels as regards *(a)* PM10 and *(b)* benzene; and if he will make a statement.

Mr. Atkins: I refer the hon. Member to my answer to his question on 30 March, *Official Report*, column *872*, on siting criteria for air quality monitoring.

I have received no representation on the siting of the Frederick street or Croft street monitoring stations. I have published no guidelines on the priority or otherwise of kerbside and pedestrian congregation areas for air quality monitoring purposes.

Mr. Morgan: To ask the Secretary of State for the Environment if he will publish the guidelines pertaining to the siting requirements for air pollution monitoring stations; what proposals he has for ensuring that vehicle exhaust emission air pollution is measured by monitoring stations located in sites other than in pedestrian precincts; what representations he has received in relation to the location of the air pollution monitoring station at Frederick street, Cardiff; and if he will make a statement.

Mr. Atkins *[holding answer 31 March 1994]:* The siting criteria of the Department of the Environment's enhanced urban network are given in the "Enhanced Urban Monitoring Network Site Operators Manual". A copy of the siting criteria have been placed in the Library of the House. Sites which are established to monitor compliance with an EC directive are located according to the requirements of the directive. Air quality is monitored at the kerbside monitoring station at Cromwell road, London within 1m of the road.

I have received no representation on the location of the air quality monitoring station at Frederick street, Cardiff.

Water Pollution

Mr. Cummings: To ask the Secretary of State for the Environment how many water courses have been polluted through water from disused coal mines in the county of Durham; and if he will give their locations.

Mr. Atkins: The National Rivers Authority is carrying out an assessment of water pollution from disused coal mines in the Durham coalfield and has identified a number of cases where there has been a localised impact. Details are available from the NRA's Northumbria and Yorkshire region.

Hazardous Substances

Mr. Clapham: To ask the Secretary of State for the Environment, pursuant to his answer to the hon. Member for Carshalton and Wallington (Mr. Forman) of 24 January, *Official Report*, column *32*, which organisation or individual is doing the research into the operation of consents under the Planning (Hazardous Substances) Act 1990; what is its cost; on what date it was commissioned; what consultations were undertaken to determine the terms of reference of the research; when the report will be received; and if he will publish the research and its findings.

Mr. Baldry: Following competitive bids, the research contract was awarded to Staffordshire university. The project commenced on 1 November 1993 and is expected to be completed by the end of April. The cost of the project will be in the region of £30,000, including VAT. The normal consultations were carried out on the terms of reference of the research. It is the Department's usual practice to publish research reports.

Waste Management

Mr. John Marshall: To ask the Secretary of State for the Environment whether he accepts recommendation 234 of the deregulation task force with regard to exempting recyclate from the waste management regime.

Mr. Atkins: The substantial deregulation action that my Department is taking in relation to all the task force recommendations to reduce unnecessary controls on business, including the metal recycling industry, while safeguarding environmental and public safety is fully set out in each of the three categories at pages 36 to 44 of the DTI publication, "Deregulation—Cutting Red Tape," which was issued on 19 January. A copy of this publication was placed in the Library on that date.

Kirklees Council

Mr. Riddick: To ask the Secretary of State for the Environment what is the debt of Kirklees council; and if he will make a statement.

Mr. Baldry: The total external debt of Kirklees metropolitan council was £261 million at 31 March 1993.

We shall continue to encourage authorities to reduce its indebtedness.

London (Elected Authority)

Mr. Raynsford: To ask the Secretary of State for the Environment how many of the responses to his consultation paper, "London, Making the Best Better", referred to the need for a democratically elected citywide authority for London.

Sir George Young: Some 17 per cent. of the people responding to the consultation exercise said they would like to see the creation of a single elected authority for

London and a further 6 per cent. made a specific reference to the GLC. In addition, 5 per cent. of respondents mentioned some form of single strategic planning authority for London, 1 per cent. an elected mayor, and 2 per cent. a combination of two or more of the suggestions.

Single Regeneration Budget

Mr. Vaz: To ask the Secretary of State for the Environment what steps have been taken to ensure that the single regeneration budget is fair and equitable to all sections of the community.

Mr. Baldry: The bidding guidance for the single regeneration budget, which will be issued shortly following extensive consultation, will make it clear that the budget is intended to benefit, among others, those sections of the community which are at a disadvantage, the young and ethnic minorities, and will help to promote equal opportunities. Monitoring arrangements will be put in place to ensure that support through the budget reaches those people it is intended to benefit.

Habitats Directive

Mr. Morgan: To ask the Secretary of State for the Environment what guidelines he will issue in relation to the implementation of the European Union habitats directive; and if he will make a statement.

Mr. Atkins: A planning policy guidance note—PPG—on nature conservation will be issued shortly before regulations transposing the habitats directive come into force. Guidance and advice on other aspects of the directive may be provided as appropriate to affected land owners and occupiers and others either by the Government or the statutory nature conservation agencies.

River Pollution

Mr. Pike: To ask the Secretary of State for the Environment if he will call for a report on pollution problems relating to Black Clough, Cliviger, Burnley, from the National Rivers Authority and North West Water; and if he will make a statement.

Mr. Atkins: I understand that the National Rivers Authority has investigated water pollution of Black Clough from the closed Black Clough, Deerplay and Hilltop collieries. The consultation paper "Paying for our Past", published on 8 March, said that the justifiction for the special exemptions for abandoned mines should be reassessed in the light of the emerging conclusions of the review of contaminated land and liabilities, and invited views on the exemptions.

Sewage Pumping

Mr. Steen: To ask the Secretary of State for the Environment if he will issue advice to water companies as to the desirability of reducing energy consumption expended in pumping of sewage towns and the countryside prior to treatment.

Mr. Atkins: The energy expended by companies in carrying out their business is a commercial matter for the individual companies concerned. However, the Department is concerned that energy is used as efficiently as possible and encourages companies to consider energy efficiency to reduce their consumption. Indeed, for many years my energy efficiency office has actively promoted the take-up of efficiency measures through initiatives such as the best practice programme. It offers advice and guidance on reducing energy consumption to industry, commerce and the domestic sectors. A number of publications aimed specifically at reducing energy consumption in the water industry are available from the Energy Efficiency Office and the water research centre. Some of the material from the EEO was produced in conjunction with the centre and with water companies such as South West Water.

Combined heat and power is one element of the programme that the EEO encourages wherever it is cost-effective. This is a very efficient and environmentally friendly option and is particularly suited to the water industry as it can use the sewage gas produced as a by-product from the treatment of sewage to produce electricity and useful heat. Thus the sewage itself could produce the electricity required to pump the sewage prior to and after treatment.

Subsistance Allowances

Mr. Hardy: To ask the Secretary of State for the Environment if he will make it his policy to ensure the subsistance and car allowances for elected representatives in local government are not lower then those provided for justices of the peace; and if he will discuss with the Chancellor of the Exchequer the question of the taxation of councillors' subsistance allowances.

Mr. Baldry: We are currently reviewing the ceilings on councillors' travel and subsistence allowances in the light of the recommendations of the working party on internal management. The tax treatment of such allowances is a matter for my right hon. and learned Friend the Chancellor of the Exchequer to determine.

Consultation Papers (Responses)

Mr. Battle: To ask the Secretary of State for the Environment what was the total number of responses to the consultation paper, "Access to Local Authority and Housing Association Tenancies"; how many responses supported the proposals; and what is the highest number of responses received to a consultation paper of his Department.

Sir George Young: In total we have received over 9,000 responses to the consultation paper. Our proposals cover a range of issues, and the more considered the responses have addressed each separately; consequently there is no simple distinction between those supporting the proposals and the remainder.

My Department has on occasions received substantially more representations on other matters of widespread interest.

Cable Laying

Mr. Lord: To ask the Secretary of State for the Environment what plans he has to investigate the effect of increased cable laying on street trees; and if he will make a statement.

Mr. Atkins: The effects of cable laying on street trees will be illustrated in guidelines which should be published

later this year. With the assistance of my Department, these guidelines are being drawn up by the utility and arboricultural associations, and will provide constructive advice on how to ensure that cable laying results in the least possible damage to trees.

Vacant Local Authority Houses, Leeds

Mr. Hendry: To ask the Secretary of State for the Environment what are the most recent figures he has for the total number of local authority houses vacant in Leeds; and what proportion of these are management lets.

Sir George Young: The latest available information reported by Leeds city council shows that 1,454 of its dwellings were vacant at 1 April 1993; some 62 per cent. of these were management vacants—that is, dwellings available for letting immediately or after minor repairs.

Metal Recycling

Mr. Sykes: To ask the Secretary of State for the Environment (1) what assessment he has made on the effect of forthcoming waste management regulations on the asset base of the metal recycling industry;

(2) what representations he has received on the effect of the intended waste management regulations on the asset base of the metal recycling industry.

Mr. Atkins: My Department has received representations on this matter from the secondary metals industry. The waste management licensing regulations will require holders of waste management licences to remain responsible for discharging the conditions of the licence until the condition of the site, insofar as it arises from the handling of waste carried on at the site, is such that the licence may be surrendered. If a licensed metal recycler carries out his activities in such a way that the condition of the land is unlikely to cause pollution or harm to human health then there will be no bar to the surrender of a licence and the realisation of the asset value of a site. If pollution or harm is caused or is likely, that might be expected to affect the asset value of a site irrespective of the provisions of waste law.

Mr. Burden: To ask the Secretary of State for the Environment if he will list each of the deregulation task force's recommendations as they affect the metal recycling industry indicating whether the Government have accepted the recommendations or not; and in the case of acceptance of the recommendations, what action the Government intend to take.

Mr. Atkins: I refer the hon. Member to the answer I gave earlier today to my hon. Friend the Member for Hendon, South (Mr. Marshall).

Mr. Sykes: To ask the Secretary of State for the Environment what information he has on the application of article 11 of the EC framework directive on waste in exempting metal recycling from licence provision in each of the member states.

Mr. Atkins: Article 11 of the EC framework directive on waste permits member states to make exemptions from permits for activities involving the recovery of waste, including metal recovery, subject to provisos directed at the protection of the environment. It is for each member state to decide how to implement the provisions of the directive. My Department does not hold detailed information on relevant national law in other member states.

Mr. Burden: To ask the Secretary of State for the Environment what will be the effect of describing waste management licences issued to recyclers of non-ferrous metals as metal recycling licences; and how the conditions for the issue of metal recycling licences will differ from those attached to the issue of waste management licences.

Mr. Atkins: The waste management licensing regulations will require persons who recover waste, including waste non-ferrous metal, to do so under a waste management licence, except insofar as their activities may be exempted under the regulations. I have accepted the suggestion of the secondary metals industry that those waste management licences authorising the recovery of metal should be described as "metal recovery licences" to help to focus attention on the distinctive features of the industry. The Government will be issuing advice in a waste management paper on the conditions appropriate to licences for metal recovery.

Hazardous Waste

Mr. Simon Hughes: To ask the Secretary of State for the Environment (1) what measures he has taken or will take to meet the obligation under the Basle convention article 4(2a) to ensure that the generation of hazardous waste within the United Kingdom is reduced to a minimum taking into account social, technological and economic aspects;

(2) what measures he has taken or will take to meet the obligation under the Basle convention article 4(9a) to ensure that transboundary movement of hazardous waste will be allowed only if the United Kingdom does not have the technical capacity, necessary facilities or suitable disposal sites to dispose of the wastes in an environmentally sound manner;

(3) how he will ensure that exporters of hazardous waste comply with the obligation under the Basle convention article 4(8) and article 4(10) to which the United Kingdom becomes a full party on 8 May, to ensure that hazardous waste exported for recycling before 31 December 1997 is managed in an environmentally sound manner; which United Kingdom authorities will be responsible; what guidance he plans to issue to exporters and the relevant authorities; who will carry the costs of meeting this obligation; what extra resources will be made available to the relevant authorities; and what action he will take to prevent waste shipments where the exporter has not yet demonstrated that he can meet the obligation;

(4) what redress will be available in the United Kingdom from the date when the United Kingdom becomes a full party to the Basle convention to those harmed by hazardous waste exports from the United Kingdom before 31 December 1997 which are not managed in an environmentally sound manner, in contravention of the Basle convention article 4(8).

Mr. Atkins: On waste minimisation I would refer the hon. Member to chapter 23 of "Sustainable Development: the UK Strategy", Cm 2426, copies of which have been placed in the Library.

The hon. Member may have misinterpreted article 4(9) of the Basle convention. I would refer him to sub-paragraphs (b) and (c) of that article, which are equal

in weight to sub-paragraph (a). Sub-paragraph (b) allows for the movement of wastes where they are required as a raw material for recycling or recovery industries in the state of import; and sub-paragraph (c) allows for waste movements which are in accordance with other criteria to be decided by the parties.

The obligations of the Basle convention will be implemented in the European Community by council regulation EEC 259/93. As regards the hon. Member's reference to paragraphs (8) and (10) of article 4 of the Basle convention, I have nothing to add to my answer to my hon. Friend the Member for Brentford and Isleworth (Mr. Deva) on 2 March, *Official Report*, column *714*, and my right hon. Friend's answer to the hon. Member for Blaenau Gwent (Mr. Smith) on 30 March, *Official Report*, columns *866-67*.

The Government aim fully to comply with their obligations under the Basle convention to require that hazardous wastes or other wastes exported from the United Kingdom are managed in an environmentally sound manner.

River Thames

Mr. Spearing: To ask the Secretary of State for the Environment what additional funds he expects to be devoted to projects or events which he has so far publicised in respect of the River Thames in London; and under whose auspices they will be spent and managed.

Sir George Young: In relation to the Thames festival, a steering group which is chaired by Clive Priestley, chairman of the London Arts Board and includes representatives of London First, the London Council for Sport and Recreation, the Sports Council, the Department of the Environment and others will shortly be considering a feasibility study and business plan for the festival, including its funding and overall management.

Announcements will be made shortly about the funding and management of the preparation of the Thames study and feasibility study for the Thames cycle route.

Mr. Spearing: To ask the Secretary of State for the Environment on what specific matters in respect of the Thames in London he has consulted the London Rivers Association.

Sir George Young: The London Rivers Association was formally consulted in March 1993 on the Government's approach to the east Thames corridor. Officials have also met the association for a general discussion on Thames issues. In addition, the London Rivers Association has been formally consulted about a number of issues connected with the work of the Thames working group chaired by my hon. Friend the Minister for Transport in London.

Mr. Spearing: To ask the Secretary of State for the Environment what consultation he has already had concerning his suggestion for events relating to the Thames in 1995; and what statutory duties he or his Department have for the Thames in London *(a)* directly and *(b)* indirectly through statutory bodies.

Sir George Young: The Department of the Environment in association with the London Arts Board, the London Council for Sport and Recreation, London First, the National Rivers Authority and others is assisting with the preparation of a feasibility study for a Thames Festival in 1995.

Apart from any functions conferred by local enactments, the Secretary of State has the same direct responsibilities towards the Thames as for other rivers.

The Department has an indirect statutory duty through the preparation of planning policy advice which the London boroughs have to take account of in preparing their unitary development plans and in exercising development control.

The Department also has responsibility for determining applications under the town and country planning legislation that may come before my right hon. Friend on appeal or call-in.

The Department of the Environment also sponsors the National Rivers Authority, which is responsible for pollution control, flood defence and water resources management of the River Thames in London. The NRA also has duties in relation to conservation and recreation and is responsible, upstream of Teddington lock, for navigation and fisheries management.

Energy Savings Trust

Mr. Dafis: To ask the Secretary of State for the Environment what plans he has for funding the Energy Savings Trust.

Mr. Atkins: The intention is that funds for schemes sponsored by the Energy Saving Trust will continue to be derived principally from electricity and gas tariff consumers.

Mr. Dafis: To ask the Secretary of State for the Environment if he will make a statement on the proposed timetable for the promotion of energy conservation schemes by the Energy Savings Trust, as set out in paragraph 3.36 of "Climate Change, the UK Programme", Cm 2427.

Mr. Atkins: I understand that the Energy Saving Trust is to announce its strategic plan shortly.

County Hall, London

Mr. Austin-Walker: To ask the Secretary of State for the Environment, pursuant to his answer of 29 March, *Official Report*, columns *661-62*, what has been done with the balance of the capital receipt from the sale of county hall, London, which was not distributed to the London boroughs and the City of London.

Mr. Baldry: At the end of 1993, in accordance with the terms of the London Government Reorganisation (Capital Money) (Greater London) (Amendment) Order 1993, the London residuary body distributed to the London boroughs and the City of London all its capital money, including capital receipts received up to the end of November.

Mr. Austin-Walker: To ask the Secretary of State for the Environment, pursuant to his answer of 29 March, *Official Report*, columns *661-62*, what reasons underlay his decision to refuse to disclose the sum received from the sale of county hall, London, on the grounds of commercial confidentiality.

Mr. Baldry: The Government are not party to the sale of county hall. The terms of the sale—including the sale price—were and remain confidential between the London residuary body and the purchasers.

North Sea

Mr. Cousins: To ask the Secretary of State for the Environment if he will place in the Library the quality status report on the North sea.

Mr. Atkins: I am placing copies in the Library today. Copies of six reports produced by the United Kingdom on sub-regions of the North sea are also being placed in the Library.

HM Inspectorate of Pollution

Mr. Chris Smith: To ask the Secretary of State for the Environment what plans have been made to close any of the regional offices of Her Majesty's inspectorate of pollution.

Mr. Atkins: No plans have been made to close any of the regional offices of Her Majesty's inspectorate of pollution.

Energy Savings Trust

Mr. Dafis: To ask the Secretary of State for the Environment what representations he has received from the Director General of Ofgas about the funding of the Energy Savings Trust.

Mr. Atkins: I am aware of the Director General of Gas Supply's views about the use of the E factor arrangements to fund incentive schemes facilitated by the Energy Savings Trust, and officials from my Department and the Department of Trade and Industry are currently reviewing the position with the Office of Gas Supply.

Rent Levels

Mr. Battle: To ask the Secretary of State for the Environment if he will place in the Library the average rent levels in local authority housing for 1994-95, broken down into separate authorities.

Sir George Young: This information is taken from local housing authorities' own returns, which are currently being sent to my Department. It will be placed in the Library at the earliest opportunity.

Radioactive Waste (Dumping at Sea)

Mr. Llew Smith: To ask the Secretary of State for the Environment if he will set out an explanation for the inclusion at paragraph 14 of the description of vote 5 of class VII supply estimates for 1994-95 on central environmental services, of a potential expenditure arising from the indemnification by the United Kingdom Atomic Energy Authority of certain ship owners in respect of third parties arising from dumping of radioactive waste at sea.

Mr. Atkins: Details of the potential expenditure were laid before the House in a minute dated 17 August 1978, Cmnd. 7316, a copy of which is in the Library. The liability, previously contained on a token subhead, has, since the minute was first presented, been replaced by the reference in paragraph 14 of the introduction to class VIII, vote 5. The reference relates only to potential claims form persons in countries which are not parties to the Paris convention on third party liability in the field of nuclear energy. The United Kingdom ceased sea dumping of radioactive waste in 1982.

Single Regeneration Budget

Mrs. Ann Winterton: To ask the Secretary of State for the Environment if he will make a statement setting out the purposes of the single regeneration budget and those constituent schemes which it encompasses.

Mr. Baldry: The single regeneration budget is intended to improve local areas and enhance the quality of life of local people by tackling need, stimulating wealth creation and improving competitiveness. It will encourage local partners to come together to plan a strategic approach to these needs and priorities. The programmes which are included in the budget are as follows:

From the Department of the Environment
- Estate Action
- Housing Action Trusts
- City Challenge/Urban Programme
- Urban Regeneration Agency
- Urban Development Corporations
- Inner City Task Forces
- City Action Teams

From the Employment Department
- Programme Development Fund
- Education Business Partnerships
- Teacher Placement Service
- Compacts/Inner City Compacts
- Business Start-Up Scheme
- Local Initiative Fund
- TEC Challenge

From the Home Office
- Safer Cities
- Section 11 Grants (part)
- Ethnic Minority Grant
- Ethnic Minority Business Initiative

From the Department of Trade and Industry
- Regional Enterprise Grants
- (plus English Estates, to be subsumed into English Partnerships)

From the Department for Education
- Grants for Education Support and Training (part)

Lakes (Rescue Services)

Mr. Trimble: To ask the Secretary of State for the Environment what rescue facilities exist on large lakes; and what support is offered by the Government to rescue services on large lakes.

Mr. Norris: I have been asked to reply.

Rescue facilities on large lakes vary locally. My Department does not provide support to rescue services but marine district safety committees, which cover the whole of the United Kingdom, have been carrying out a wide-ranging review of the way in which responsibilities for safety, rescue and accident prevention are presently distributed.

Water Filtering Equipment

Mr. Dalyell: To ask the Secretary of State for the Environment what chemicals involved in the production of water filtering equipment, referred to in his letter of 22 March to the hon. Member for Linlithgow, may be diverted to military use.

Mr. Needham *[holding answer 28 March 1994]:* I have been asked to reply.

Possible military uses of the chemicals approved in the United Kingdom for addition to the water supply for the purposes of purfication are in the table:

Chemical	Use in water purification	Possible military use
Calcium Hypochlorite	Disinfectant	None known
Chlorine	Disinfectant	Historically this has been used as a 'poison gas'.
Chlorine Dioxide	Disinfectant	None known
Hydrogen Peroxide	Disinfectant	If the concentration is greater than 85 per cent. then it may be used as a fuel additive.
Sodium Chlorite	Disinfectant	None known
Sodium Hypochlorite	Disinfectant	None known

DEFENCE

North Korea

17. **Mr. Simon Hughes:** To ask the Secretary of State for Defence what is his assessment of the impact of the situation in North Korea on British defence policy; and if he will make a statement.

Mr. Hanley: We are monitoring the situation in the Korean peninsula closely, and share the concerns of the international community over North Korea's nuclear programme.

Bosnia

18. **Mr. Thurnham:** To ask the Secretary of State for Defence what representations he has received about the role of British forces in Bosnia.

Mr. Hanley: My right hon. and learned Friend and I continue to receive a wide range of representations from a variety of sources on this subject.

19. **Mr. Mullin:** To ask the Secretary of State for Defence what recent discussions he has had with General Sir Michael Rose regarding the situation in Bosnia; and if he will make a statement.

Mr. Hanley: During his visit to Bosnia last month, my right hon. and learned Friend met Lieutenant General Sir Michael Rose and was fully briefed on the situation in Bosnia, and again subsequently. The achievements of the United Nations and General Rose in securing a ceasefire in Sarajevo for the first time in two years, and the subsequent ceasefire in central Bosnia, are to be highly commended.

20. **Sir Fergus Montgomery:** To ask the Secretary of State for Defence when he next expects to visit Bosnia to discuss the need for the deployment of further forces.

Mr. Hanley: My right hon. and learned Friend announced the deployment of a further 900 troops to Bosnia in his statement to the House on 10 March, *Official Report*, column 397. He has since visited the former Yugoslavia and had discussions with United Nations commanders there about a variety of issues, including troop deployments.

Mr. Harry Greenway: To ask the Secretary of State for Defence how many troops and backup forces are currently involved in the United Nations operation in Bosnia; at what cost to public funds; and if he will make a statement.

Mr. Hanley: There are currently some 3,300 British service men deployed on the ground in the former Yugoslavia, with a further 3,000 based offshore and in Italy, engaged in operations in support of UN Security Council resolutions. The additional cost of their deployment is estimated to be around £125,000,000 for the financial year 1994-95, some of which is recoverable from the UN.

D-day Anniversary

21. **Mr. Winnick:** To ask the Secretary of State for Defence what preparations are being made by his Department over the 50th anniversary of D-day.

Mr. Hanley: My Department is organising the official military commemorations of the 50th anniversary of D-day under the chairmanship of my noble Friend the Parliamentary Under-Secretary of State for Defence. These commemorations were announced by my right hon. Friend the Prime Minister on 6 January and brief details have been placed in the Library of the House.

Fleet Maintenance

22. **Mr. Streeter:** To ask the Secretary of State for Defence what assessment he has made of the amount of fleet maintenance work available to HM royal dockyards over the next 10 years.

Mr. Aitken: As my hon. Friend is aware, fleet maintenance involves work carried out on front line units during operational time and does not include refitting. Little such work is, therefore, undertaken at the royal dockyards. There are no plans to change this arrangement.

23. **Mr. Tony Banks:** To ask the Secretary of State for Defence if he will make it his policy to ban fox hunting in the defence forces.

Mr. Hanley: Although fox hunting is not a recognised sport in any of the three services, certain hunts have licences to hunt over MOD land.

Army (Size)

24. **Ms Coffey:** To ask the Secretary of State for Defence what plans he has to change the size of the British Army.

Mr. Hanley: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Norwich, North (Mr. Thompson) on 8 February 1994, *Official Report*, column *134*.

Defence Capability

25. **Mr. Dickens:** To ask the Secretary of State for Defence what assessment he has made of whether the United Kingdom defence capability is sufficient to safeguard the realm and to respond to NATO obligations and United Nations demands.

Mr. Hanley: The assessment of the balance between commitments, capabilities and resources is a continuous activity within the Ministry of Defence. "Defending Our Future", the 1993 statement on the Defence Estimates (Cm 2270), set out our assessment of the tasks our armed forces are called upon to undertake and the capabilities we deploy. The Government remain confident that the armed forces are able to carry out the broad spectrum of

operations which they currently undertake: for our own protection, contributing to collective defence with our allies through NATO, and promoting our wider security interests through support for the maintenance of international peace and stability.

26. **Mr. Roy Hughes:** To ask the Secretary of State for Defence what plans he has to meet his Western European Union counterparts to discuss future policy relating to the middle east.

Mr. Hanley: Whilst my right hon. and learned Friend regularly meets his WEU counterparts, future policy relating to the middle east is not currently on the agenda for the next planned meeting.

Aero Engine Capability

27. **Mr. Robert Ainsworth:** To ask the Secretary of State for Defence what assessment he has made of the effect on national defence of maintaining an independent aero engine capability in the United Kingdom.

Mr. Aitken: A viable and effective aerospace industry makes an important contribution to the defence interests of this country. The implications of any proposed change in the ownership of any substantial defence industry capability would be considered if and when it arose.

Dedicated Attack Helicopter

28. **Dr. Goodson-Wickes:** To ask the Secretary of State for Defence what consultations he has had recently concerning the acquisition of a dedicated attack helicopter.

Mr. Aitken: When appropriate, I have discussed our current plans for the acquisition of the attack helicopter with colleagues and officials. The assessment of the bids received last November in reply to the attack helicopter invitation to tender is currently under way and detailed consultations would not be appropriate at this stage.

Departmental Staff

Mr. Janner: To ask the Secretary of State for Defence how many, and what percentage of officers in each of grades 1 to 7 and overall, in his Department are *(a)* women, *(b)* from ethnic minorities and *(c)* disabled, respectively.

Mr. Aitken: The number of women, disabled and ethnic minority staff in grade levels 1 to 7, and overall, are given in the table. These figures exclude casual staff and our executive agencies, the Defence Research Agency and the Meteorological Office. I have asked the chief executives to write to the hon. and learned Member.

Grade[1]	*Registered disabled*[2]	*Per cent. of staff in grade*	*Non-registered disabled*[2]	*Per cent. of staff in grade*	*Ethnic minority*[3]	*Per cent. of staff in grade*	*Women*	*Per cent. of staff in grade*
1	—	—	—	—	—	—	—	—
2	—	—	—	—	—	—	—	—
3	—	—	2	4·4	—	—	2	4·4
4	—	—	—	—	—	—	1	4·3
5	—	—	4	1·4	13	4·4	16	5·4
6	—	—	9	1·8	<10	<1·0	20	4·0
7	3	0·2	63	3·2	32	1·6	123	6·2
TOTAL STAFF[4]	1,352	1·1	2,986	2·4	1,956	1·6	39,173	32·0

[1]Grades 1-7 and equivalent grades.
[2]Figures based on responses to voluntary disability surveys.
[3]Figures based on response rate of 93 per cent. non-industrial and 84 per cent. industrial to voluntary ethnic origin survey.
[4]Non-industrial and industrial staff.

Letter from J. C. R. Hunt to Mr. Greville Janner, dated 12 April 1994:

The figures below give the information for the Meteorological Office, as requested in your recent Parliament Question:

	Grades 2-5	*Grade 6*	*Per cent.*	*Grade 7*	*Per cent.*	*All grades*	*Per cent.*
(a) Women	0	2	(4)	9	(6)	458	(18)
(b) From ethnic minorities	0	0	—	1	(0·7)	23	(0·9)
(c) Disabled	0	0	—	2	(1·4)	24	(1·0)

Note:
Only those registered as disabled are included in line (c).

Letter from John Chisholm to Mr. Greville Janner, dated 12 April 1994:

In his written reply to your Parliamentary Question on the numbers of women, people from ethnic minorities and disabled people working in MOD, the Secretary of State for Defence informed you that I would be replying directly to you in respect of the Defence Research Agency. The information you request is as follows:

Grade	*Registered disabled*[1]	*Percentage of staff in grade*	*Non-registered disabled*[1]	*Percentage of staff in grade*	*Ethnic minority*[2]	*Percentage of staff in grade*	*Women*	*Percentage of staff in grade*
1	—	—	—	—	—	—	—	—
2	—	—	—	—	—	—	—	—
3	1	20·0	—	—	—	—	—	—
4	—	—	—	—	—	—	—	—

Grade	Registered disabled[1]	Percentage of staff in grade	Non-registered disabled[1]	Percentage of staff in grade	Ethnic minority[2]	Percentage of staff in grade	Women	Percentage of staff in grade
5	—	—	1	2·5	—	—	1	2·5
6	—	—	7	3·2	—	—	3	1·6
7	—	—	24	2·7	14	1·6	35	4·0
TOTAL NON-INDUSTRIAL	53	0·7	187	2·5	108	1·4	2,054	27·5

[1] Based on responses to voluntary disability surveys.
[2] Based on responses to voluntary ethnic origin surveys.
Statistics on the 1,878 Industrial staff cannot be obtained without disproportionate cost and administrative effort.

Nuclear Test Victims

29. **Mr. William O'Brien:** To ask the Secretary of State for Defence when he last met ex-British service personnel nuclear test victims to discuss compensation; and if he will make a statement.

Mr. Hanley: I met nuclear test veteran representatives on 17 January 1994. My Department would consider compensation for any British test veteran whose death or illness had been caused by radiation from the atmospheric nuclear tests. The report of the National Radiological Protection Board published in December 1993 did not however find any overall excess of death or malignant disease among test veterans, and concluded that participation in the nuclear test programme has had no effect on life expectancy or on the risk of developing cancer or other fatal diseases.

Defence Staff, Washington

Mr. Trotter: To ask the Secretary of State for Defence, pursuant to his answer of 11 February, *Official Report*, column *571*, if he will place in the Library a detailed breakdown by grade and function of the support staff to the British defence staff, Washington; and if he will give details of posts lost since April 1990.

Mr. Hanley: The information requested is as follows:

Annex A
British Defence Staff (Washington) Support Costs

Rank	Service	Posts	Function
Grade 7	CIV	1	
PS	CIV	1	Atomic Coordination Office
EO	CIV	1	
AO	CIV	1	
SQN LDR	RAF	1	
WG CDR	RAF	2	
CDR	Navy	1	
SRO	CIV	1	Defence Intelligence Liaison
SGT	RAF	1	
CPL	RAF	1	
AO	CIV	2	
PS	CIV	1	
CPL	Army	2	
MAJ	Army	3	
WO1	Army	1	British Army Staff
Typist	CIV	1	
US3	LEC	1	
SGT	Army	1	
CDR	Navy	7	
CPL	MAR	1	
PS	CIV	2	British Navy Staff
AO	CIV	2	
Typist	CIV	1	
US4	LEC	1	
CPL	RAF	3	
PS	RAF	1	
SGT	RAF	1	
Typist	CIV	1	Royal Air Force Staff
US4	LEC	1	
WG CDR	RAF	4	
WO	RAF	1	
Grade 7	CIV	13	
CDR	Navy	2	
WG CDR	RAF	1	
PS	RAF	1	
US4	LEC	7	
LT COL	Army	2	
MAJ	Army	1	Defence, Science and
PS	CIV	2	Equipment Staff
Typist	CIV	1	
LT CDR	Navy	1	
AO	CIV	1	
SEO	CIV	1	
SEC	CIV	2	
US4	LEC	2	Defence Sales
SPS	CIV	1	
Driver	LEC	1	
PS	CIV	2	
LT CDR	Navy	1	
SPS	CIV	1	
SGT	RAF	2	
PS	CIV	1	Central Staff
LT COL	Army	1	
LT COL	MAR	1	
MAJ	Army	1	
WG CDR	RAF	1	
CAPT	MAR	1	
AO	CIV	1	
	Total	101	

Posts Disestablished since April 1990

Rank	Serive	Posts	Function
Typist	CIV	1	Atomic Coordination Office
SPTO	CIV	1	Atomic Coordination Office
EO	CIV	1	British Navy Staff
SEO	CIV	1	Defence Sales
US5	LEC	1	Defence Sales
Typist	CIV	1	Central Staff
	Total	6	

Belize

Mr. Wilkinson: To ask the Secretary of State for Defence when 2 Gurkha Rifles will leave Belize; and where the battalion will be based when this regiment withdraws from Belize.

Mr. Hanley: 2 Gurkha Rifles completed its tour in Belize at the end of March 1994 as originally planned. The

battalion has returned to Cassino Lines Hong Kong and will merge in June-July 1994 with 6 Gurkha Rifles to form 1 Royal Gurkha Rifles.

Mr. Wilkinson: To ask the Secretary of State for Defence what arrangements he is making to maintain helicopter support from the Army Air Corps and the Royal Air Force for the jungle warfare training which will continue to be conducted by British Army units in Belize.

Mr. Hanley: The three Army Air Corps Gazelle helicopters currently in Belize will be used in support of the jungle training of British Army units when the British Army training support unit is established on 1 October 1994.

Anti-tank Helicopter

Mr. Wilkinson: To ask the Secretary of State for Defence if he will make a statement on the recent invitation to tender for the British Army anti-tank helicopter requirement was extended to the South African Atlas Denel corporation and the involvement of Her Majesty's Treasury; and what effect he expects this to have on the date of final selection.

Mr. Aitken: Atlas Aviation, part of the Denel Corporation, submitted an unsolicited bid last November in response to my Department's invitation to tender for the Attack Helicopter. After preliminary assessment, and discussions with the company, it was decided that it should have access to the invitation to tender to allow them to put its bid on the same footing as the five solicited bids. This was a matter for MOD and Her Majesty's Treasury was not involved. Steps have been taken to minimise the effect on programme timescales, including strict conditions on the timing and quality of the Denel-Atlas bid. The impact on the date of final selection should be minimal.

Export Licences

Mr. Cousins: To ask the Secretary of State for Defence (1) in what way, and at what time, the fact that items exported to Saudi Arabia as part of the Al Yamamah agreements were not subject to export licence controls was made known to Parliament;

(2) in what way, and at what time, the fact that items exported by Royal Ordnance as part of Defence Sales Export Organisation deals were not subject to export licence controls since 1981 was made known to Parliament.

Mr. Aitken: The fact that the Crown cannot licence itself is self-evident.

Mr. Cousins: To ask the Secretary of State for Defence whether the Government of Saudi Arabia were made aware that items exported to that country as part of the Al Yamamah agreements would not be subject to export licence controls.

Mr. Aitken: The Government of Saudi Arabia are aware that defence equipment supplied under the Al Yamamah arrangement is subject to the normal foreign policy and defence criteria.

Mr. Cousins: To ask the Secretary of State for Defence how many of the items covered by the Al Yamamah contracts were subsequently exported.

Mr. Aitken: All the items covered by the Al Yamamah contracts have been or will be exported.

Anthrax Vaccine

Mr. Cousins: To ask the Secretary of State for Defence whether he maintains stocks of anthrax vaccine, including penicillin-resistant anthrax vaccines.

Mr. Hanley: Details relating to all vaccines giving protection against biological warfare agents are classified.

Ferranti International plc

Mr. Cousins: To ask the Secretary of State for Defence whether new orders have been placed by his Department with Ferranti International plc since it went into receivership.

Mr. Aitken: Yes.

Defence Exports

Mr. Cousins: To ask the Secretary of State for Defence what were the countries of destination of items sold by Royal Ordnance as part of the Defence Sales Export Organisation's contracts with Crown status since 1981.

Mr. Aitken: It is not our policy to provide details of defence exports.

Housing Trust

Mr. Spellar: To ask the Secretary of State for Defence what are the terms of reference and the funding provision for his Department's housing trust.

Mr. Hanley: My noble Friend the Under-Secretary of State for Defence will write to the hon. Member.

Household Division Officers

Mr. Mackinlay: To ask the Secretary of State for Defence how many officers in the Household Division received their secondary education in the public sector.

Mr. Hanley: The information is not held centrally and could be provided only at disproportionate cost.

Defence Expenditure

Mr. Jim Marshall: To ask the Secretary of State for Defence if he will give as a percentage defence expenditure compared to gross domestic product for the period 1979 to 1983 and for the period 1989 to 1993; and if he will make a statement on the implications for the long-term defence of the United Kingdom.

Mr. Hanley: The information requested is as follows:

Defence expenditure as a percentage of GDP

	Percent
1977-78	4·6
1978-79	4·5
1979-80	4·6
1980-81	4·9
1981-82	5·0
1982-83	5·2
1983-84	5·2
1989-90	4·0

	Percent
1990-91	4·0
1991-92	4·2
1992-93	3·9
1993-94	(forecast) 3·7

Notes:

1. Figures include exceptional expenditure on Falklands/Gulf conflict but exclude Gulf burdensharing contributions from other Governments

2. Figures from 1978-79 take account of the technical changes in the treatment of Armed Forces and civilian pensions.

The Government does not consider any fixed percentage of GDP as being appropriate for defence expenditure. As we demonstrated in "Defending Our Future" the 1993 Statement on the Defence Estimates, defence spending is set at a level which balances commitments, capabilities and the availability of resources.

Iraq

Mr. Dalyell: To ask the Secretary of State for Defence, pursuant to his answer of 8 March, *Official Report*, column *132*, what action he has taken to reconsider evidence in relation to the alleged destruction of marsh Arab settlements, since the film of aerial observation of Iraq was shown by his Department to the hon. Member for Linlithgow.

Mr. Worthington: To ask the Secretary of State for Defence what is his latest information about the scale of Iraqi Government military action in southern Iraq; and what response he is making.

Mr. Hanley: We are monitoring the situation closely with our coalition allies, taking account of new information as it becomes available. We believe that the evidence shows that the systematic destruction of the settlements and habitat of the marsh Arabs is continuing, in contravention of United Nations Security Council resolution 688.

Royal Yacht

Mr. Alan Williams: To ask the Secretary of State for Defence which commercial bodies or organisations representing commercial interests have had use of the royal yacht since 1990; on what grounds; on whose authority; and at what cost.

Mr. Hanley: Since 1990 the royal yacht has been used by commercial bodies and by non-governmental bodies representing commercial interests by, singly or jointly, the following organisations:

British Gas
British Invisibles
General Council of British Shipping
Indo-British Partnership Initiative
London Forum
London First
Scottish Financial Enterprise
Scotch Whisky Industry

The royal yacht may be used to promote British exports and attract inward investment to the United Kingdom, on the authority of Buckingham palace and the Cabinet Secretary. All additional costs were paid for by the organisations concerned.

Service Children's Education

Mr. Jamieson: To ask the Secretary of State for Defence if he will make a statement about action the Service Children's Education Association intends to take regarding critical HMI/Ofsted reports on private and independent schools benefiting from the service children's boarding school allowance scheme.

Mr. Hanley: The Service Children's Education Authority will send copies of HMI/Ofsted reports to parents with children at the schools concerned.

Mr. Jamieson: To ask the Secretary of State for Scotland (1) how many pupils at private and independent schools are benefiting from the service children's boarding school allowance;

(2) how much the service children's boarding school allowance scheme has cost his Department in 1993-94; and if he will give his estimate for 1994-95;

(3) if he will list the amount of money being spent by his Department under the service children's boarding school allowances scheme and each of the private and independent schools benefiting from the scheme;

(4) if he will list the names and location of the private and independent schools receiving moneys from the service children's boarding school allowance.

Mr. Hanley: For the spring term 1994, boarding school allowance—BSA was claimed in respect of a total of 13,608 service children. Some of these attend schools in the state sector and numbers of just those attending private and independent schools could be provided only at disproportionate cost. Expenditure on BSA for the financial year 1993-94 is currently estimated at £133,360,000. It is not possible to provide an estimate for financial year 1994-95 at this stage as total expenditure will reflect both the rate of BSA and the total number of children in respect of whom it is claimed. A list of schools attended by the children of BSA claimants is not compiled annually. I am arranging, however, for a copy of the most recent version which was compiled in 1992, to be placed in the Library of the House.

Mr. Jamieson: To ask the Secretary of State for Defence when he expects the Service Children's Education Association to send to parents of the children at Finborough, Rodney and Lime House schools the recent HMI/Ofsted reports on that school.

Mr. Hanley: I expect the Service Children's Education Authority to send the reports on Finborough and Lime House schools to parents before the end of April. It is not intended to distribute the report on Rodney school which relates to an inspection that took place in 1991, and is regarded by the Department of Education as being out of date.

Defence Land Agency

Mr. Jamieson: To ask the Secretary of State for Defence if he will make a statement regarding the circumstances which led to the arrest of Charles Ellis and Roger Pannell from the Defence Land Agency, by his Department's police; and on what date the arrest took place.

Mr. Hanley: I confirm that the Ministry of Defence police are investigating certain activities concerning

disposal of MOD property in south-west England. Several arrests were made in August and September 1993 but as yet no charges have been laid. An MOD employee has been suspended from duty while inquiries continue. As the MOD police have yet to complete their investigation it would be inappropriate to comment further at this stage.

Consultants

Mr. Milburn: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Cannock and Burntwood (Dr. Wright) of 31 January, *Official Report*, column *551*, if he will list the firms of consultants employed by his Department and the number of contracts they have undertaken in each of the last five years.

Mr. Aitken: The information requested can be provided only for the last two years; information for earlier years is not held centrally and could be provided only at disproportionate cost. I will write accordingly to the hon. Member in the near future.

Mr. Matthew Taylor: To ask the Secretary of State for Defence what information technology consultants his Department has employed; and for what purpose and at what total cost for each of the last five years.

Mr. Aitken: My Department does not centrally maintain the details sought on information technology consultants; the answer to this question could be provided only at disproportionate cost.

Jordan

Mr. Cousins: To ask the Secretary of State for Defence what was the total gross value of exports to Jordan under successive memoranda of understanding regarding Government to Government special export deals.

Mr. Aitken: It is not our practice to give the value of orders placed under such Government agreements.

Mr. Cousins: To ask the Secretary of State for Defence how many main battle tanks formed part of the exports to the Kingdom of Jordan under the memorandum of understanding arms export deals with the Kingdom of Jordan.

Mr. Aitken: It has been the established practice of successive Governments not to release information about individual defence exports.

Mr. Cousins: To ask the Secretary of State for Defence if 155 mm shells were exported under the memorandum of understanding with the Kingdom of Jordan.

Mr. Aitken: It is not our practice to comment on detailed matters concerning individual defence exports. However, certain information about the contracts placed under the Jordan defence package has been made public during oral evidence given to Lord Justice Scott's inquiry. Exceptionally, therefore, I can provide the information the hon. Gentleman requests. No 155 mm shells were exported under the memorandum of understanding with Jordan.

Mr. Cousins: To ask the Secretary of State for Defence what quantity of artillery fuses and propellant were exported under the memorandum of understanding on arms export deals with the Kingdom of Jordan.

Mr. Aitken: It is not our practice to comment on detailed matters concerning individual defence exports. However, certain information about the contracts placed under the Jordan defence package has been made public during oral evidence given to Lord Justice Scott's inquiry. Exceptionally, therefore, I can provide the information the hon. Gentleman requests. No artillery fuses were exported under the memorandum of understanding with Jordan.

International Military Services Ltd.

Mr. Cousins: To ask the Secretary of State for Defence how many staff or employees of International Military Services Ltd. have been transferred to other companies.

Mr. Aitken: This is a matter for the company.

Mr. Cousins: To ask the Secretary of State for Defence which contracts formerly held by International Military Services Ltd. have been sold, disposed of, or transferred, to other companies.

Mr. Aitken: This is a matter for the company.

Mr. Cousins: To ask the Secretary of State for Defence what reports he has received that arms or arms related exports by International Military Services Ltd. or the Defence Export Sales Organisation have been passed to countries or destinations other than the stated end-user.

Mr. Aitken: It would be inappropriate for me to comment on the existence of any such reports.

Mr. Cousins: To ask the Secretary of State for Defence which assets formerly held by International Military Services Ltd. have been sold, disposed of, or transferred to, other British companies.

Mr. Aitken: This is a matter for the company. All shares in IMS Ltd. remain the property of the Secretary of State for Defence.

Mr. Cousins: To ask the Secretary of State for Defence if the affairs of International Military Services Ltd. were subject to scrutiny by the defence internal audit teams.

Mr. Aitken: No. Its accounts are audited by Price Waterhouse which is appointed on an annual basis. The National Audit Office has access to the books and records of the company.

Mr. Cousins: To ask the Secretary of State for Defence in which years since 1981 the global provision for statutory liabilities in respect of IMS Ltd. was drawn down; and in respect of what sums.

Mr. Aitken: There has been no such draw down.

Anti-tank Missiles

Mr. Cousins: To ask the Secretary of State for Defence when he placed the most recent orders for anti-tank missiles; and what studies are being undertaken into the design, availability and performance of future anti-tank missiles.

Mr. Aitken: The most recent orders for anti-tank guided missiles were placed as follows:

SWINGFIRE final follow-on order; contract placed November 1987. TOW OTA (Overhead Top Attack) modified missiles; contract placed October 1987.

The United Kingdom continues to participate in the development of third generation anti-tank guided missile programmes—both medium range and long range—known as TRIGAT, in collaboration with European partners. Proposals for the United Kingdom's future attack helicopter are being evaluated which include a long-range anti-tank missile system. In addition, studies are being undertaken into future technologies for anti-tank missiles beyond the turn of the century.

Arms Exports

Mr. Cousins: To ask the Secretary of State for Defence if he will list all the benefits or privileges extended to arms or arms related exports as a result of Crown status.

Mr. Aitken: Arms or arms related exports having Crown status are all subject to exactly the same foreign and defence policy considerations as exports carried out under an export licence.

Defence Sales

Mr. Cousins: To ask the Secretary of State for Defence, pursuant to his answer of 25 March, *Official Report*, column *470*, whether Royal Ordnance or Defence Export Services Organisation were asked to supply information as to end-users in respect of arms or arms-related exports having Crown status.

Mr. Aitken: Yes.

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for Defence what computer systems his Department have brought in, for what function and at what cost for each of the last five years; and in each case if the computer system is still in use.

Mr. Aitken: This information is not held centrally and could be provided only at disproportionate cost.

Public Interest Immunity Certificates

Mr. Worthington: To ask the Secretary of State for Defence which Ministers in his Department were approached to sign public interest immunity certificates in connection with the Matrix Churchill trial and declined to do so.

Mr. Aitken: No Minister in my Department has declined to sign a public interest immunity certificate in connection with the Matrix Churchill trial.

Polaris Missiles

Mr. Cohen: To ask the Secretary of State for Defence by what method his Department will dispose of the propellant inside Polaris missiles when they are scrapped.

Mr. Aitken: Propellant contained within surplus Polaris components is already being disposed of, by burning, in an environmentally safe manner.

SOCIAL SECURITY

Cold Weather Payments

Mr. Redmond: To ask the Secretary of State for Social Security how many cold weather payments have been made in *(a)* South Yorkshire, *(b)* North Yorkshire, *(c)* West Yorkshire and *(d)* Humberside since October 1993.

Mr. Scott: The information is not readily available and could be obtained only at a disproportionate cost.

Disability Working Allowance

Mr. Bradley: To ask the Secretary of State for Social Security, what are the estimated costs to his Department of abolishing the qualifying benefit rules for disability working allowance.

Mr. Hague: This information is not readily available. The cost would depend on the nature of any alternative qualifying test, the way in which any such test was applied, the number of people who decide to take up work or change their pattern of work, and the levels of earnings and other income.

Mr. Bradley: To ask the Secretary of State for Social Security how many disability working allowance claims have been disallowed for reasons of income higher than the appropriate level; how many of these claims had weekly incomes above this level of (i) up to £1, (ii) between £1 and £2, (iii) between £2 and £5, (iv) between £5 and £10, (v) between £10 and £15 and between £15 and £20.

Mr. Hague: Since March 1992, 3,371 claims have been disallowed because income is in excess of the appropriate level.

The remaining information is not available in the form requested.

Family Credit

Dr. Godman: To ask the Secretary of State for Social Security (1) what percentage of those couples in Scotland who were in receipt of family credit in 1993-94, received family credit for *(a)* 26 weeks only, *(b)* 52 weeks only and *(c)* more than 52 weeks;

(2) what percentage of those lone parents in Scotland who were in receipt of family credit in *(a)* 1992-93 and *(b)* 1993-94, received family credit for (i) 26 weeks only, (ii) 52 weeks only and (iii) more than 52 weeks;

(3) what percentage of those couples in Scotland who were in receipt of family credit in 1992-93, received family credit for *(a)* 26 weeks only, *(b)* 52 weeks only and *(c)* more than 52 weeks.

Mr. Hague: The information requested for 1992-93 is in the table. The figures for 1993-94 are not available.

Awards of family credit in Scotland for 1992-93, broken down by family type and the percentage who received family credit for (a) 26 weeks only, (b) 52 weeks only and (c) more than 52 weeks.

Number of weeks	*Couples Per cent.*	*Lone parents Per cent.*
26 weeks only	60·57	51.19
52 weeks only	27·11	32.64
More than 52 weeks	12·32	16·17
TOTAL	100	100

Notes:

1. The figures are based on a 5 per cent. sample of family credit recipients as at 1992-93.

Dr. Godman: To ask the Secretary of State for Social Security (1) how many and what percentage of all Scottish children aged *(a)* under five years and *(b)* five to 15 years from two-parent families were in families which were in receipt of family credit in (i) 1992-93 and (ii) 1993-94;

(2) how many and what percentage of all Scottish children aged *(a)* under five years and *(b)* five to 15 years from lone-parent families in Scotland were in families which were in receipt of family credit in (i) 1992-93 and (ii) 1993-94.

Mr. Hague: The information for 1992 is in the table. Figures for 1993-94 are not available.

Children in Scotland in families in receipt of family credit[1]

	Two parent families	*One parent families*	*All families*
Number			
Aged under 5 years	16,260	8,940	25,200
Aged 5 to 15 years	34,220	30,320	64,540
Percentage			
Aged under 5 years	6·0	16·8	7·7
Aged 5 to 15 years	5·7	29·4	9·2
Total children in Scotland[2]			
Aged under 5 years	273,147	53,194	326,341
Aged 5 to 15 years	595,818	103,253	699,071

[1] Figures are based on a 5 per cent. sample of family credit recipients as at June 1992.

[2] Figures obtained from the General Register Office for Scotland as at June 1992.

Dr. Godman: To ask the Secretary of State for Social Security (1) how many couples in Scotland claimed family credit in *(a)* 1992-93 and *(b)* 1993-94;

(2) how many lone parents in Scotland claimed family credit in *(a)* 1992-93 and *(b)* 1993-94.

Mr. Hague: The information requested is not available. Information on the number of recipients of family credit in 1992 and 1993 is in the table.

Number of Family Credit cases in Scotland

	Two parent families	*One parent families*	*All families*
May 1992	21,860	25,100	46,960
May 1993	24,660	32,180	56,840

Notes:

These figures are based on a 5 per cent. sample of family credit recipients as at May 1992 and May 1993. Information on claims is not available.

Ms Walley: To ask the Secretary of State for Social Security what is his estimate of the take-up rate by women claiming family credit enhanced payments of £28 for the purpose of child care payments in respect of working mothers.

Mr. Hague: We expect that the take-up rate of those eligible for the maximum help with child care costs of £28 a week in family credit will be virtually 100 per cent.

Pensioners (Fuel Bills)

Sir Thomas Arnold: To ask the Secretary of State for Social Security if he will tabulate the financial assistance available to each category of retirement pensioner in respect of value added tax on fuel bills.

Mr. Hague: The information is in the table.

Category of pension	*Weekly amount of extra help towards VAT on fuel*[1] *£*
A	0·50
B	0·50
B (lower rate)	0·20
C	0·20
D	0·20

[1] Relates to standard rates of pension.

Invalidity Benefit

Mr. Kevin Hughes: To ask the Secretary of State for Social Security how many new applications for invalidity benefit have been *(a)* successful and *(b)* unsuccessful in the Doncaster district in each of the last 12 months.

Mr. Hague: The information is not readily available and could be obtained only at disproportionate cost.

Mr. Bradley: To ask the Secretary of State for Social Security if the transitional arrangements for people who are receiving invalidity benefit will also apply to people who do not receive benefit but have an underlying entitlement to invalidity benefit at the point of change.

Mr. Hague: There will be transitional arrangements for those people entitled to invalidity benefit when it is replaced by incapacity benefit in April 1995. The arrangements will apply to people entitled to, but not receiving, invalidity benefit at the point of change.

Local Government Legislation

Mr. Vaz: To ask the Secretary of State for Social Security if he will list the Acts of Parliament and Consolidation Acts affecting local government that have been introduced by his Department since 1990.

Mr. Hague: The following Acts of Parliament affect local authorities either as employers or as administrators of social security benefits:

Social Security Act 1990
Social Security (Contributions) Act 1991
Statutory Sick Pay Act 1991
The Social Security and Benefits Act 1992[1]
The Social Security Administration Act 1992[1]
Disability (Grants) Act 1993
Social Security Act 1993
Pension Schemes Act 1993[1]
Statutory Sick Pay Act 1994
Social Security (Contributions) Act 1994

[1]These Acts were Consolidated Acts and were handled by the Lord Chancellor's Department.

Incapacity Benefit

Mr. Bradley: To ask the Secretary of State for Social Security what are the estimated costs to his Department of bringing forward entitlement to long-term incapacity benefit to the first day of incapacity for people who are terminally ill.

Mr. Hague: We estimate that this would cost around £3 million per annum.

Notes:

Estimate expressed in 1993-94 prices, and net of offsetting changes in income related benefit expenditure.

Ms Jowell: To ask the Secretary of State for Social Security what steps he intends to take to ensure appropriate assessment of the needs of people with mental illness who may be eligible for incapacity benefit.

Mr. Hague: We are seeking the advice of a number of experts in mental illness in designing the new, more objective medical test as it relates to the particular problems of people with mental illness. The proposed arrangements will be evaluated over the summer. When the new test is applied to a person with a diagnosis of mental illness, information and advice will be sought from the claimant's doctors. This will include the claimant's psychiatrist, if one is involved in the case.

Claimant Families

Dr. Godman: To ask the Secretary of State for Social Security what was the total number of claimant families in Scotland in *(a)* 1992-93 and *(b)* 1993-94.

Mr. Hague: Information is not available in the precise form requested as it is only available on a regional basis for certain benefits. Information on benefit recipients for 1993 is not yet available for some benefits. Such information as is available is in the tables.

Further information on the numbers claiming social security benefits for Great Britain as a whole can be found in the Social Security Departmental Report, Cm 2513, a copy of which is in the Library.

Benefit	*Number to nearest thousand*	*Year ending*
(a) 1992-93		
Child benefit	619,000	December 1992
Community charge benefit	142,000	May 1992
Family credit	47,000	May 1992
Guardians allowance	[1]239	December 1992
Housing benefit	145,000	May 1992
Income support	143,000	[2]May 1992
Invalidity benefit	16,000	4 April 1992
Maternity allowance	2,000	4 April 1992
One parent benefit	92,000	December 1992
Retirement pension	1,000	March 1992
Severe disablement allowance	1,000	4 April 1992
Widows benefit	7,000	March 1992
(b) 1993-94		
Disability working allowance	[1]115	May 1993
Family credit	57,000	May 1993
Guardians allowance	[1]247	December 1993
Income support	146,000	[3]May 1993
Retirement pension	1,000	March 1993
Widows benefit	7,000	March 1993

[1] Exact figures.
[2] Annual enquiry.
[3] Quarterly enquiry.

Notes:

1. Claimant families have been interpreted as families with dependent children.
2. Housing benefit and community charge benefit recipients may receive other benefits. Families include dependents under age 17.
3. Income support families include dependents under age 19.
4. Invalidity benefit and severe disablement benefit only include families with child dependency increase in payment.

Asylum Seekers

Lady Olga Maitland: To ask the Secretary of State for Social Security what is the cost to the Exchequer of giving social security and benefits and other benefits to those who are also seeking political asylum.

Mr. Hague: The estimated annual cost of paying income support to asylum seekers is £102 million. Records are not held on their claims to other benefits.

Source: Income Support Statistics Quarterly Enquiry, May 1993.

Lady Olga Maitland: To ask the Secretary of State for Social Security how many applicants there are currently seeking political asylum; and how many are also successfully claiming social security.

Mr. Hague: At the end of February 1994 the estimated number of applications for asylum outstanding was 47,100.[1] The number of asylum seekers claiming income support was 37,000 in May 1993, the latest month for which statistics are available.[2]

Source: [1]Home Office
[2]Income Support Statistics Quarterly Enquiry, May 1993

Pensioner Households

Mr. Luff: To ask the Secretary of State for Social Security what is his Department's estimate of the number of households containing both individuals of pensionable age and other individuals not of pensionable age.

Mr. Hague: In 1990-91—the latest year for which information is available—an estimated 680,000 households contained both persons over pension age and persons under pension age.

This estimate derives from the 1990-91 family expenditure survey.

Social Fund

Mr. Hanson: To ask the Secretary of State for Social Security if he will review the exclusion from payments by the social fund with respect to medical, surgical, optical, oral or dental items.

Mr. Hague: The social fund does not provide for these items which are primarily the responsibility of the national health service. There are no plans to review the current arrangements.

Disability Living Allowance

Mr. Bowden: To ask the Secretary of State for Social Security how many people over the age of 60 years receive *(a)* the higher rate and *(b)* the lower rate mobility component of the disability living allowance; and what is the latest estimate of the number of people aged over 60 years entitled to claim the mobility component of disability living allowance who do not do so.

Mr. Hague: The numbers of people over the age of 60 years who receive the higher and lower rate mobility components of disability living allowance are 424,000 and 19,000 respectively.

Information is not available on the number of people aged over 60 who are entitled to claim the mobility component of disability living allowance but do not do so.

Note:

Source: DSS Analytical Services Division. Based on a 5 per cent. extract of payload at 30 November 1993.

Mr. Bowden: To ask the Secretary of State for Social Security how many and what proportion of people over the age of 60 in receipt of the higher rate mobility component of disability living allowance use it under the motability scheme towards the cost of hiring or buying a car.

Mr. Hague: The information requested is not readily available and could be obtained only at disproportionate cost.

Departmental Expenditure

Sir David Knox: To ask the Secretary of State for Social Security in what year rate rebates, community charge benefit and statutory sick pay started to be counted as part of the public DSS departmental expenditure.

Mr. Hague: Expenditure on rate rebates, community charge benefit and statutory sick pay have been included in DSS departmental expenditure figures since 1982-83, 1989-90 and 1990-91 respectively.

Pensioners' Income

Mr. Bowden: To ask the Secretary of State for Social Security what proportion of pensioner couples receive income of at least *(a)* £30 and *(b)* £89·90 a week from (i) an occupational pension, (ii) income from savings and (iii) both occupational pension and income from savings.

Mr. Hague: The information is in the table:

Income	*£30 or more* *Per cent.*	*£89·90 or more* *Per cent.*
Occupational pension	42	20
Income from savings	31	13
Occupational pension and income from savings	58	33

Note:

Estimates are based on data drawn from the Family Expenditure Survey for 1990-91 and the Government Actuary's Department's Survey of Occupational Pension Schemes.

Mr. Bowden: To ask the Secretary of State for Social Security what proportion of recently retired single pensioners receive income of at least *(a)* £20 and *(b)* £56·10 a week from (i) an occupational pension, (ii) income from savings and (iii) both occupational pension and income from savings.

Mr. Hague: The information requested is in the table:

Income	*£20 or more* *Per cent.*	*£56·10 or more* *Per cent.*
Occupational pension	42	18
Income from savings	27	14
Occupational pension and income from savings	57	34

Notes:

1. Estimates are based on data drawn from the Family Expenditure Survey for 1990-91 and the Government Actuary's Department's Survey of Occupational Pension Schemes.
2. Recently retired single pensioners are defined as women aged 60-64 and men aged 65-69.

Mr. Bowden: To ask the Secretary of State for Social Security what proportion of single pensioners receive income of at least *(a)* £20 and *(b)* £56·10 a week from (i) an occupational pension, (ii) income from savings and (iii) both occupational pension and income from savings.

Mr. Hague: The information requested is in the table:

Income	*£20 or more* *Per cent.*	*£56.10 or more* *Per cent.*
Occupational pension	31	13
Income from savings	21	10
Occupational pension and income from savings	46	24

Note: Estimates are based on data drawn from the Family Expenditure Survey for 1990-91 and the Government Actuary's Department's Survey of Occupational Pension Schemes.

Mr. Bowden: To ask the Secretary of State for Social Security what proportion of recently retired pensioner couples receive income of at least *(a)* £30 and *(b)* £89·90 a week from (i) an occupational pension, (ii) income from savings and (iii) both occupational pension and income from savings.

Mr. Hague: The information requested is in the table:

Income	*£30 or more* *Per cent.*	*£89·90 or more* *Per cent.*
Occupational pension	47	23
Income from savings	35	14
Occupational pension and income from savings	63	37

Notes:

1. Estimates are based on data drawn from the Family Expenditure Survey for 1990-91 and the Government Actuary's Department's Survey of Occupational Pension Schemes.
2. Recently retired pensioner couples are defined as those in which the husband is aged 65-69.

Mr. Bowden: To ask the Secretary of State for Social Security if he will list the proportion of pensioners receiving income from savings identified as *(a)* all pensioners, *(b)* single male pensioners aged under 75 years, *(c)* single female pensioners aged under 75 years, *(d)* pensioner couples aged under 75 years, *(e)* single female pensioners aged 75 years or over, *(f)* single male pensioners aged 75 years or over and *(g)* couples where at least one partner is aged 75 years or over, and the median amount received.

Mr. Hague: The information requested is in the table:

Pensioner group	*Proportion receiving income from savings*	*Median weekly amount received by those in receipt*
	percentage	*£*
(a) all pensioners	75	9·00
(b) single male pensioners under 75	69	13·50
(c) single female pensioners under 75	71	5·10
(d) pensioner couples under 75	83	11·20
(e) single female pensioners, 75 or more	71	4·70
(f) single male pensioners, 75 or more	75	9·60
(g) couples where at least one is 75 or more	84	9·20

Notes:

1. These estimates derive from the Family Expenditure Survey for 1990-91. The amounts are at January 1991 prices.
2. Pensioner couples are those where the husband is over state pension age.

Rent Rebates

Mr. Battle: To ask the Secretary of State for Social Security what is the latest proportion of total expenditure on rent rebates, in percentage and cash terms, paid to tenants with weekly rents of (i) £20 and under, (ii) up to £30, (iii) up to £40, (iv) up to £50, (v) up to £60, (vi) up to £70 and (vii) £70 and over.

Mr. Hague: The latest available information is in the table.

Rent rebate ranges of eligible rent (£ per week) May 1992[1]	*Proportion of housing benefit expenditure*
	Per cent.
[2]50p-£20	4
£20·01-£30	41
£30·01-£40	34
£40·01-£50	11
£50·01-£60	5
£60·01-£70	2
Above £70	3

Data source: The housing benefit management information system annual 1 per cent sample of May 1992.

Notes:

1. Details of rent paid are not available, therefore, the information relates to the amount of rent eligible for housing benefit.
2. Housing benefit is not payable below 50 pence per week.
3. The percentages cannot be correctly applied to expenditure figures to produce cash amounts.

Consultants

Mr. Milburn: To ask the Secretary of State for Social Security, pursuant to his answer of 23 March, *Official Report*, column *334*, if he will list the firms of consultants employed by his Department and the number of contracts they have undertaken.

Mr. Hague: I have arranged for such information as is available to be placed in the Library.

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what computer systems his Department has brought in for what function, and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Hague: The Department meets its information technology requirements through the services of the Information Technology Services Agency.

The key systems brought in during the last five years were delivered under the framework of the operational strategy. The cost of individual operations cannot be accurately disaggregated.

Information on the work carried out by ITSA is available in its business plans which are held in the Library.

Savings Disregard

Mr. Frank Field: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Manchester, Blackley (Mr. Eastham) of 14 March, *Official Report*, column *479*, if he will now raise the savings disregard to £4,000.

Mr. Hague: The level of the capital disregard is kept under review, but there are no current plans to increase it.

Turker Ahmet

Ms Ruddock: To ask the Secretary of State for Social Security when the hon. Member for Lewisham, Deptford will receive a reply to her letter of 7 March concerning Turker Ahmet.

Mr. Hague: A reply was sent to the hon. Member on 8 April.

"The Growth of Social Security"

Sir David Knox: To ask the Secretary of State for Social Security if he will recalculate table 2 of "The Growth of Social Security", excluding rate rebates and community charge benefit, and including the cost of child tax allowances in 1978 to 1989.

Mr. Hague: The information requested is in the table.

Annual average real growth rates in benefit expenditure[1] *1978-79 to 1992-93*

	1978-79 to 1992-93	*1978-79 to 1983-84*	*1983-84 to 1986-87*	*1986-87 to 1989-90*	*1989-90 to 1992-93*
Total benefit expenditure	3·5	4·8	3·5	-2·3	7·6
Contributory	1·6	2·2	2·3	-1·9	3·5
Non-contributory	6·4	9·3	5·2	-3·0	12·8

[1] Based on table 2 in "The Growth of Social Security" excluding rate rebates and community charge benefit, and including the cost of child tax allowances.

Service Pay

Mr. Wiggin: To ask the Secretary of State for Social Security how the Child Support Agency justifies including the X factor in service pay when assessing serving personnel.

Mr. Hague: The X factor forms part of the basic pay for all members of the armed forces, irrespective of rank or location. The Child Support Act 1991 defines earnings as any remuneration or profit received from employment, including any bonus, commission, royalty or fee. This clearly includes the X factor, which is, therefore, taken fully into account in the calculation.

Income Support

Mr. Steinberg: To ask the Secretary of State for Social Security how many recipients in each age group will become eligible for top-up payments to bring them up to the income support level after 11 April; and what will be the cost to public funds.

Mr. Hague: As income support is an income-related benefit, which provides financial help to people who are not in full-time work to bring their income up to a level prescribed by Parliament, it is often paid to top up other income received by claimants. More than half those claiming income support have other income—such as benefits, maintenance, part-time earnings, notional income from capital—taken into account when assessing their entitlement to benefit.

The most recent information that is available is in the table. Only the recipient's income has been used to produce the table. Income from partners or dependants has not been counted.

Income support recipients average IS by age
Recipients with other income brought to account

Age of recipient	*Number of cases*	*Total weekly IS (£)*	*Average weekly IS (£)*
16-19	52,000	2,800,000	52·77
20-29	523,000	35,600,000	67·97
30-39	462,000	36,900,000	80·00
40-49	232,000	18,600,000	79·98
50-59	124,000	8,700,000	70·21
60-69	296,000	10,500,000	35·61
70-79	505,000	15,000,000	29·74
80 and above	676,000	37,000,000	54·75
All cases	2,871,000	165,100,000	57·52

Notes:
1. Numbers of cases have been rounded to the nearest thousand, total IS amounts to the nearest hundred thousand pounds. Average amounts of IS are correct to the nearest penny.
2. Figures may not sum to the totals given due to rounding.
3. An IS recipient may have a partner's or dependent's income taken into account in the assessment. Such income has not been used in compiling the table above; only the recipient's income has been counted.
4. *Source:* Income Support Statistics Quarterly Enquiry, May 1993.

Mr. Rooker: To ask the Secretary of State for Social Security how many recipients of income support who were studying less than 21 hours per week had benefit withdrawn under *(a)* availability for work criteria or *(b)* actively seeking work criteria in the latest year for which he has information; and how many such students had benefit restored after appeal.

Mr. Hague: The information is not available.

Rents

Mr. Battle: To ask the Secretary of State for Social Security what proportion of expenditure on rent allowances, in percentage and cash terms, was paid to tenants with weekly rents of *(a)* £20 and under, *(b)* up to £30, *(c)* up to £40, *(d)* up to £50, *(e)* up to £60, *(f)* up to £70, *(g)* up to £80, *(h)* up to £90, *(i)* up to £100 and *(j)* £100 and over.

Mr. Hague: The latest available information is in the table.

Rent allowance ranges of eligible rent (£ per week) May 1992[1]	*Proportion of housing benefit expenditure Per cent.*
50p to £20[2]	3
£20·01 to £30	14
£30·01 to £40	23
£40·01 to £50	18
£50·01 to £60	11
£60·01 to £70	8
£70·01 to £80	5
£80·01 to £90	5
£90·01 to £100	3
Above £100	9

Data source:
The Housing Benefit Managment Information System Annual 1 per cent. sample of May 1992.
Notes:
1. Details of rent paid are not available, therefore, the information relates to the amount of rent eligible for housing benefit.
2. Housing benefit is not payable below 50p per week.
3. The percentages cannot be correctly applied to expenditure figures to produce cash figures.

Housing Benefit

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what was the total sum of rents determined as reasonable for housing benefit subsidy for the last year for which figures are available.

Mr. Scott: The total sum of rents determined as reasonable by the rent officer service for housing benefit subsidy for the 1992-93 financial year for England and Wales is £2·245 billion.
The information in the form requested is not readily available for Scotland.
Note: Figure quoted rounded to nearest million.
Source: Rent officer statistics (first quarter 1993 and financial year 1992-93) Department of the Environment.

Child Maintenance

Mr. Rooker: To ask the Secretary of State for Social Security what account the Child Support Agency takes of the earnings of a second wife in respect of a father's maintenance payments for children of his first marriage where the second wife has young children of her own first marriage for whom she does not receive maintenance from their father.

Mr. Hague: The calculation of the amount of maintenance an absent parent is required to pay is based on his own income and essential expenditure. The assessment takes account only of a new partner's income to the extent that she is able to contribute to the costs associated with

bringing up children of the new relationship, which are otherwise taken into account in full against the absent parent's allowable expenses.

The only other way the income of a new partner affects the assessment is in the calculation of protected income. This calculation looks at all of the income and outgoings of the new family to ensure that the payment of maintenance does not reduce their resources below a prescribed level.

Mr. Madden: To ask the Secretary of State for Social Security what plans he has to require the Child Support Agency to take account of child-minding fees when assessing maintenance; and if he will make a statement.

Mr. Hague: Under the formula which the agency uses to calculate maintenance, the basic maintenance level for children already includes an amount to recognise their need to be cared for by an adult. This amount depends on the age of the youngest child to be maintained and reduces as that child grows older.

There is no specific allowances for child-minding fees against the income of an absent parent who is bringing up children, but the formula is designed to ensure that all absent parents keep a substantial proportion of their net income after paying maintenance so that they can meet essential expenditure.

Habitual Residence Test

Mr. Madden: To ask the Secretary of State for Social Security what legal advice has been obtained concerning proposals to introduce regulations applying an habitual residence test to the payment of benefit; and if he will make a statement.

Mr. Hague: The Department's legal advisers have been consulted on the proposals.

Social Security Expenditure

Mr. Jenkin: To ask the Secretary of State for Social Security what is the amount of money spent on social security per thousand of population and the total amount spent on social security in the United Kingdom and in each of the other Organisation for Economic Co-operation and Development countries.

Mr. Hague *[holding answer 21 March 1994]:* The table provides information for selected OECD countries and the United Kingdom on the amount of money spent on social protection per thousand of population and the total amount spent on social protection. It is customary to use social protection, which includes public health care costs, personal social services and compulsory occupational pensions as well as social security for international comparisons.

Country	*Expenditure on Social Protection (millions) in national currency*	*Expenditure per thousand population (millions)*	*Expenditure on Social Protection (millions) converted to pounds sterling at March 1994 exchange rates*	*Expenditure per thousand population (millions) converted to pounds sterling at March 1994 exchange rates*
Canada	127,481	4·8	62,216	2·3
USA	832,000	3·3	559,140	2·2
Japan	50,944,000	412·3	331,106	2·7
Australia	49,187	2·9	23,367	1·4
Austria	450,327	58·3	25,791	3·3
Denmark	240,898	46·8	24,581	4·8
Finland	39,166	7·9	4,765	1·0
France	1,822,000	32·3	214,353	3·8
Germany	654,750	10·6	263,258	4·3
Italy	314,896,000	5,453·0	129,480	2·2
Netherlands	165,206	11·0	59,135	3·9
Norway	191,559	45·0	17,688	4·2
Portugal	1,446,275	146·7	5,623	0·6
Spain	10,525,000	270·2	51,135	1·3
Sweden	462,359	54·0	39,383	4·6
United Kingdom	126,757	2·2	126,757	2·2

Sources: Quarterly National Accounts No. 4, 1993, OECD.
Social Protection Expenditure and Receipts 1980-1991, Eurostat.

Note: Figures are only available for OECD countries compiling national accounts on a quarterly basis and are based on countries' own national accounts data without adjustment for national definitions to System of National Accounts standards. No direct comparisons should therefore be made between the countries as the data provides only an approximate indication of magnitude.

Written Answers to Questions

Wednesday 13 April 1994

HOME DEPARTMENT

Ritchie Report

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department, pursuant to the answer of 18 March, *Official Report*, column *888*, if he will implement the recommendations of the Ritchie report to standardise the documentation covered by section 136 of the Mental Health Act 1983.

Mr. Maclean: As stated in the reply given by my hon. Friend the Parliamentary Under-Secretary of State for Health on 18 March, this recommendation is under consideration.

Directorate of Telecommunications

Dr. Lynne Jones: To ask the Secretary of State for the Home Department, pursuant to his answer of 2 March, *Official Report*, column *737*, if he will make a statement on the automatic redundancy entitlement of DTELS staff who do not consent to a variance in staff severance terms; and how long is the period after the sale in which National Transcommunications has confirmed that it will not be seeking to discuss and agree changes to staff terms.

Mr. Charles Wardle: If National Transcommunications Ltd. varies or attempts to vary staff severance terms without the consent of DTELS staff, the normal legal remedies will be available to those staff. I have no further knowledge of National Transcommunication Ltd.'s intentions regarding conditions of service. This is a matter for the company and DTELS staff.

Local Government Legislation

Mr. Vaz: To ask the Secretary of State for the Home Department if he will list the Acts of Parliament and Consolidation Acts affecting local government that have been introduced by his Department since 1990.

Mr. Charles Wardle: The following Acts of Parliament that have an effect on local government have been introduced by the Department since 1990. The list also includes consolidation Acts in respect of which the Department has responsibility.

Criminal Justice Act 1991 (c.53)
Dangerous Dogs Act 1991 (c.65)
Charities Act 1992 (c.41)
[1]Charities Act 1993 (c.10)
Asylum and Immigration Appeals Act 1993 (c.23)
[1]Probation Service Act 1993 (c.47)

[1]Consolidation Acts

Criminal Justice Act 1991

Mr. Hinchliffe: To ask the Secretary of State for the Home Department what structures have been put in place to ensure effective monitoring of the implementation of section 95 of the Criminal Justice Act 1991; and what information is available to show the outcome of its first year of operation.

Mr. Maclean: Section 95 of the Criminal Justice Act 1991 came into effect in October 1991. The matters with which it is concerned are kept under regular review by officials in my Department, assisted and advised by officials from the Lord Chancellor's Department and the Crown Prosecution Service. Separate publications dealing with race and gender issues were widely distributed in September 1992; and a booklet about costs received a similar distribution in January 1993. Additional material on race, prepared specifically for the Judicial Studies Board, was also published in 1993. Further information about race will be published shortly.

Bail Hostels

Ms Ruddock: To ask the Secretary of State for the Home Department what is the total number of places available in bail hostels; and what will be the number in 12 months' time.

Mr. Maclean: On 1 April, there was a total of 2,597 available places in approved bail and probation-bail hostels in England and Wales. Included in this figure are a number of approved hostel places scheduled for closure. The currently projected total of available places on 1 April 1995 is 2,560.

Remand Prisoners

Ms Ruddock: To ask the Secretary of State for the Home Department what is the estimated number of remand prisoners who have been awaiting trial *(a)* for more than three months, *(b)* for more than six months, *(c)* for more than 12 months and *(d)* for more than 18 months.

Mr. Maclean: The latest available provisional data are for 31 December 1993 and are in the table.

Inmates recorded as being untried held in custody on 31st December 1993 by time on remand

	Number
For over 3 months up to and including 6 months	1,960
For over 6 months up to and including 12 months	1,020
For over 12 months up to and including 18 months	170
For over 18 months	190

Not all these defendants will have been in continuous prison custody since their first remand. This period excludes any time spent in non-Prison Service establishments—for example, police cells—before reception on remand into a Prison Service establishment; it includes inmates who are awaiting trial and those being tried.

Ms Ruddock: To ask the Secretary of State for the Home Department how many remand prisoners were being held in police cells on the most recent date for which figures are available.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 13 April 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of remand prisoners being held in police cells.

On 5 April 1994, the latest date for which complete information is available, 274 remand prisoners were held in police cells.

Ms Ruddock: To ask the Secretary of State for the Home Department what was the ethnic composition of the remand population in prison at the latest available date.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 13 April 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking what was the ethnic composition of the remand population in prison at the latest available date.

The latest available information is for 31 December 1993 and is given in the table. The ethnic breakdown of the remand population is based on the Census of Population ethnic coding classification which was introduced in prisons in October 1992.

Remand population in Prison Service establishments in England and Wales on 31 December 1993 by sex and ethnic origin[1]

Ethnic origin	*Males*	*Females*	*Total*
White	8,654	293	8,947
Black African, Caribbean, other	1,245	74	1,319
South Asian Bangladeshi, Indian, Pakistani	275	7	282
Chinese and Other Other Asian, other Chinese, not recorded[2]	201	14	215
All persons	10,375	388	10,763

[1] Provisional figures.
[2] Including refusal.

Ms Ruddock: To ask the Secretary of State for the Home Department what is the total number of people remanded in custody by magistrates courts in each of the last five years.

Mr. Maclean: The information requested is given in the table. It is also published annually in chapter 8 of "Criminal Statistics, England and Wales", a copy of which is in the Library.

Number of persons remanded in custody in England and Wales

	Thousands
1988	46·8
1989	49·6
1990	48·5
1991	50·8
1992	49·3

Ms Ruddock: To ask the Secretary of State for the Home Department what is the proportion of persons in each police force area proceeded against at magistrates courts who are remanded on bail for *(a)* indictable offences and *(b)* summary offences.

Mr. Maclean: The data available for each police force area are not reliable enough to be able to answer this question. Information on a national basis is given in the table. These figures are published in chapter 8 of "Criminal Statistics, England and Wales", a copy of which is in the Library of the House.

Number of persons remanded on bail

Thousands

	1988	*1989*	*1990*	*1991*	*1992*
Indictable offences	277·2	271·0	304·6	314·7	321·8
Summary (non motoring) offences	48·7	69·9	76·0	72·8	71·0
Summary motoring offences	38·2	51·7	61·3	65·0	65·9
Total	364·0	392·6	441·9	452·5	458·7

Persons remanded on bail as percentage of total remanded

	1988	*1989*	*1990*	*1991*	*1992*
Indictable offences	87	87	88	88	89
Summary (non motoring) offences	95	93	94	94	94
Summary motoring offences	96	95	95	95	96
Total	89	89	90	90	90

LORD CHANCELLOR'S DEPARTMENT

Waiting Times

Ms Ruddock: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the average waiting time for trial at *(a)* magistrates courts and *(b)* Crown courts for defendants granted bail and those remanded in custody.

Mr. John M. Taylor: The readily available information for magistrates courts relates to proceedings for indictable —including either-way—offences. Sample surveys during 1993 show that the average time interval from first listing to completion of such cases at magistrates courts was 7·3 weeks for defendants remanded in custody throughout proceedings and 10·1 weeks for those remanded on bail only. Provisional figures for the Crown court show that the average time interval from committal for trial to start of hearing for cases disposed of during 1993 was 12·6 weeks for those remanded in custody and 16·7 weeks for those remanded on bail.

TREASURY

Taxpayers (Earnings)

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many taxpayers in *(a)* Lancashire and *(b)* the United Kingdom earn £64,000 or more a year.

Mr. Dorrell: There were estimated to be about 4,000 taxpayers resident in Lancashire and 260,000 taxpayers in the United Kingdom with income of £64,000 or more in 1991-92, the latest available year for which information can be provided below the United Kingdom level.

Pension Contributions (Tax Relief)

Mr. Mandelson: To ask the Chancellor of the Exchequer if he will estimate the yield from providing tax relief for pension contributions of higher-rate taxpayers at the basic rate only.

Mr. Dorrell: It is estimated that the full-year yield might be about £520 million at 1993-94 levels. This takes no account of possible behavioural effects following such a change.

Income Statistics

Ms Corston: To ask the Chancellor of the Exchequer what was the equivalised disposable income, at 1992 prices, at the bottom, second and top decile groups, ranked by equivalised disposable income, in conformity with tables 3 and 7 of "Economic Trends" No. 483 for 1992 for *(a)* all households and *(b)* non-retired households with children for (i) 1979 and (ii) 1986.

Mr. Nelson: The figures are available only at current prices. Those given in the table, and those for later years, are not strictly comparable over time because of changes in classification of both income and taxation and because of changes in the family expenditure survey.

Average equivalised disposable income by decile groups of all households in the family expenditure survey, ranked by equivalised disposable income of all households using the McClements equivalence scale with a household of a married couple = 1

Decile groups of equivalised disposable income	Current prices 1979 £ per year	1986 £ per year
Bottom	1,689	3,094
2nd	2,179	4,065
Top	8,664	20,229

Average equivalised disposable income by decile groups of non-retired households with children ranked by equivalised disposable income of non-retired households with children using the McClements equivalence scale with a household of a married couple = 1

Decile groups of equivalised disposable income	Current prices 1979 £ per year	1986 £ per year
Bottom	1,819	2,991
2nd	2,474	3,990
Top	7,706	17,062

Consultants

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will list the contracts currently being worked on for his Department by Coopers and Lybrand, Ernst and Young, Price Waterhouse, KPMG Peat Marwick, Grant Thornton, Robson Rhodes, Levy Gee, BDO Binder Hamlyn, Hacker Young, Pannell Kerr Forster and Stoy Hayward.

Mr. Nelson: The table lists relevant companies currently working on contracts for HM Treasury, together with the type of consulting work for each company.

Company and type of consultancy work
Coopers and Lybrand—Market Testing
Ernst and Young—Privatisation
Price Waterhouse—Management Consultancy, Privatisation, Auditing
KPMG Peat Marwick—Management Consultancy
BDO Binder Hamlyn—Auditing

Uganda

Mr. Wigley: To ask the Chancellor of the Exchequer what is the total aggregate indebtedness of Uganda to the United Kingdom, by way of outstanding bilateral loans; and what is Her Majesty's Government's policy towards easing the burden of this debt.

Mr. Nelson: Uganda's outstanding debts to the United Kingdom total £25·5 million, all of which are in respect of business insured by the Export Credits Guarantee Department. All outstanding debts to the Overseas Development Administration were written off in 1981 under the provisions of retrospective terms agreement.

On 17 June 1992, Uganda rescheduled its official bilateral debts to Paris club creditors under a concessional, Trinidad terms agreement. This involved writing down by 50 per cent. the maturities falling due over the period of Uganda's International Monetary Fund programme. It also included a commitment by creditors to consider action on the whole of Uganda's official bilateral debt stock in three years' time, subject to Uganda maintaining a good debt servicing record and a satisfactory performance under an IMF programme.

The United Kingdom is pressing the other Paris club creditors to improve the existing Trinidad terms. In particular, we should like the Paris club to increase the rate of debt reduction above 50 per cent. and to offer immediate stock of debt reductions for countries with a good track record of debt servicing and economic reform.

Bank of England Governor

Mr. Watts: To ask the Chancellor of the Exchequer if he will publish minutes of his monthly monetary meetings with the Governor of the Bank of England.

Mr. Kenneth Clarke: Yes. I agree with the recommendation by the Treasury and Civil Service Select Committee that I should publish, with a lag, minutes of my monthly monetary meetings with the Governor. I believe that greater transparency has helped the operation of monetary policy and increased accountability.

I am, therefore, publishing today the minutes of the meetings held in January, February and the beginning of March. Thereafter, the minutes of each meeting will be published around two weeks after the subsequent meeting has taken place. I have arranged for copies of the minutes to be placed in the Library of the House.

I am confident that the minutes of these and future meetings will confirm the Government's commitment to sustained low inflation and sound monetary policy.

Manufacturing, Midlands

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what are the latest figures for manufacturing output in *(a)* the west midlands and *(b)* Coventry.

Mr. Nelson: Estimates of gross value added in manufacturing for the west midlands and Coventry are set out in the table. The latest available figures are for 1991.

Gross value added in manufacturing—1991

Area	Gross value added £ million
West midlands	6,585·2
Coventry	1,311·4

Source: Annual census of production.

Information on published back data is available from table 15.3 of "Regional Trends", copies of which are available from the House of Commons Library. This information can also be obtained from the central shared data bank.

Fuel (VAT)

Mr. Boyes: To ask the Chancellor of the Exchequer if he will make a statement about the effect of pre-payment by large-scale gas and electricity users to avoid value added tax on domestic fuel from 1 April; and what assessment he has made of the scale of pre-payment and its effect on (i) the revenue expected from the tax and (ii) the level of savings held in building societies.

Sir John Cope *[holding answer 12 April 1994]:* It is estimated that about 5 per cent. of domestic electricity consumers and about 4 per cent. of domestic gas consumers paid fuel bills in advance of the imposition of VAT on 1 April. No breakdown of the figures by size of user is possible. The effect of these prepayments on the revenue yield is estimated to be small in comparison with the yield from VAT on domestic fuel and power. It is not possible to quantify the effect of these prepayments on the level of savings in building societies.

ENVIRONMENT

European Funding

Mr. Vaz: To ask the Secretary of State for the Environment under which schemes local authorities have received European funding since 1979.

Mr. Baldry: The principal sources of EC funding that local authorities may receive are the European structural funds. Prior to 1989, applications for European regional development fund assistance for specific projects were submitted to the European Commission for approval. Since 1989, projects have been considered at regional level under Community support frameworks, agreed between the member state and the European Commission, for areas eligible under structural fund objectives 1, 2 and 5(b). Local authorities have also been able to apply for European social fund projects under objectives 3 and 4. Other funding from the structural funds has been available to local authorities through Community initiatives of which there have been a total of 14 in the period 1989-93. Examples of these initiatives are Rechar for coalfield areas and Interreg for cross-border areas. New Community support frameworks, and European Commission proposals for Community initiatives, for the period 1994-99 are in the process of being established.

Local authorities have also been able to obtain grants or loans or other awards from various other European sources. My Department does not have records of funding that may have been received in this way.

Her Majesty's Inspectorate of Pollution

Mr. Chris Smith: To ask the Secretary of State for the Environment what is the total staff complement of Her Majesty's inspectorate of pollution; how many of these are inspectors with responsibility for integrated pollution control enforcement at site level; how many site visits have been made to part A prescribed processes in 1991, 1992 and 1993; and what targets have been set for IPC inspection staff, enforcement activity and site visits for 1994 and 1995.

Mr. Atkins: As at 1 April 1994, the total staff complement of Her Majesty's inspectorate of pollution was 434·5. At that date, there were 122 complemented inspector posts with responsibility for integrated pollution control enforcement at site level. Data on site visits are kept by financial year. In 1991-92, there were 1,205 site visits to part A prescribed processes regulated under integrated pollution control—IPC; in 1992-93, there were 3,364 visits and in 1993-94—in the period to end of December 1993—there were 3,495 visits.

The target is to maintain the complement for IPC inspection staff in 1994-95 at 122 posts. Enforcement activity is reactive, but resources will be made available for it as necessary. The target for site visits to part A prescribed processes in 1994-95 is 3,030.

The actual number of visits is expected to be greater than this number because of additional reactive visits which will be made in response to complaints and incidents as they arise.

London Docklands

Ms Gordon: To ask the Secretary of State for the Environment if he will list, by local authority area, each London Docklands development corporation-owned site in the Docklands urban development area which is currently undeveloped.

Sir George Young: I have asked my Department to produce this information. I will write to the hon. Member as soon as it is available.

Ms Gordon: To ask the Secretary of State for the Environment what is the total spending that the London Docklands development corporation is committing to social projects in 1994-95; and if he will break this figure down into amounts to be spent on *(a)* training, *(b)* social housing, *(c)* Tower Hamlets accord, *(d)* Newham memorandum of agreement, *(e)* community grants and *(f)* health projects; and if he will make a statement on the future of the social programme.

Sir George Young: The London Docklands development corporation is proposing to spend £14,518,000 in 1994-95 on social projects. This allocation is due to be discussed formally with the Department in the corporate plan round currently under way.

The breakdown is:

Category	£ thousand
(a) Training	1,024
(b) Social housing	2,062
(c) Tower Hamlets accord	5,063
(d) Newham memorandum	2,979
(e) Community grants	2,542
(f) Health projects	303
(g) Schools and education	545

The social programme continues to be a key area of the corporation's activities in its remit to assist regeneration in the docklands.

Consultants

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what information technology consultants his Department has employed, for what purpose and at what total cost for each of the last five years.

Mr. Gummer: The information technology consultants have been used for a wide variety of purposes including facilities management, research, training, risk assessment, and data administration. The total cost for each of the last four years is as follows:

Year	£
1990-91	1,427,230
1991-92	4,029,342
1992-93	2,742,459
1993-94	1,794,048

Assistance for Local Authority Leaseholders Bill

Mr. Austin-Walker: To ask the Secretary of State for the Environment what discussions he has had with the Council of Mortgage Lenders in relation to the Assistance for Local Authority Leaseholders Bill.

Sir George Young: Ministers and officials have had a number of discussions with the Council of Mortgage Lenders about the difficulties faced by some leaseholders of local authority dwellings. We are currently consulting them and other relevant organisations about the possible revision of the standard mortgage indemnity agreement used by local authorities.

Zoos

Mr. Morley: To ask the Secretary of State for the Environment which EC member states have no specific legislation on zoos; and what steps he takes to ensure the welfare of animals exported from the United Kingdom to zoos in such countries.

Mr. Atkins: According to our latest information, I understand that Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal and Spain do not have specific zoo legislation.

Live animals must be transported in accordance with the International Air Transport Association's live animals regulations. The welfare of animals in zoos is a matter for individual member states.

Single Regeneration Budget

Mrs. Ann Winterton: To ask the Secretary of State for the Environment when draft guidelines were issued by his Department in connection with possible applications for assistance under the single regeneration budget; what response he received to those draft guidelines; on what date he expects to be able to publish final guidelines; by what date initial approval for applications under the scheme must be made; and what is the final deadline for approved applications.

Mr. Baldry: Draft guidance to those with an interest in bidding for funding from the single regeneration budget for 1995-96 was issued for consultation on 14 January, with responses requested by 25 February. Ten thousand copies of the draft guidance were circulated, 11 seminars held throughout England, and several hundred written responses received. Those responding to the consultation were broadly in favour of the budget, but made a wide range of detailed points.

The final guidance, taking account of the responses to consultation, will be issued on 14 April, and copies will be placed in the Library of the House. The guidance will require applications for funding to be made to Government offices for the regions by 7 September 1994. Bidders will be encouraged to discuss their potential bids in outline with regional offices by the end of May 1994. It is intended that final decisions on the bid applications will be made known in early January 1995.

New Forest

Mr. Denham: To ask the Secretary of State for the Environment how many representations he has received opposing the granting of national park status to the New Forest.

Mr. Atkins: Between 24 September 1992, when we published our consultation paper on our proposals for the future of the New Forest, and 8 April 1994 we have received 223 letters and a petition with three signatures opposing national park status for the New Forest.

Mr. Denham: To ask the Secretary of State for the Environment how many representations opposing the granting of national park status to the New Forest were initially mislaid by his Department; and if he will make a statement.

Mr. Atkins: My Department did not mislay any representations opposing the granting of national park status to the New Forest.

Mr. Denham: To ask the Secretary of State for the Environment how many representations opposing the granting of national park status to the New Forest he has received since January; and how many of these were printed pro-forma letters recommending an enhanced role for the verderers in the management of the New Forest.

Mr. Atkins: Between 1 January 1994 and 8 April, we have received 198 letters opposing the granting of national park status to the New Forest. Of these, 181 were printed pro-forma letters recommending an enhanced role for the verderers in the management of the New Forest.

Retail Sites

Mr. Hardy: To ask the Secretary of State for the Environment (1) what action he is taking to ensure that the recent policy guidance in respect of out-of-town retail sites is not being avoided by planning application for such developments which are proposed under misleading descriptions; and if he will call in all such applications;

(2) what action he will take to prevent the further expansion of retail sites in South Yorkshire.

Mr. Baldry: Our revised planning policy guidance note 6 "Town Centres and Retail Developments" sets out clear advice on the issues that local planning authorities, including development corporations, will need to take into account when considering planning applications for retail developments. Local planning authorities have adequate powers to obtain all the necessary information to enable them to make a decision. The Secretary of State expects local planning authorities to use those powers where necessary.

Local planning authorities must notify the Secretary of State, under the Town and Country Planning (Development Plans and Consultation) Direction 1992, of any applications which involve specified departures from the development plan. They are also required to notify the Secretary of State of certain proposals for retail development under the Town and Country Planning (Shopping Development) (England and Wales) (No. 2) Direction 1993. If any local authority failed to notify the Secretary of State of a planning application subject to either of these directions, its decision could well be challenged in the courts.

Proposals for the development of retail sites in South Yorkshire and elsewhere continue to be monitored under the provisions of these directions. The Secretary of State will consider calling-in any application for retail development which appears to conflict with published policy on the development of retail sites set out in planning policy guidance note 6 "Town Centres and Retail Developments" or otherwise raises issues of more than local importance.

Aggregates

Mr. Rowe: To ask the Secretary of State for the Environment when he intends to publish minerals planning guidance note 6 on planning guidance for aggregates; and if he will make a statement.

Mr. Curry: We are today publishing the revised mineral planning guidance note 6 on aggregates—MPG6—for England.

To help achieve a more sustainable approach, we are reducing the landbank—the amount of land-won material, that is, sand and gravel, with planning consent at any one time—from 10 to seven years.

An assured supply of aggregates for construction is a basic requirement of a healthy economy. But sustainable development means that we must reduce our very high dependence on primary aggregates and make more use of substitutes such as secondary and recycled material. We need to seek better patterns of supply and use of resources, and more environmentally acceptable ways of working mineral sites and restoring these sites once work has ceased.

As a first step in achieving this, industry is being asked to reduce its dependence on land won aggregates from 83 to 68 per cent. by 2006. Provision of sand and gravel in the south-east will be 10 per cent. less than that envisaged for the same 15-year period in the current MPG6 guidelines, published in 1989. Industry is asked to increase its use of secondary and recycled materials by 100 per cent. To make clear that the Government are looking for early progress towards sustainable development, these guidelines will run to 2006 and not 2011 as assumed in the draft guidelines issued in January 1993.

We are inviting industry to come forward with proposals on how these targets can be achieved and developed.

We propose to establish, on a trial basis, a help line to provide practical advice to the industry on specifications and ways to increase the use of recycled and secondary materials in particular projects.

As the construction and repair of roads consumes some 30 per cent. of all aggregates, my Department intends to conduct research, jointly with the Department of Transport, into how to increase the use of recycled and secondary materials in the construction and repair of roads.

We will also be commissioning further research to enable monitoring and measurement of the progress towards the target set in MPG6.

A copy of MPG6 has been placed in the House Library.

Waste Management

Mr. Haselhurst: To ask the Secretary of State for the Environment whether he will lay before Parliament regulations to enable the introduction of waste management licensing under the Environmental Protection Act 1990.

Mr. Atkins: The Waste Management Licensing Regulations 1994, laid before Parliament today, will come into force on 1 May 1994, when the waste management licensing sections of part II of the Environmental Protection Act 1990 will be commenced. The 1990 Act will then have replaced and updated most of the last generation of controls on waste under the Control of Pollution Act 1974. In the case of the scrap metal industry, however, I propose that the new system should come into force on 1 October 1994. This is to give that industry further time to consider the implications of the new system and to make any representations; in the meanwhile, that industry will remain subject to the 1974 Act.

The new waste management licensing system will bring real improvements and benefits, putting responsibility firmly on waste operators, empowering local authorities to act to prevent pollution, making more information available to the public and raising the standards of dealing with waste. At the same time, the new regulations are closely targeted on the potentially polluting operations that need control, and will remove unnecessary burdens and red tape from many small-scale activities and especially from many types of recycling.

The regulations are the outcome of public consultations launched when draft regulations were published in August 1992 and continued since. In the light of those consultations, there has been extensive redrafting to meet the concerns and interests of industry, local authorities and the public. The regulations have also been revised to take account of European measures on waste regulation, including a new definition of waste consistent with the European definition.

The waste management licensing regulations will be complemented by the charging scheme, published on 24 March 1994, *Official Report*, columns 395-96, and by guidance in the form of a circular and two waste management papers. The guidance will, for the first time, be on a statutory footing. So this will give a clear signal to industry and to authorities as to the way in which the system is to operate.

The new waste management licensing system will offer improved, clear, consistent, firm controls on waste. This will benefit the public, industry, local authorities and the environment. I know the waste industry welcomes this new system and I am confident that the waste regulators will use their stronger powers to secure environmental improvements.

Standard Spending Assessments

Mr. Hargreaves: To ask the Secretary of State for the Environment what further information he has made available to local authorities about standard spending assessments for 1994-95.

Mr. Baldry: A publication, "Standard Spending Assessment Handbook 1994/95", has been produced to provide details of the standard spending assessment of each local authority. Copies have today been placed in the Libraries of both Houses. Copies are also being sent to every local authority in England, and to the local authority associations.

Alexander Fleming House

Mr. Blunkett: To ask the Secretary of State for the Environment (1) what is the floor area in square feet of Alexander Fleming house; and what proportion of this is currently in use;

(2) what is the annual cost of upkeep of Alexander Fleming house;

(3) what is the current market value of Alexander Fleming house.

Sir George Young *[holding answer 12 April 1994]:* Alexander Fleming house was formerly occupied by the Department of Health and is now vacant following rationalisation of the Department's London offices and relocation of staff to Leeds. The building has a net internal floor area of 272,000 sq ft and future maintenance and security costs are estimated to average £500,000 per annum. The current rent is £313,157 per annum—£1·15 per sq ft—which is payable up to expiry of the lease in 1997. The offices are unlettable in the current market owing to their age and obsolescence and discussions have been held with the freeholder, with a view to early surrender of the lease. So far, however, it has not proved possible to reach agreement on acceptable terms.

PRIME MINISTER

Child Migrants

Mr. Hinchliffe: To ask the Prime Minister if he will now meet representatives of the Child Migrant Trust to discuss the British child migrants scheme and Government policy towards former child migrants.

The Prime Minister: The Government's policy towards former child migrants was debated in the Adjournment debate initiated by the hon. Member on 22 November 1993, *Official Report*, columns 301-8.

Mr. Hinchliffe: To ask the Prime Minister which Government Departments hold personal files relating to individual child migrants and their families.

The Prime Minister: The Parliamentary Under-Secretary of State for Health, my hon. Friend the Member for Battersea (Mr. Bowis), gave details of the policy files held by the Department of Health and the Public Record Office in the Adjournment debate on 22 November 1993, *Official Report*, columns 305-6. No Government Department holds personal files relating to individual child migrants and their families.

Voluntary Bodies

Sir Jim Spicer: To ask the Prime Minister what was the total amount paid in grants by central Government Departments to voluntary bodies in the financial year 1992-93; and if he will make a statement.

The Prime Minister: Central Government funding of voluntary organisations in 1992-93 amounted to £3,925 million. Of this, £3,362 million was payments to housing associations and £563 million went directly to voluntary organisations to support the provision of services and a wide range of activities and projects. The latter figure shows that Government funding of the voluntary sector increased in cash terms by 15 per cent. and in real terms by 11 per cent. over the level of provision in 1991-92—£490 million. Between 1979-80 and 1992-93, the level of Government support for voluntary bodies has risen by 172 per cent. in real terms.

The amount spent under individual departmental programmes in 1992-93 was as follows:

	£
Agriculture, Fisheries and Food	209,248
Defence	16,555,426
Education	7,337,719
Employment	
Direct grants	35,452,818
Equal Opportunities Commission	22,000
Environment (including Energy Efficiency Office)	
Direct grants	25,542,597
Urban programme	51,700,000
Housing corporation	2,862,000,000
Countryside Commission	1,242,000
English Nature	621,000
Rural Development Commission	4,595,000
Derelict land grant	317,000
Foreign and Commonwealth Office	2,697,820
Overseas Development Administration	147,426,026
Health	
Direct grants	52,138,716
Health Education Authority	2,450,755
Home Office	
Direct grants	50,596,492
Commission for Racial Equality	702,539
National Heritage	
Direct grants	566,808
Sports Council	14,535,000
Northern Ireland Office	
Direct grants	18,455,323
Housing associations and societies	57,404,589
Sports Council for Northern Ireland	658,037
Youth Council for Northern Ireland	1,357,803
Scottish Office	

	£
Direct grants	25,674,985
Urban programme	46,618,000
Housing associations	260,000,000
Scottish National Heritage	1,360,000
Highland and Islands Enterprise	1,000,000
Sports Council for Scotland	1,527,694
Social Security	14,094,810
Trade and Industry	13,303,996
Transport	509,615
Welsh Office	
Direct grants	12,007,481
Urban programme	5,110,000
Joint finance	274,535
Development Board for Rural Wales	470,510
Housing for Wales (Tai Cymru)—grants to housing associations	182,323,223
Sports Council for Wales and Play Wales Management Committee	6,087,000
GRAND TOTAL	3,924,946,565

I am placing in the Library of the House a list of voluntary bodies funded by the Government in 1992-93, other than those funded under housing programmes and the urban programme or via non-departmental public bodies.

Ex-service Men

Mr. Morgan: To ask the Prime Minister what consultations he has had with ex-service men's organisations regarding the proposed participation of former axis powers ex-service men's representatives at the 1995 50th anniversary commemorations of the ending of world war II or Remembrance day parades; and if he will make a statement.

The Prime Minister *[holding answer 31 March 1994]*: The commemorations of the 50th anniversary of the end of world war II will include a service in St. Paul's cathedral, a parade in central London, a lunch or dinner for visiting Heads of State and a number of other events throughout the country. Peace and reconciliation will feature strongly in themes for these events.

The Ministry of Defence is leading the planning for the Government, but, at this early stage, no decision on the nature of the parade has been taken. The Ministry of Defence will consult a variety of appropriate organisations, including veterans' associations in the United Kingdom, over the content of the commemorations before final decisions are taken.

There are, however, no plans for veterans' representatives from former axis powers to take part.

AGRICULTURE, FISHERIES AND FOOD

Animal Transport

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food what steps the United Kingdom Government are taking to ensure the enforcement, within the European Union, of regulation 91/628, chapter 2, article 31B concerning the transport of live animals.

Mr. Soames: Each member state is required to bring into force the laws and administrative provisions necessary to implement directive 91/628 EEC. The directive is implemented in Great Britain through the Welfare of Animals during Transport Order 1992. In the case of contraventions involving trade with other member states, the Government take the matter up as appropriate with the authorities concerned.

Live Animals (Imports)

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food (1) pursuant to her answer to the hon. Member for Glanford and Scunthorpe (Mr. Morley) of 18 March, *Official Report*, column *900*, how many of the live sheep imported from Poland and Spain since 1 January were known to have given birth in transit or immediately on arrival in the United Kingdom;

(2) how many sheep have been held back or destroyed at lairages as being unfit to travel onwards since 1 January 1994 after import from abroad.

Mr. Soames: Three sheep were found to have lambed in consignments imported from Spain and Poland and a further six were found to be close to lambing upon veterinary examination. A total of 32 sheep were detained in portal lairages as unfit to continue their journey. These were humanely destroyed.

Ms Jowell: To ask the Minister of Agriculture, Fisheries and Food (1) if she will list the total consignments of animals destined for slaughter arriving from Poland or Spain since 1 January listing *(a)* the original point of departure of each consignment and *(b)* the points of lairage on route;

(2) if she will give, for each consignment of animals destined for slaughter arriving from Poland or Spain since 1 January *(a)* the journey time for each stage of the journey, *(b)* the number of animals that were dead or recumbent on arrival in the United Kingdom, *(c)* the number that were deemed by Ministry of Agriculture, Fisheries and Food veterinary inspectors to have been unfit for transit and *(d)* the total of carcases that were condemned by meat inspectors.

Mr. Soames: The information is given in the table.

Imports of sheep from Spain and Poland since 1 January 1994

(1) Date of arrival at slaughterhouse	(2) Country of origin	(3) Point of departure	(4) Lairages on route	(5) Journey time[1]	(6) Number of sheep dead or recumbent	(7) Sheep deemed unfit for transit	(8) Carcases condemned: (a) Full	(9) Carcases condemned: (b) Partial
17 February 1994	Poland	Sielinko, Brody, Paproc, Cicha Góra and Granowko	Dover	40¾ hours (25¾ hours to Dover)	3	none	none	6
8 March 1994	Poland	Cicha Góra and Chaponie	Dover – several days stopover	123½ hours (max 24 hours between staging posts)	7	4	30	39
9 March 1994	Poland	Poznie and Kielpino	Belgium – several days stopover, and Pedham, Kent	Not determined	none	1	18	7

(1) Date of arrival at slaughterhouse	(2) Country of origin	(3) Point of departure	(4) Lairages on route	(5) Journey time[1]	(6) Number of sheep dead or recumbent	(7) Sheep deemed unfit for transit	(8) Carcases condemned: (a) Full	(9) (b) Partial
17 March 1994	Poland	Not recorded	Belgium (several days stopover)	14 hours (from Belgium)	8	none	12	16
28 January 1994	Spain	Segovia	Irun (Spain) and Southampton	55½ hours (max 30 hours between staging posts)	1	none	3	4
15 February 1994	Spain	Segovia	Bordeaux and Poitiers (France)	57 hours (max 15 hours between staging posts)	2	none	3	4
8 March 1994	Spain	Segovia	Irun (Spain), Poitiers (France), Southampton	66 hours (max 14 hours between staging posts)	2	none	11	23
23 March 1994	Spain	Segovia	Irun (Spain), Poitiers (France), Southampton	78½ hours (max 11 hours between staging posts)	4	28	11	20

[1] From place of departure, to destination, rest periods included.

Royal Botanic Gardens, Kew

Dr. Marek: To ask the Minister of Agriculture, Fisheries and Food if she will make a statement on the recently established Royal Botanic Gardens, Kew conservation group; and what funding will be made available.

Mr. Jack: The centre for plant conservation at the Royal Botanic Gardens, Kew incorporates elements from the body's former economic and conservation section, the living collections department, the Jodrell laboratory and seed bank. The centre's conservation activities include research, advice, and support to field programmes worldwide. It is funded mainly from the grant in aid provided annually by the Ministry to the Royal Botanic Gardens, Kew.

Dr. Marek: To ask the Minister of Agriculture, Fisheries and Food if she will make a statement on the present initiative being pursued for Mauritius by the Royal Botanic Gardens, Kew.

Mr. Jack: The Royal Botanic Gardens, Kew was invited to collaborate with the Government of Mauritius and the Mauritian wildlife appeal fund to review the needs for plant conservation on the islands of Rodrigues and Mauritius. The intention is to develop a habitat restoration programme to ensure the long-term survival of threatened habitats and plant species on the islands. In addition, the Royal Botanic Gardens, Kew is a lead organisation in the production and editing of the "Flora of the Mascarenes" and is currently propagating a number of critically endangered species for future reintroduction.

Lumpy Skin Disease

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many cases of lumpy skin disease occurred in each year since 1985.

Mr. Soames: There has never been a case of lumpy skin disease diagnosed in Great Britain.

Statutory Instruments

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 28 March, *Official Report*, column *578*, if she will list the 11 statutory instruments affecting the food farming and fishing industries which have been rescinded and the 18 that have been retabled during the course of this Parliament.

Mr. Jack: The following statutory instruments rescinded or relaxed burdens imposed on the food, farming or fishing industries up to the end of February 1994:

Revocations:

- The Sheep Scab (Revocation) Order 1992
- The Blue Eared Pig Disease (Revocation) Order 1992
- The Food Protection (Emergency Prohibitions) (Dioxins) (England) No. 2 (Revocation) Order 1992
- The British Wool (Guaranteed Prices) (Revocation) Order 1993
- The Bananas (Interim Measures) (Revocation) Regulations 1993
- The Agriculture Act 1993 (Commencement No. 1) Order 1993
- The Diseases of Animals (Therapeutic Substances (Revocation) Order 1993
- The Poultry Laying Flocks Testing and Registration Etc. (Revocation) Order 1993
- The Foot and Mouth (Sera and Glandular Products) (Revocation) Order 1993
- The Specified Animal Pathogens Order 1993
- The Marek's Disease (Restrictions on Vaccination) (Revocation) Order 1994

Relaxations:

- The Soft Drinks (Amendment) Regulations 1993
- The Poultry Breeding Flocks and Hatcheries Order 1993
- The Poultry Breeding Flocks, Hatcheries and Processed Animal Protein (Fees) Order 1993
- The Import (Plant Health Fees) (England and Wales) Order 1993
- The Animals and Animal Products (Import and Export) Regulations 1993
- The Tuberculosis (Deer) (Amendment) Order 1993
- The Import of Bovine Semen (Amendment) Regulations 1993
- The Sea Fish Licensing (Variation) (No. 2) Order 1993
- The Fodder Plant Seeds (Amendment) Regulations 1993
- The Seeds (Registration, Licensing and Enforcement) (Amendment) Regulations 1993
- The Food Labelling (Amendment) Regulations 1993
- The Local Fisheries Committees (Fees for Copy Byelaws) Order 1993
- The Specified Animal Pathogens Order 1993
- Sea Fisheries (Conservation of Sea Fish) The Undersized Lobsters Order 1993
- The Fresh Meat and Poultry Meat (Hygiene, Inspection and Examinations for Residues) (Charges) (Amendment) Regulations 1993
- The Common Agricultural Policy (Wine) (Amendment) Regulations 1993
- The Importation of Bees (Amendment) Order 1993

The Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (England) (Partial Revocation) Order 1994

Fisheries Council

Mr. Clappison: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Fisheries Council held in Luxembourg on 12 April; and if she will make a statement.

Mr. Jack: I represented the United Kingdom at a meeting of the Council of Fisheries Ministers on 12 April in Luxembourg, together with my noble Friend the Minister of State, Scottish Office.

The major issue before the Council was a proposal arising from the Act of accession for Spain and Portugal. The Act requires that the provision for the Irish box must end at 31 December 1995. In addition, the Council can adopt any necessary changes in the light of a review of the operation of the provisions of the Act. Any changes decided on have to apply from 1 January 1996.

As the House knows, the Council has been addressing the issues raised by the terms of the Act at successive meetings since June 1993. At its meeting yesterday, the Council concluded the first stage of this work by adopting by qualified majority a presidency compromise proposal on the procedure to be followed for amending the current arrangements applying to Spanish and Portuguese access to the waters of the other member states. It sets out in legal form the principles to guide the Commission and the Council in settling the detailed provisions.

The regulation ensures that no changes can be made to the current rules governing Spanish and Portuguese fishing until the replacement arrangements have been set out and agreed by the Council. All the changes will have to conform to the key principles of relative stability and no increase in fishing effort. In formulating the changes, the Commission will also have to provide specifically for sensitive zones, in particular to take account of the need to balance resources and the fishing effort deployed. The area of the Irish box is noted as such a zone where fishing effort will need to be closely monitored and any necessary measures taken.

Another issue which is of particular concern to United Kingdom fishermen is the position regarding areas in which Spain and Portugal are currently not allowed to fish, such as the North sea. There is no obligation on the Commission to make any proposals for access to these areas. But if it does, access can only be given to stocks not currently subject to total allowable catches and would have to be on the basis of track records in a recent and representative period. Spain and Portugal have had no track record in the North sea since the date of their accession. This is a satisfactory outcome which fully protects the interests of the British fishing industry and provides a sound basis for the detailed negotiations over the coming months.

The Commission tabled a report on the ecological impact of drift netting, together with a proposal. The Council had a first discussion on the issues raised, including a suggestion that a derogation for use of drift nets longer than 2·5 km should be reintroduced. I made clear my firm opposition to this and the importance I attach to taking environmental implications fully into account. The derogation was not renewed. These matters will now be considered by experts taking into account the scientific evidence.

The Council discussed the current difficulties in the European fish market. Although no single factor was identified as the underlying cause, there was widespread agreement that an important part of the present difficulties is due to structural factors, notably the continuing imbalance between fishing effort and fish resources. The Commission has undertaken to prepare a full analysis of all the elements affecting the market for consideration by the Council at its next meeting in June.

The Council agreed by qualified majority a regulation on direct landings by third country fishing vessels, subjecting them to the same rules as member states' fishing vessels, notably in relation to existing hygiene controls, and to some aspects of the market regime. The market regime provisions will not apply to fish for processing or to landings by European Economic Area vessels. The United Kingdom, Denmark and the Netherlands voted against the regulation because of reservations about its practicality.

The Council also agreed autonomous tariff reductions for certain annual quotas of whitefish imports.

Fruit

Mr. Byers: To ask the Minister of Agriculture, Fisheries and Food on what occasions and in respect of which companies and products the United Kingdom Government have not followed a directive from the European Community concerning fruit or fruit products.

Mr. Jack *[holding answer 21 March 1994]:* The United Kingdom has not yet amended its national legislation implementing EC Council directive 93/77 to take account of EC Commission directive 93/45 concerning the manufacturer of fruit nectars without the addition of sugar.

However, enforcement authorities are aware of the requirements of directive 93/45 and will take this into account in their enforcement action. The United Kingdom implementing legislation will be amended to take account of directive 93/45 at the earliest opportunity.

TRANSPORT

Tamar Road Crossing

Mr. Hicks: To ask the Secretary of State for Transport what is his Department's policy on the second Tamar road crossing project; and if he will make a statement.

Mr. Key: The consultants who undertook a study of a feasibility of the new Tamar crossing advised that a new crossing is likely to be needed by the turn of the century if unacceptable congestion is to be avoided. Their report was published in June 1993 and comments were invited on the four possible routes which had been identified.

I am considering the responses to the consultation before deciding if, when and how the proposal for a new Tamar crossing should be taken forward.

Car Parking

Ms Walley: To ask the Secretary of State for Transport what regulations apply to the parking of tax-exempt private vehicles on off-street local authority parking sites.

Mr. Key: It is entirely for individual local authorities to decide which classes of vehicle may use any off-street car parks they provide, and to determine the terms and conditions under which they may do so.

London Taxis

Mr. Bendall: To ask the Secretary of State for Transport whether he will make a statement about London taxi fares and fees.

Mr. Norris: The Secretary of State has made an order increasing London taxi fares by about 2·88 per cent. on average with effect from Saturday 23 April 1994. The new tariff will incorporate a minimum fare of £1—including an unchanged hire charge of 60p—for the first 564 yds or 114 seconds. The rate will then be 20p for every 282 yds or 57 seconds up to six miles and 20p for each 188 yds or 38 seconds thereafter.

The Secretary of State has decided that there will be no increase this year in the fees for London taxi driver and vehicle licences, currently £87 and £78 respectively.

A38

Mr. H[illegible]ks: To ask the Secretary of State for Transport if he will now announce the line of his Department's preferred route for the A38 trunk road improvement between Saltash and Trerulefoot.

Mr. Key: I expect to announce our preferred route for this scheme shortly.

Permanent Secretary

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will provide details of the basic salary of the permanent secretary within his Department and the performance pay arrangements under which he operates.

Mr. Norris: The permanent secretary is paid £95,051 per annum with effect from 1 April 1994. There is no performance pay scheme for permanent secretaries.

Railway Station Staff

Ms Jowell: To ask the Secretary of State for Transport how many people are currently employed as station staff by British Rail; and how many were so employed in *(a)* 1990, *(b)* 1985 and *(c)* 1980.

Mr. Freeman: The information is not readily available in the form requested, but the number of staff employed in stations, yards and depots is as follows:

	Number
31 December 1980	25,148
31 March 1985	19,941
31 March 1990	17,039
26 February 1994	12,765

Aircraft Movements (Cardiff)

Mr. Wigley: To ask the Secretary of State for Transport if he will make a statement on the likely consequences for aircraft movements from Cardiff, Wales airport of the negotiations regarding access for American passenger aircraft to Heathrow.

Mr. Norris: We do not foresee any material effect on aircraft movements at Cardiff, Wales airport arising directly from any changes which might be agreed in access for American passenger aircraft to Heathrow. However, it is possible that, as part of wider negotiations with the United States over liberalisation of air services, existing opportunities for United Kingdom and United States airlines to mount charter services between Cardiff and the United States and for United Kingdom airlines to mount a scheduled service could be supplemented by additional opportunities for United States carriers to offer scheduled services. It would be for the commercial judgment of the airlines whether to operate such services.

Consultants

Mr. Milburn: To ask the Secretary of State for Transport, pursuant to his answer of 30 March, *Official Report*, columns *761-62*, if he will list the firms of consultants employed by his Department in each of the last five years and the number of contracts each has undertaken.

Mr. Norris *[holding answer 12 April 1994]:* I am placing the information in the Library.

London, Tilbury and Southend Line

Mr. Spearing: To ask the Secretary of State for Transport, pursuant to his answer of 29 March, *Official Report*, concerning daily flows of rail passengers on the London, Tilbury and Southend line to Fenchurch Street what is *(a)* the approximate number of passengers carried in trains departing from Barking for Fenchurch Street on a normal weekday between the hours 0700 and 10.00, irrespective of their boarding stations, *(b)* the best estimate available of the number of passengers departing westbound on the District line from Barking, between those hours and *(c)* the numbers of passengers joining westbound District line trains between Barking and Bow Road between those hours; and what assessment he has made of the total effect of withdrawing all main line trains between Barking and Fenchurch Street between 22 July and 5 September next.

Mr. Norris *[holding answer 12 April 1994]:* The information requested is as follows:

(a) The London, Tilbury and Southend—LT and S—line currently carries 22,000 passengers on all its services into London during the peak hours of 07.00 to 10.00.

(b) London Underground Ltd.—LUL—says that in 1990, 4,300 passengers boarded westbound District and Hammersmith and City lines trains at Barking between 07.00 and 10.00 am each weekday.

(c) The same survey showed that the number of passengers on westbound district line trains between Barking and Bow Road during the morning peak were as follows:

	Number
Barking—East Ham	14,900
East Ham—Upton Park	21,600
Upton Park—Plaistow	26,200
Plaistow—West Ham	30,400
West Ham—Bromley-by-Bow	30,600
Bromley-by-Bow—Bow Road	31,300

LT and S management have made the following assessments and arrangements.

The temporary timetable, which will be in operation during the closure of Fenchurch Street will provide 16,300 seats into Liverpool Street. Although, due to limited track and platform capacity, it will not be possible to run extra Great Eastern trains into Liverpool Street, additional capacity will also be provided on Great Eastern services form Southend Victoria and Colchester, and it is expected that some LT and S passengers will travel from Upminster to Romford in order to connect with these services. Passengers at the eastern end of the route will be encouraged to use Great Eastern services.

Passenger numbers are traditionally reduced by 13 per cent. during the summer period and LT and S management estimate that this will rise to 20 per cent. during the closure of Fenchurch Street.

LT and S management estimate that the maximum number of passengers needing to transfer to LUL services for onward travel by tube is in the range of 1,300 to 2,800, and LUL has been advised accordingly. In addition to its normal services, starting in May, LUL will provide an extra four trains an hour during the peak period on the Hammersmith and City line from Barking.

By diverting many LT and S trains into Liverpool Street, it is hoped that the effect of withdrawing mainline trains into Fenchurch Street will be minimised and every effort is being made to advise passengers of their alternatives before 22 July. Additional staff will be on hand at Barking to assist with passenger transfers, and LT and S management are continuing to work with local rail user groups to offer the best possible service during the closure.

NATIONAL HERITAGE

Consultants

Mr. Matthew Taylor: To ask the Secretary of State for National Heritage what information technology consultants his Department has employed and for what purpose and at what total cost for each of the last five years.

Mr. Sproat: The Department of National Heritage, which was established on 13 April 1992, has contracted out operational support for the Department computer users and systems to Sema Group through open competition. The Department has employed consultants from Sema Group to support the development of Departmental information systems—IS—and assist in the procurement of a number of system solutions. Consultancy support from CCTA, the Government Centre for Information Systems, has also been used to assist in procurement and the development of the Departmental IS strategy. The cost of consultancy support was £140,000 in 1992-93 and £38,000 in 1993-94.

Mr. Milburn: To ask the Secretary of State for National Heritage, pursuant to his answer of 25 March, *Official Report*, column *460*, if he will list the firms of consultants employed by his Department in each of the last five years and the number of contracts they have undertaken.

Mr. Sproat: The consultants used and numbers of contracts awarded by my Department since it was established in April 1992 and its two executive agencies are listed in the table, together with the start date for each contract. My answer on 25 March did not include the number of consultancies awarded by the two agencies, although the costs given did include the agencies' expenditure. The total number of contracts awarded is 110.

Consultant's name	*Number of contracts awarded*	*Start date*
Accord Group—TYZACK	1	March 1993
ADAS	1	December 1992
AIBS	1	October 1992
Ajax Health and Safety	1	April 1992
Alan Rhodes Associates	1	October 1992
Alter Ego	1	April 1993
Baker, Wilkins and Smith	1	April 1992
John Barnes	1	May 1993
BDM Limited	2	December 1992
		April 1993
Bedford Timber Preservation	1	January 1993
BMRB International	1	June 1993
Brenda White Associates	1	February 1993
Capita Management Consultancy Ltd.	1	February 1993
CCTA	2	June 1993
		August 1993
Cluttons	3	January 1993
		March 1993
Communication by Design Limited	1	September 1992
Coopers and Lybrand	1	July 1993
Crane Davies Limited	1	July 1993
Cumbria Tourist Board	3	February 1993
		February 1993
		February 1993
Drivas Jones	1	July 1993
Engineering Surveys Limited	2	July 1992
		September 1993
Ernst and Young	4	July 1992
		January 1993
		October 1993
		January 1994
Derek Etherington	1	July 1991
Feilden and Mawson	1	April 1992
Fitch	1	June 1992
P. Flaxman	1	January 1993
Food Services Associates (Henley) Limited	1	December 1992
GAH Limited	1	August 1992
Lawrence Graham	1	1993
David Greaves	1	June 1992
Halcrow Fox	2	November 1992
		July 1993
Heart of England Tourist Board	1	December 1992
HH&S Limited	1	May 1992
Humberts Leisure Limited	1	June 1992
Institute of Manpower Studies	1	March 1993
J. M. Consulting Limited	1	May 1993
David Jacques	1	April 1993
		September
John Herbert Partnership	1	1992
		September
Kennedy and Donkin	1	1993
Korn Ferry International	1	March 1993
KPMG	6	1992-93
		1992-93
		1992-93
		February 1993
		September 1993
		February 1994
Land Use Consultants	1	April 1992
Library and Information Co-operation Council	1	March 1993
Light Projects	1	March 1993
Lowe Bell Communications	1	January 1994
Mason	1	August 1993
MEW Research	1	June 1993
Moon Communications	1	April 1993
National Economic Research Associaton/Mercer Management Consultants/PA Consultants	1	April 1993
Naylor Conservation	1	December 1993
North West Tourist Board	2	December 1992

Consultant's name	Number of contracts awarded	Start date
		February 1993
Northamptonshire Archaeological Unit	1	January 1993
Numbers Market Research Limited	1	June 1992
PA Consultants	2	July 1992
		July 1993
William Page	1	1992-93
Paper White Design Consultants	1	April 1993
PE International	3	August 1992
		October 1992
		May 1993
Peter Morley Associates Limited	1	March 1993
Donald Piggott	1	October 1992
Positive Solutions	1	August 1993
Price Waterhouse	3	May 1992
		October 1992
		February 1993
Pringle Brandon	1	December 1993
Research International	1	December 1993
RM Consultants Limited	1	December 1993
RMJM and Caroe and Partners	1	April 1992
Royal Fine Art Commission	1	February 1993
Royal Fine Art Commission	1	February 1993
Royston Brown	1	May 1992
Search Training International Limited	1	December 1992
Sema Group Systems Limited	3	All in 1993
Stoy Hayward	1	December 1993
		August 1992
		and August
John Sumsion	1	1993
Symonds	1	July 1992
TA Consultancy	1	July 1993
Tectus	1	May 1992
The Conservation Practice	1	April 1992
The Jenkins Group	1	May 1993
Thesaurus	1	April 1992
		January and
Touche Ross	2	June 1993
Towers Perrin	1	January 1993
University of Cambridge	1	January 1993
University of London	1	January 1993
Vital Statistics Limited	1	March 1993
Warrington Fire Research	1	April 1992
		Phase 1—
		September
		1992 and Phase
		2—December
Watts and Partners	1	1993
WLF Pierce and Partners	1	July 1993
Yorks and Humberside Tourist Board	1	February 1993
Total	110	

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for National Heritage what computer systems his Department has brought in, for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Sproat: The Department of National Heritage, which was established on 13 April 1992, has introduced a personal computer-based office automation system, mainly for word processing, and a Library management system. The Department also uses computer services provided by the Accounts Service Agency and has introduced systems to support correspondence tracking, the handling of registered files, and responses to parliamentary questions. An on-line telephone directory has also been developed. The cost of all computer systems was £730,000 in 1992-93 and £950,000 in 1993-94. All the computer systems brought in by the Department are still in use.

Broadcasting Directive

Sir Teddy Taylor: To ask the Secretary of State for National Heritage if he has been notified by the Commission of the European Union of the action it intends to initiate in the European Court against the United Kingdom on the broadcasting directive; and if he will make a statement.

Mr. Brooke: We have been notified that the Commission has decided to open proceedings against the United Kingdom in the European Court of Justice over the way in which we have implemented article 2 of the "television without frontiers" directive. Under section 43 of the Broadcasting Act 1990, the criterion for deciding whether satellite television services fall within United Kingdom jurisdiction is the place where the broadcasting signals are uplinked. The Commission argues that the appropriate criterion is the place where the broadcaster is established. This difference of approach does not, however, appear to have been of any practical significance in terms of our ability to take action against unacceptable services.

Central Council for Physical Recreation

Mr. Lidington: To ask the Secretary of State for National Heritage (1) what proportion of the annual revenue of the Central Council for Physical Recreation is spent on salaries and running costs; and if he will make a statement;

(2) how much revenue the Central Council for Physical Recreation obtained in subscriptions from its member organisations in the most recent year for which figures are available.

Mr. Sproat: The Central Council of Physical Recreation is not a Government body and I am not, therefore, able to provide this information.

EMPLOYMENT

Dounreay

Mr. Redmond: To ask the Secretary of State for Employment if he will make a statement as to how the clothing of a German visitor to the nuclear power station in Dounreay in March became radioactive; what was the cause of this incident; what was the cost of supplying alternative clothing; and on how many other occasions this has occurred.

Mr. Michael Forsyth: There was no such incident in March 1994. An incident was reported on 25 September 1985; a radiation monitor detected contamination on the clothing of a German visitor; this had resulted from spillage of radio-iodine in the visitor's workplace in Germany. This incident was fully reported at the time.

Small Armaments Systems

Dr. Howells: To ask the Secretary of State for Employment what are the latest employment figures for those manufacturing small armaments systems in the United Kingdom.

Miss Widdecombe: The latest available information is from the 1991 Great Britain and Northern Ireland censuses of employment. Employment figures have been taken from the 1980 standard industrial classification activity heading 3290 which covers ordnance, small arms, ammunition and tracked armoured fighting vehicles. The estimated number of employees in employment in the activity in the United Kingdom at September 1991 was 13,500.

Part-time Workers

Mrs. Maddock: To ask the Secretary of State for Employment what action the Government are intending to take to implement the House of Lords ruling that the Employment Protection (Consolidation) Act 1978 is in breach of European Union laws in discriminating against women because of its treatment of part-time workers.

Miss Widdecombe: The Government are carefully considering this judgment to ascertain its full implications and will make an announcement as soon as possible.

Training Providers Cost Survey

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will publish the 1992 training providers cost survey commissioned by his Department from Coopers and Lybrand; and if he will state the reason for not publishing it at the time he received it.

Miss Widdecombe: The 1992 survey of training provider costs was undertaken to assess the costs to training providers of delivering youth training and employment training and to give the Government information about value for money achieved with taxpayers' money. The training and enterprise councils —TECs—and training providers which participated in the survey were given an assurance that all the information collected would be treated as confidential. As the information is commercially sensitive and could inappropriately influence negotiations between TECs and training providers it remains confidential to TECs and Employment Department management.

Youth Training

Mr. Tony Lloyd: To ask the Secretary of State for Employment what was the expenditure on youth training in Great Britain, in cash terms and in 1993-94 prices in each year since 1989-90; and what is the expected outturn for 1993-94.

Miss Widdecombe: The information requested is given in the table:

Youth training
Actual expenditure 1989-90 to 1992-93 expected outturn for 1993-94, Great Britain

	£ million
1989-90	
Cash	976·0
Real terms	1,202·4
1990-91	
Cash	823·4
Real terms	938·7
1991-92	
Cash	846·8
Real terms	907·9
1992-93	
Cash	760·4
Real terms	785·1
1993-94	
Cash	772·1

Note:
1989-90 relates to youth training scheme, 1990-91 onwards relates to youth training and credits. Excludes administration/running costs.

Employment Training

Mr. Tony Lloyd: To ask the Secretary of State for Employment what was the expenditure on training for work employment training and its predecessors and employment action in Great Britain in cash terms and in 1993-94 prices in each year since 1989-90; and what is the expected outturn for 1993-94.

Miss Widdecombe: The information requested is given in the table:

Training for work, employment training and its predecessors and employment action
Actual expenditure 1989-90 to 1992-93 and expected outturn for 1993-94, Great Britain

	£ million			
	Employment training	*Employment action*	*Training for work*	*Total*
1989-90				
Cash	1,096·6	—	—	1,096·6
Real terms	1,350·9	—	—	1,350·9
1990-91				
Cash	1,072·4	—	—	1,072·4
Real terms	1,222·6	—	—	1,222·6
1991-92				
Cash	830·8	16·3	—	847·1
Real terms	890·7	17·5	—	908·2
1992-93				
Cash	777·4	148·9	—	926·3
Real terms	802·7	153·7	—	956·4
1993-94				
Cash	—	—	907·8	907·8

Note:
Excludes administration-running costs.

Training for work is one of a wide range of options open to unemployed people. The Employment Department group offered a record total of 1·5 million opportunities in 1993-94 to help unemployed people back into work.

Employment Schemes

Mr. Tony Lloyd: To ask the Secretary of State for Employment (1) how many people have participated in work trials in 1993 in each region and for Great Britain as a whole; and how many participants have secured full-time or part-time employment with their sponsoring employer;

(2) how many unemployed people have taken part in the job interview guarantee scheme in each region in each quarter of 1993; and how many secured full-time or part-time employment with their sponsoring employer.

Mr. Michael Forsyth: Responsibility for the subject of the questions has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. E. G. Fogden to Mr. Tony Lloyd, dated 13 April 1994:

The Secretary of State has asked me to reply to your questions to him about Work Trials and Job Interview Guarantee.

You asked how many unemployed people have taken part in these schemes in each region in 1993 and how many participants have secured full or part-time employment with the sponsoring employer. The information is set out by region in the attached tables. The figures provided show totals of clients placed into full and part-time work as we do not collect this information separately.

I hope this is helpful.

Work trials—Number of clients participating and placed into jobs during 1993

	Number of participants January—December 1993	Number of clients placed January—December 1993
Northern region	541	322
Yorkshire and Humberside region	733	441
East Midlands and Eastern region	1,088	696
London and South East region	2,961	1,589
South West region	618	359
Office for Wales	568	347
West Midlands region	773	470
North West region	1,661	1,091
Office for Scotland	1,457	952
National	10,400	6,267

Job interview guarantee—Number of clients assisted and placed into jobs during 1993

	Number of clients assisted January—March 1993	Number of clients placed January—March 1993
Northern region	2,811	827
Yorkshire and Humberside region	4,330	1,319
East Midlands and Eastern region	3,214	918
London and South East region	15,259	5,267
South West region	7,872	2,514
Office for Wales	4,773	1,663
West Midlands region	4,602	1,759
North West region	5,051	1,837
Office for Scotland	3,820	2,557
National	51,732	18,661

Job interview guarantee—Number of clients assisted and placed into jobs during 1993

	Number of clients assisted April—June 1993	Number of clients placed April—June 1993
Northern region	4,940	1,490
Yorkshire and Humberside region	14,107	3,806
East Midlands and Eastern region	4,954	2,090
London and South East region	26,184	10,421
South West region	7,434	3,367
Office for Wales	5,884	2,613
West Midlands region	5,156	2,688
North West region	11,254	4,874
Office for Scotland	6,058	4,672
National	85,971	36,021

Job interview guarantee—Number of clients assisted and placed into jobs during 1993

	Number of clients assisted July—September 1993	Number of clients placed July—September 1993
Northern region	7,616	2,344
Yorkshire and Humberside region	20,348	6,137
East Midlands and Eastern region	5,744	1,743
London and South East region	32,500	12,916
South West region	8,746	3,628
Office for Wales	6,696	2,928
West Midlands region	9,926	4,032
North West region	13,253	6,278
Office for Scotland	7,697	5,045
National	112,526	45,051

Job interview guarantee—Number of clients assisted and placed into jobs during 1993

	Number of clients assisted October—December 1993	Number of clients placed October—December 1993
Northern region	4,824	1,911
Yorkshire and Humberside region	17,134	5,569
East Midlands and Eastern region	7,633	2,951
London and South East region	28,916	13,453
South West region	8,352	3,190
Office for Wales	5,236	2,687
West Midlands region	8,212	4,828
North West region	11,324	5,782
Office for Scotland	6,399	4,828
National	98,030	45,199

EDUCATION

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for Education what computer systems his Department has brought in for what function, and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Forth: Over the last five financial years, capital expenditure by the Department on computer systems has been:

	£ million
1989-90	2·0
1990-91	2·0
1991-92	1·8
1992-93	0·9
1993-94	0·3

I am sending the hon. Member details of the systems installed, their function and current use.

Consultants

Mr. Matthew Taylor: To ask the Secretary of State for Education what information technology consultants his Department has employed in each of the last five years; for what purpose; and at what total cost.

Mr. Forth: Over the last five financial years, expenditure by the Department on information technology consultants has been:

	£
1989-90	685,416
1990-91	610,200
1991-92	518,887
1992-93	571,000
1993-94	674,690

I am sending the hon. Member a detailed list of the firms of consultants employed and the purpose of the consultancies.

Student Awards

Mr. Turner: To ask the Secretary of State for Education what has been the expenditure by local education authorities in the United Kingdom on discretionary awards and any other forms of support for students in the further education sector in each of the years 1991-92, 1992-93 and 1993-94; and what information he has on how much local education authorities are planning to spend for this purpose in 1994-95.

Mr. Boswell: Local education authority returns to my Department show that expenditure on discretionary awards for further education in England and Wales was £163·9 million in 1991-92 academic year and £169·3 million—provisional—in 1992-93. Their returns for 1993-94 are not yet available. It is for LEAs to decide how much to spend on discretionary awards in 1994-94: they do not provide the Department with information on their plans.

Grant-maintained Schools

Mr. Byers: To ask the Secretary of State for Education if he will state for each school for which he has approved for grant-maintained status since 1 January 1993 the *(a)* number of pupils attending the school at the time of approval and *(b)* the pupil capacity of the school.

Mr. Robin Squire: The information held by the Department showing the number of pupils on roll and the school capacity has been placed in the Library.

Mrs. Ann Taylor: To ask the Secretary of State for Education if he will make it his policy to publish or to instruct the Electoral Reform Society to publish the result of every grant-maintained ballot.

Mr. Robin Squire: No. It is for each governing body to decide how best to inform parents of the result and whether to publicise it more widely.

Camberwell Child Guidance Centre

Ms Harman: To ask the Secretary of State for Education which organisations will take over the responsibilities of the education staff of the Camberwell child guidance centre; and if he will make a statement.

Mr. Forth: Education staff of the Camberwell child guidance centre were supported by the Southwark local education authority which decided, after consultations with schools, to discontinue the funding after March 1994. I am informed that the staff concerned took voluntary severance. These are matters for the authority: the Department cannot intervene. I understand that the psychiatric service for children and young people in the area is to be reviewed by Southwark's joint community care planning group for children over the next six months.

Discretionary Awards

Sir Fergus Montgomery: To ask the Secretary of State for Education what is his response to the report on local education authorities' provision of discretionary awards published recently by the Calouste Gulbenkian Foundation.

Mr. Boswell: I welcome this report. It contains much useful information. It is a matter of regret that LEAs were not able to provide more. The overall position is by no means as gloomy as some had predicted but there are striking differences between LEAs' policies—differences which it is hard to justify on general educational grounds. I will want to give the report careful consideration before deciding what action may be necessary. I expect LEAs will also want to consider what needs to be done.

Special Educational Needs

Mr. Tracey: To ask the Secretary of State for Education when he will lay before Parliament the draft code of practice giving practical guidance in respect of the discharge by local education authorities and the governing bodies of maintained schools of their functions under part III of the Education Act 1993.

Mr. Forth: My right hon. Friends the Secretaries of State for Education and for Wales are today laying before both Houses a draft code of practice on the identification and assessment of special educational needs, as required under section 158 of the Education Act 1993.

My right hon. Friend the Secretary of State for Wales and I signed last week the Education (Special Educational Needs) Regulations 1994 and the Education (Special Educational Needs) (Information) Regulations 1994. These regulations are also being laid today. They have been made under powers provided by part III of the Education Act 1993 and underpin the draft code of practice.

Subject to Parliament's approval of the draft code, my right hon. Friend the Secretary of State for Education intends to publish a booklet entitled "Special Educational Needs: A Guide for Parents". This will give parents a clear explanation of how they can secure help if they believe their child has special educational needs. Copies of a draft of the guide are being placed in the Libraries. A similar guide will be prepared for issue in Wales.

My right hon. Friend is placing in the Libraries illustrative mock-ups of the proposed final design of the code of practice and the guide for parents. All the documents presented to Parliament today—the draft code of practice, the regulations and the draft guide for parents —are being made available to the Education Select Committee, the all-party disablement group and the all-party children group.

Consultation Documents

Mr. Win Griffiths: To ask the Secretary of State for Education if he will list all the documents currently issued for consultation in the last year.

Mr. Boswell *[holding answer 31 March 1994]:* The information is as follows. The list includes only those documents that have gone out to a substantial number of recipients as part of a formal consultation exercise. It does not include consultation documents issued by non-departmental public bodies on matters which fall within their responsibility.

Schools Organisation:

Circular 6/93 (Admissions to Maintained Schools);

leaflet—"Your Child's Next School—A Guide to Secondary Admissions";

1994 version of Code of Practice on Appeals for grant-maintained schools;

The Education (Lay Members of Appeal Committees) Regulations 1994;

draft Circular letter on the implementation of Section 260 of the Education Act 1993.

School Performance, Inspection:

Education (Registered Inspectors of Schools Appeal Tribunal) Regulations;

contents of prospectuses as set out in the Education (School Information) Regulations 1993;

Circular 4/93 (The Parent's Charter: Publication of Information about Secondary School Performance in 1993);

Circular 5/93 (The Parent's Charter: Publication of Information about Primary School Performance in 1993).

Schools: Special Educational Needs

draft Code of Practice on the Identification and Assessment of Special Educational Needs (including draft regulations on assessments and statements);

SEN Tribunal (Consultation Paper on draft regulations and rules of procedure);

'Pupils with Problems' (draft Circulars on 'pupil behaviour and discipline'; the education of children with emotional and behavioural difficulties; 'exclusions from school'; 'the education of children by LEAs otherwise than at school'; 'the education of sick children'; and 'the education of children being looked after by local authorities');

draft Circular on the organisation of special educational provision (including draft regulations on schools' policies on special educational needs and on provisions by LEAs of special educational needs support services);

draft Circular on the development of special schools (including draft regulations on LEA-maintained special schools, grant-maintained special schools, non-maintained special schools, and independent schools catering for children with special educational needs).

Schools funding and government

Circular 2/94—Local Management of Schools
The Education (School Financial Statements) (Prescribed Particulars etc) Regulations 1994;
The Education (Financial Delegation to Schools) (Mandatory Exceptions) Regulations 1994;
The Education (Significant Variations of Schemes for Financing Schools) Order 1993;
The Education (Publication of Schemes for Financing Schools) Regulations 1993;
The Education (Application of Financing Schemes to Special Schools) Regulations 1993;
The Education (Acquisition of Grant-maintained Status) (Transitional Functions) Regulations 1993;
Circular 18/93—Education Act 1993: Grant-Maintained Schools: Acquisition, transfer and Governance (and associated regulations);
Guidance to promoters on establishing new Self-Governing (Grant-maintained) Schools under section 49 of the Education Act 1993;
The Education (School Government) (Amendment) Regulations 1993;
The Education (Grant-maintained Schools) (Initial Governing Instruments) Regulations 1993;
The Education (Governors of New Grant-maintained Schools) Regulations 1994;
consultation paper on arrangements for calculating annual maintenance grant for self-governing (grant-maintained) schools;
two consultation papers on the development of a Common Funding Formula for funding self-governing (grant-maintained) schools;
The Education (School Inspection) (No. 2) Regulations 1993;
Circular 17/93: Schools Requiring Special Measures;
The Education (Schools Conducted by Education Associations) Regulations 1993;
The Education (Grant-maintained Schools) (Loans) Regulations 1993;
The Education (Special Schools Conducted by Education Associations) 1994;
The Education (Schools Conducted by Education Associations) (Initial Articles of Government) (Amendment) Regulations 1994.

Schools—miscellaneous

The Education Assets Board (Transfers under the Education Reform Act 1988) (Amendment) Regulations 1993;
draft Circular: School Transport;
draft Circular on local authority Education Committees;
draft guidance on Safety in Outdoor Education;
draft Circular: the Use of School Premises and the Incorporation of Governing Bodies of LEA-maintained schools;
draft Circular: Proceeds of Sale of Assets Taken into Account when Building Grant is paid to Voluntary-aided and Special Agreement Schools;
two draft Circulars on sex education;
School Attendance (Policy and Practice on the Categorisation of Absence);
draft regulations on money following the permanently excluded pupil;
draft regulations and Order on imposing time limits on exclusions procedures;
draft regulations on Pupil Referral Units.

Teachers and Teacher Training:

The Government's Proposals for the Reform of Initial Teacher Training;
draft Circular: The Initial Training of Primary School Teachers;
Education (School Teachers' Pay and Conditions) (No. 2) Order, with School Teachers' Pay and Conditions Document 1993 and draft Circular on School teachers' Pay and Conditions of Employment;
Education (Teachers) (Amendment) Regulations;
Education (School Teachers' Pay and Conditions) Order 1994;
Science and Maths: a consultation paper on the supply and demand of newly qualified young people;
draft Circular: the physical and mental fitness to teach of teachers and entrants to initial teacher training.

Further Education

consultation document on arrangements for publication by colleges of information about students' achievements and career routes;
draft Charter for Further Education.

Higher Education

draft Charter for Higher Education;
Proposals for the reform of student unions:
Consultation Note 1: Core Services
Consultation Note 2: Code of Practice for Campus Student Unions.

European Union

EC Commission Green Paper on the European Dimension of Education.

OVERSEAS DEVELOPMENT ADMINISTRATION

Angola

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current position with regard to the supply of humanitarian aid to Angola; which British-based relief organisations are working there; and if they are able to continue their work with reasonable security.

Mr. Lennox-Boyd: We have now allocated almost £20 million of humanitarian aid to Angola since the United Nations international appeal in June 1993. This includes our share of comparable EC aid. Several British based non-governmental organisations—NGOs—including Save the Children Fund, CARE, CAFOD, Christian Aid, Concern and OXFAM are active in Angola and doing a very good job. We are providing £2 million of our assistance through NGOs. In spite of continued fighting in some parts of Angola, the NGOs are expanding their operations in relative safety. We are monitoring the situation closely.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs when he proposes to appoint a non-governmental organisations co-ordinator in Somaliland.

Mr. Lennox-Boyd: The ODA's non-governmental organisations liaison and support officer was appointed on 28 March. He is currently in Addis Ababa undertaking a briefing programme prior to moving to Hargeisa.

HEALTH

Creutzfeldt-Jakob Disease

Mr. Redmond: To ask the Secretary of State for Health (1) if she will list by regional health authority how many people have died each year from Creutzfeldt-Jakob disease in each of the past five years;

(2) if she will list by regional health authority the dates and locations of each death from Creutzfeldt-Jakob disease over the past five years, and the respective date on which her Department's Creutzfeldt-Jakob disease surveillance units were first notified of each suspected case; and if she will set out the reasons for notification not being provided earlier in those cases where notification had not been given before death.

Mr. Sackville: Table 1 shows deaths from definite and probable Creutzfeldt-Jakob disease—CJD—in England and Wales from 1989 to 1993 by regional health authority. This includes sporadic, familial and iatrogenic CJD, but excludes the small number of cases of Gerstmann-Straussler syndrome.

Dates and locations of death have not been given. CJD is a very rare disease, and this information could make it possible to identify individual patients.

Reporting of CJD cases before death started in May 1990 when the CJD unit was established. Figures are given in table 2. The unit does not collect information about why some cases are reported after death.

Table 1
Deaths from definite and probable CJD
1989 to 1993
(England and Wales)

Region	1989	1990	1991	1992	1993	Total
North East Thames	2	3	2	2	—	9
North West Thames	2	—	2	3	2	9
South East Thames	4	2	2	1	—	9
South West Thames	1	2	2	1	1	7
North Western	2	1	3	6	3	15
Mersey	4	—	—	4	—	8
South Western	1	2	1	4	4	12
Northern	1	1	1	5	2	10
West Midlands	1	1	3	4	1	10
Yorkshire	1	3	3	1	1	9
Trent	2	2	1	2	2	9
Oxford	1	3	4	—	3	11
East Anglian	—	2	—	3	1	6
Wessex	1	—	2	2	3	8
Wales	1	2	2	5	2	11
Special HAs	—	2	3	1	1	7
Total	24	26	31	44	26	151

Table 2
Notification of definite and probable CJD
May 1990 to 1993
(England and Wales)

	1990[1]	1991	1992	1993	Totals
Notified before death					
1-10 days	5	11	4	6	
11-20 days	1	3	11	3	
> 21 days	3	4	14	7	
Total	9	18	29	16	72
Notified after death	6	13	15	10	44

	1990[1]	1991	1992	1993	Totals
Total number of cases	15	31	44	26	116

[1] May to December.

NHS Nursing Staff

Mr. Sims: To ask the Secretary of State for Health what were the numbers of unqualified NHS nursing staff joining the NHS in each year since 1990, who were *(a)* joining directly after completing full-time education, *(b)* aged under 21 years, *(c)* joining from other NHS units, *(d)* joining from other care sector employment, *(e)* joining from other employment, *(f)* joining from non-activity in the labour market and *(g)* joining from unemployment.

Mr. Sackville: I refer my hon. Friend to the reply I gave him on 21 June 1993 at columns 29-31 for the latest available information.

Midwives

Mr. Sims: To ask the Secretary of State for Health what were the numbers of qualified or midwifery staff joining the NHS in each year since 1990, who *(a)* were newly qualifying student nurses with employed status, *(b)* were newly qualifying Project 2000 students, *(c)* were registered nurses entering the NHS after a period of non-employment, *(d)* joined NHS units directly after being employed by another NHS unit and *(e)* joined NHS units directly after being employed in other nursing, such as general practitioner nursing, nursing homes and independent hospitals etc.

Mr. Sackville: The information available is shown in the table.

		1990	1991	1992	[3]1993
a. Newly qualified student nurses with employed status	Numbers	n/a	n/a	[1]1,610	[1]5,480
	WTE	n/a	n/a	[1]6,260	[1]5,690
b. Newly qualified project 2000 students	Numbers	n/a	n/a	[1]—	[1]—
	WTE	n/a	n/a	[1]—	[1]—
c. Registered nurses entering the NHS after a period of unemployment	Numbers	n/a	n/a	2,050	1,490
	WTE	n/a	n/a	1,530	1,220
d. Joined NHS units directly after being employed by another NHS Unit	Numbers	21,600	18,490	[2]—	[2]—
	WTE	n/a	n/a	[2]—	[2]—
e. Joined NHS units directly after being employed in nursing	Numbers	6,790	5,350	n/a	n/a
	WTE	n/a	n/a	n/a	n/a

All figures are rounded to the nearest 10.
[1] It is not possible to separately identify newly qualified staff previously with employed status from those who had been Project 2000 students.
[2] It is not possible to identify these staff due to definitional problems regarding transfers. Figures appear inflated due to the recording (in some regions) of movements within the regions.
[3] Where provided numbers for 1993 are based on returns from 11 regions, whole time equivalents are based on returns from 12.

Figures for 1992 are based on returns from 12 regions.

Medical Negligence Claims

Dr. Wright: To ask the Secretary of State for Health what was the value of medical negligence claims involving national health service bodies for each year since 1990 in each medical specialty.

Dr. Mawhinney: This information is not available centrally.

Invalidity Benefit Tribunals

Mr. Bill Michie: To ask the Secretary of State for Health what guidance she has given to family health service authorities or advice to general practitioners *(a)* who are requested to produce reports for invalidity benefit tribunals and *(b)* regarding charging patients for medical reports to be submitted to invalidity benefit tribunals.

Dr. Mawhinney: None.

Special Hospitals

Mr. Spellar: To ask the Secretary of State for Health if she will make a statement regarding the management of the special hospitals at Rampton and Broadmoor.

Mr. Bowis: The special hospitals are each managed by a hospital management team, headed by a general manager. The general managers report to the Special Hospitals Service Authority, which is accountable to my right hon. Friend the Secretary of State.

Leeds General Infirmary

Mr. Fatchett: To ask the Secretary of State for Health how many patients were on the waiting list at the Leeds general infirmary on 1 March 1992, 1993 and 1994.

Dr. Mawhinney: Information on waiting lists for in-patient and day case treatment by national health service trust is given in "Hospital Waiting List Statistics: England", copies of which are available in the Library. It is published twice yearly with figures for March and

September. Figures for March 1994 have not yet been published. Information on waiting times to first out-patient appointment is not yet collected.

Mr. Fatchett: To ask the Secretary of State for Health (1) how many complaints were made by patients in relation to the treatment and care received at the Leeds general infirmary in 1991, 1992 and 1993;

(2) what was the total number of cancelled operations in the Leeds general infirmary since March 1993.

Mr. Sackville: These are matters for the United Leeds Teaching Hospitals national health service trust. The hon. Member may wish to contact Mr. Tony Clegg, chairman of the trust, for details.

Ambulance Response Times

Mr. Tyler: To ask the Secretary of State for Health if she will list the proportion of ambulance calls to which a response time of *(a)* 19 minutes and *(b)* eight minutes has been achieved in each ambulance service area, for each of the last five years, giving the proportion for previous constituent areas where appropriate.

Mr. Sackville: The information requested may be found in the Library in the booklets of summary information on patient transport services published by the Department of Health statistics division.

Child Migrants

Mr. Hinchliffe: To ask the Secretary of State for Health what was the cost of placing and maintaining British child migrants during each year between 1964 and 1967.

Mr. Bowis: The information required was not collected centrally.

Mr. Hinchliffe: To ask the Secretary of State for Health what evaluation she has made of the adequacy of current grant aid to the Child Migrants Trust.

Mr. Bowis: The Child Migrants Trust applied to the Department for a core grant in October 1993. An official subsequently visited the trust and evaluated their finances. The Department has recently awarded a grant of £30,000 per year for the next three financial years 1994-95 to 1996-97.

Nursing Homes (Fees)

Mr. Hinchliffe: To ask the Secretary of State for Health whether the relatives of nursing home residents may reclaim fees paid in advance if the resident dies; and if she will make a statement.

Mr. Bowis: The ability to reclaim fees will depend on the terms of the contract for the provision of nursing home care. This is a matter for negotiation between the home owner and whoever pays for the resident's care. It is not for the Government to specify the terms for payment of fees.

National Health Service Management Executive (Regional Outposts)

Ms Primarolo: To ask the Secretary of State for Health if she will list the dates and locations for the first board meetings of each of the eight regional outposts of the national health service management executive; and if the meetings will be held in public.

Dr. Mawhinney: The regional offices of the national health service executive do not have boards.

Redundancy Payments

Mr. Blunkett: To ask the Secretary of State for Health if she will list for each year since 1990 the expenditure on gross redundancy payments for each health authority and national health service trust in England.

Dr. Mawhinney *[holding answer 29 March 1994]:* Figures for redundancy payments for trusts are available only for 1991-92 and 1992-93. The information is shown in tables that will be placed in the Library. It should be noted that the figures for 1992-93 are only provisional and have not yet been validated. They are, therefore, not wholly reliable.

The closure of psychiatric hospitals in connection with the "Care in the Community" programme and management restructuring throughout the national health service, as a result of the national health service reforms, are the main reasons for the increase in redundancy payments. This has delivered valuable savings and led to greater efficiency in the NHS, resulting in greater numbers of in-patient admissions.

FOREIGN AND COMMONWEALTH AFFAIRS

Occupied Territories

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what were the major conclusions of the Palestinian-Israeli talks held in Cairo last week; and what British contribution is planned as a result;

(2) if he will make a statement on the agreement between the PLO and Israeli Government about the deployment of a Palestinian police force in the occupied territories; what provision was made for the deployment of an observer team; what is its mandate; what is its national make-up; and what British offers of assistance were made.

Mr. Douglas Hogg: I refer the hon. Member to the replies I gave to his written questions on this subject on 12 April, *Official Report*, columns *14-16*.

Iran (Dissidents)

Mr. Anthony Coombs: To ask the Secretary of State for Foreign and Commonwealth Affairs what response he has made to the recent parliamentary human rights group reprt on alleged involvement by Iranian Government officials in the assassination of Iranian dissidents overseas; and what steps he is taking to raise the matter at the United Nations Security Council.

Mr. Douglas Hogg: I have written to the chairman of the parliamentary human rights group, Lord Avebury. We and our European partners drafted and co-sponsored a resolution at the United Nations Commission on Human Rights, adopted on 9 March 1994, expressing concern at continuing reports of Iranian involvement in terrorism. The resolution urged the Government of Iran to

"refrain from activities such as those mentioned in the report of the Special Representative against members of the Iranian opposition living abroad and to cooperate wholeheartedly with the authorities of other countries in investigating and punishing offences reported by them".

Burundi

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on developments in respect of the Organisation of African Unity proposal to send a peace-keeping force to Burundi.

Mr. Lennox-Boyd: The first elements of the OAU observer mission have arrived in Burundi. On 6 April east African Heads of State and the Organisation of African Unity Secretary-General met in Dar es Salaam. They reaffirmed the vital role of the OAU in restoring confidence in Burundi and called for the strengthening of its engagement. We very much hope that despite the tragic death of President Ntaryamira the process of national reconciliation will continue.

Angola

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the current position in the peace talks in Angola.

Mr. Lennox-Boyd: The peace talks in Lusaka have been stalled for the last month over the issue of UNITA's participation in Government. However, we understand that the gap between the two parties is narrow. The United Nations Secretary-General has urged both the Government and UNITA to show the flexibility needed finally to reach a comprehensive settlement.

Iraq

Mr. Livingstone: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to urge for a review of the sanctions on Iraq and their effects on the civilian population of Iraq.

Mr. Douglas Hogg: Sanctions are reviewed every 60 days by the Security Council. At the latest—the 18th—sanctions review on 18 March, the Security Council concluded that there were no grounds for lifting sanctions.

Our quarrel is with the regime, not the long-suffering Iraqi people. Responsibility for the hardship of the civilian population lies with Saddam Hussein.

Macedonia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the EU intends to take to counteract the Greek blockade of Macedonia.

Mr. Douglas Hogg: The European Commission announced on 6 April that it would institute infraction proceedings against Greece in the European Court of Justice on 13 April if by that date Greece had not revoked its decision to deny the former Yugoslav republic of Macedonia access to the port of Salonika. We support this decision.

Human Rights

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps have recently been taken to improve the resources open to the United Nations Commission on Human Rights.

Mr. Douglas Hogg: The United Nations Commission on Human Rights, which had its annual session from January to March 1994, is adequately funded from within the UN regular budget.

Sudan

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will seek assurances from the Sudan Government that the Nuba mountains area will now be accessible to international non-governmental organisations following the IGADD—Intergovernmental Authority on Drought and Development—meeting in Nairobi on 17 March.

Mr. Douglas Hogg: The sub-committee established at the recent IGADD talks to implement the declaration of principles allowing free access of relief supplies and humanitarian assistance began work on 6 April. Representatives from the UN-sponsored Operation Life-Line are expected to participate. We shall be closely monitoring the committee's progress in advance of the next high-level IGADD talks in mid-May.

North Korea

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if North Korea has yet agreed to International Atomic Energy Agency inspections of all seven nuclear facilities in the country.

Mr. Douglas Hogg: On 15 February, North Korea agreed to the IAEA's requirements for inspection at each of its seven declared nuclear facilities. However, on 21 March, the IAEA director general stated that the inspections, carried out between 3 and 14 March, had not permitted the agency to conclude that nuclear material had not been diverted for military use in North Korea since February 1993. Agency inspectors had not been allowed to carry out previously agreed inspection activities at one of the facilities. On 31 March, the president of the UN Security Council issued a statement calling on North Korea to comply fully with its safeguards agreement.

Mercenaries

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer to the hon. Member for Sunderland, South (Mr. Mullin) of 28 January, *Official Report*, column 468, on the possible recruitment of United Kingdom mercenaries by the Azeri Government, when he expects his investigations to be completed; and what further information he has received.

Mr. Douglas Hogg: Officials have found no evidence to support the allegations of recruitment of United Kingdom mercenaries by the Azerbaijani Government. Any further information from hon. Members will be carefully considered and any evidence of illegal activity referred to the prosecuting authorities.

SCOTLAND

Rent Review Service

Mr. Dewar: To ask the Secretary of State for Scotland for how many private sector tenancies regulated under the Housing (Scotland) Act 1988 a fair rent has been set by the rent review service at the latest date for which figures are available.

Mr. Lang: Fair rents for regulated tenancies are registered by the rent registration service under the Rent (Scotland) Act 1984. Fair rent registrations recorded on the rent register can date back to the 1960s and a high proportion will relate to dwellings which are no longer regulated tenancies, since changes in status are not reported to the rent registration service. As fair rents apply for a minimum of three years, unless there is a significant change of circumstances, the total number of fair rents registered during the last three years provides an approximate guide to the current number of regulated tenancies. The figures are as follows:

	Number
1991	15,554
1992	12,411
1993	12,163

Education

Mr. McFall: To ask the Secretary of State for Scotland what consideration has been given to re-organising the arrangements for assessment and certification of *(a)* vocational and *(b)* non-vocational education in Scottish schools.

Lord James Douglas-Hamilton: The policy document "Higher Still: Opportunity for All" sets out plans to draw together Scottish Examination Board—SEB—and Scottish Vocational Education Council—SCOTVEC—courses into a single curriculum and assessment framework. There will be a mixture of internal and external assessment. All passes will be presented on a single certificate.

Mr. McFall: To ask the Secretary of State for Scotland if he has considered instituting a points system to enable comparison between standard grades, highers, advanced highers and national certificate modules.

Lord James Douglas-Hamilton: Our policy document "Higher Still: Opportunity for All" stated that we propose to consult those who use qualifications and awards about a possible points system to make clearer the compatibility and equivalences within the new system.

Mr. McFall: To ask the Secretary of State for Scotland what consideration has been given to merging the Scottish Vocational Education Council and the Scottish Examination Board; and what representations he has received from Convention of Scottish Local Authorities and other interested bodies on this matter.

Lord James Douglas-Hamilton: Our policy statement "Higher Still: Opportunity for All" stated that we will be examining options for the best relationship between SCOTVEC and SEB for the administration of the new awards. During consultation on the Howie committee report on upper secondary curriculum and awards 73 respondents, including COSLA, commented on this matter.

Mr. McFall: To ask the Secretary of State for Scotland which body will be responsible for assessing and issuing achievement certificates for the new highers, advanced highers and national certificate modules.

Lord James Douglas-Hamilton: Arrangements for administering the new awards will be developed by the Scottish Office Education Department, SCOTVEC and SEB as part of the development programme for implementing the decisions announced in "Higher Still: Opportunity for All".

Examinations

Mr. McFall: To ask the Secretary of State for Scotland what consideration has been given to changing the time of year at which pupils in the upper secondary school sit examinations.

Lord James Douglas-Hamilton: There are no plans to change the time of year at which pupils in the upper secondary school sit examinations.

Seal Cull

Mr. Morley: To ask the Secretary of State for Scotland what plans he has to institute a seal cull; and if he will make a statement.

Sir Hector Monro: My right hon. Friend has no plans to authorise a seal cull.

Highlands and Islands Veterinary Service

Mr. Wallace: To ask the Secretary of State for Scotland what changes he now intends to make to the Highlands and Islands veterinary services schemes; and if he will make a statement.

Mr. Lang *[holding answer 31 March 1994]:* We are still considering what changes should be made to this scheme. Officials from my department hope to meet representatives of the British Veterinary Association soon to take matters forward.

Mr. Wallace: To ask the Secretary of State for Scotland whether the British Veterinary Association has yet responded to any consultation guidelines regarding the Highland and Islands veterinary services schemes.

Mr. Lang: The British Veterinary Association was one of the bodies which responded to our consultation exercise in 1991. We have since had further correspondence with the BVA.

Special Conservation Areas

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what are the implications for existing economic and recreational activities of an area which is accorded special area of conservation status.

Sir Hector Monro: The implications for existing economic and recreational activities in an area designated as a special area of conservation will vary according to the conservation interest for which the site is designated and the nature and extent of the existing activities.

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what steps the Scottish Office will be taking to obtain local views on economic and social factors which might moderate the list of possible special areas of conservation prior to the list being issued for public consultation.

Sir Hector Monro: The Government believe that when a list of candidate special areas of conservation has been drawn up, the owners and occupiers of those sites should be the first to be informed. In drawing up their proposals the Government will take account of available information on economic and social factors, including relevant local authority structure and local plans. Moreover, the Scottish Office would be interested in any advice which local authorities and other organisations might care to give about areas which they consider suitable or unsuitable for proposal as special areas of conservation.

Skye Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland if he will make a statement on progress towards construction of the Skye bridge, with particular reference to reported difficulties encountered in respect of concrete poured atop the north pier; and if he will estimate what financial implications this will have for the project as a whole.

Lord James Douglas-Hamilton: The particularly bad weather conditions experienced over the winter months have caused the construction of the main bridge to be not as well advanced as other parts of the scheme. The difficulty with the concrete at the top of the north pier has not been an obstacle to progress. The contractor is currently reviewing his programme and, given good weather conditions coupled with an improvement in output, anticipates completion of the bridge in autumn 1995. The financial implications associated with the construction contract lie with the contractor and the developer: there are no implications either for the level or the duration of the tolls, which remain as published in the made toll order.

Lumpy Skin Disease

Mr. Morley: To ask the Secretary of State for Scotland how many cases of lumpy skin disease occurred in each year since 1985.

Sir Hector Monro: There have been no recorded cases of lumpy skin disease in Scotland.

Ordnance Survey

Mr. McMaster: To ask the Secretary of State for Scotland what was the cost to his Department of the merging of the boundaries of local authorities proposed in the Local Government etc. (Scotland) Bill by the Ordnance Survey; and how much of this expenditure was attributable to the boundaries of the proposed East Renfrewshire authority.

Mr. Stewart *[holding answer 12 April 1994]:* Final costs to the Department in respect of the use of Ordnance Survey services are not yet known since work on boundaries is continuing in response to commitments given to the Standing Committee considering the Local Government etc. (Scotland) Bill. The cost in relation to the mercing of the boundary of the proposed East Renfrewshire authority, prior to the introduction of the Bill, was £253.

Tourist Boards

Mr. Hood: To ask the Secretary of State for Scotland if he will place in the Library all submissions made to him concerning the reorganisation of area tourist boards in Scotland.

Lord James Douglas-Hamilton *[holding answer 12 April 1994]:* I have arranged for a copy of the submission which I commissioned from the Scottish tourist board to be placed in the Library. All other submissions were unsolicited and are not therefore covered by the understanding about publication applied to responses to formal consultation exercises.

Local Enterprise Companies

Mr. Worthington: To ask the Secretary of State for Scotland whether a local enterprise company has absolute discretion, subject to Government guidelines as to who is on its management board.

Mr. Stewart: Government guidelines require that two thirds of a local enterprise company's directors, including the chairman, are drawn from senior members of the private sector and that all directors should either live or work in the local area. Subject to these requirements, and any others laid down in the company's articles of association, the selection of board members is at the discretion of the company's members.

Scottish Enterprise

Mr. Worthington: To ask the Secretary of State for Scotland what representations he has received from Scottish Enterprise about skill shortages in the Scottish economy; and what he proposes to do about them.

Mr. Stewart: My right hon. Friend has received no representations from Scottish Enterprise about skill shortages in the Scottish economy. It is an objective of Scottish Enterprise to improve the performance of new and existing businesses by increasing their commitment to plan and invest in training and development to meet business needs. Scottish Enterprise is also responsible for funding and co-ordinating the provision of training for young people and unemployed adults through local enterprise companies to meet the needs of the local labour markets.

Students

Mr. Rooker: To ask the Secretary of State for Scotland what are the numbers of full-time students in higher education institutions who are *(a)* home based, *(b)* living away from their parents' home and studying in London or *(c)* living away from their parents' home and studying elsewhere.

Lord James Douglas-Hamilton *[holding answer 12 April 1994]:* For 1992-93, the number of undergraduate students receiving awards from the then awards division of the Scottish Office Education Department, now Student Awards Agency for Scotland, was *(a)* 30,553, *(b)* 809 and *(c)* 54,897.

Home Helps

Dr. Godman: To ask the Secretary of State for Scotland what levels of charges are imposed by local authorities on persons not in receipt of income-related benefits for home helps.

Mr. Stewart: Local authorities have discretionary powers under section 87(1) of the Social Work (Scotland) Act 1968, as amended, to charge such an amount as they consider reasonable for adult non-residential care services, including domiciliary—home help—services, taking account of individual financial circumstances. This applies irrespective of whether the client is in receipt of income-related benefits or not.

Nursery Education

Dr. Godman: To ask the Secretary of State for Scotland how many three-year olds and four-year olds are receiving nursery education in *(a)* Strathclyde and *(b)* Scotland as a whole; and what percentage these represent of the total number of children of this age group in both Strathclyde and Scotland.

Lord James Douglas-Hamilton: The latest available information is shown in the table.

Number and percentage of three and four year olds attending nursery schools

	Education authority nursery schools and departments: Nursery departments of independent schools		*Private nursery schools*[1]	
	Number attending at September 1993	*Percentage of population*[2]	*Number attending at March 1993*	*Percentage of population*[2]
Strathclyde	19,304	32·3	1,816	2·6
Scotland	48,132	36·9	3,677	2·5

[1] Registered with local authority social work departments.
[2] Provisional: based on the mid-1992 population estimates from the General Register Office (Scotland).

Educational Support Services

Dr. Godman: To ask the Secretary of State for Scotland which education authorities offer educational support services for children suffering from autism; and if he will make a statement.

Lord James Douglas-Hamilton: Education authorities have a duty to provide for the special educational needs of children belonging to their area and they fulfil this responsibility through appropriate learning support.

Centrally held records do not identify specifically the number of children suffering from autism or autistic tendencies, but it is likely that all education authorities in Scotland will have autistic children belonging to their area for whom they make educational provision.

Housing Stock

Dr. Godman: To ask the Secretary of State for Scotland what sum is required to bring the council housing stock in *(a)* Inverclyde, *(b)* Strathclyde and *(c)* Scotland as a whole up to satisfactory habitable standards; and if he will make a statement.

Lord James Douglas-Hamilton: The information requested is not held centrally. It is up to individual local authorities to undertake local house condition surveys of their stock to assess the state of their council housing and to decide how best to deploy the substantial resources available to them to improve the standard of their housing. I have asked all local authorities to give priority to tackling below tolerable standard housing and dampness and condensation in preparing their housing plans and capital programmes.

Information on the general state of repair of public sector housing stock is quoted in the report of the 1991 Scottish house condition survey which is available in the Library.

Mineral Workings

Mr. Kynoch: To ask the Secretary of State for Scotland whether he has yet set a date for publication of the national planning policy guideline on land for mineral working; and if he will make a statement.

Mr. Lang: I have today published the national planning policy guideline—NPPG—on land for mineral working. Copies are available in the Library.

This is the first comprehensive planning policy statement on the working of minerals in Scotland. It seeks to promote economic activity without compromising Scotland's important environmental assets. In so doing, it introduces a general presumption in favour of properly assessed and controlled mineral extraction, cautions against such activity in particularly sensitive locations, and requires high standards of environmental care. It also commends a greater reliance on renewable and recycled materials, in line with our undertakings in the recently published "UK Sustainable Development Strategy", Cm. 2426.

In addition, the NPPG provides explicit guidance on coastal superquarries. I have concluded that such developments have a potentially important contribution to make to the economy at both national and local level, but that their scale and potential impact require them to be controlled carefully. Based on previous research and a preference for a dispersed geographical pattern, I have therefore stipulated preferred search areas on the north coast of Highland region, in the Shetland isles and in the Western isles. In the first instance, I have also chosen to limit numbers, allowing for no more than four such developments, including the existing superquarry at Glensanda, over the 15-year period to 2009. Proposals will be notified to me accordingly.

This will be subject to review in the normal manner. In the meantime, I believe it represents a realistic strategy that will allow a sensible balance to be struck between social and economic benefits on the one hand and environmental care on the other.

WALES

Sheep Annual Premium

Mr. Llwyd: To ask the Secretary of State for Wales by what date he expects all applications for sheep annual premium for this year in Wales to have been paid out; and if he will make a statement.

Mr. Redwood: Payments of the final instalment to 1993 claimants should begin within the next month or so, and be completed by June, except in those cases which are held up by queries or quota problems.

Mr. Llwyd: To ask the Secretary of State for Wales how many representations he has received within the last six months on the subject of the payment of sheep annual premium; and if he will make a statement.

Mr. Redwood: Between 1 October 1993 and 31 March 1994 I received about 100 representations. At 31 March some 90 per cent. of all valid claims had been paid.

European Regional Development Fund

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list the annual sums of money committed since the inception of the European regional development fund to each recipient local authority and the annual amounts paid to each from the fund.

Mr. Redwood: I will write to the hon. Member and place a copy of my reply in the Library of the House.

Local Government Reorganisation

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his answer of 29 March, *Official Report*, column *625*, how many members of the public have written to him to *(a)* support and *(b)* oppose the inclusion of Pentyrch in the proposed new unitary authority of Cardiff; and if he will list their wards of residence.

Mr. Redwood: Since the publication of the White Paper "Local Government in Wales: A Charter for the Future" I have not received any representations from members of the public about the inclusion of Pentyrch in the proposed Cardiff unitary authority.

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his answer of 29 March, *Official Report*, column *625* if he will list all the specific representations he has received in favour of the inclusion of Llanelly in the proposed new unitary authority of Powys, with the date on which each one was made.

Mr. Redwood: Since publication of the Local Government (Wales) Bill, I have received one representation from the chairman of Powys county council, in February 1994, supporting the inclusion of Llanelly in the proposed Powys unitary authority.

Mr. Ron Davies: To ask the Secretary of State for Wales if he will list those specific representations that have been made to him opposing the inclusion of Wick, St. Brides Major and Ewenny in the proposed new unitary authority of Vale of Glamorgan, giving the date on which each representation was made.

Mr. Redwood: Since publication of the White Paper, "Local Government in Wales: A Charter for the Future", I have received representations opposing the inclusion of Wick, St. Bride's Major and Ewenny in the proposed Vale of Glamorgan unitary authority from:

Win Griffiths MP
Ogwr borough council
St. Bride's Major town council
Ewenny community council
Wick community council
and 176 members of the public

Mr. Ron Davies: To ask the Secretary of State for Wales if he will list the specific representations he has had opposing the inclusion of Pentyrch in the proposed new unitary authority of Cardiff; and when each representation was made.

Mr. Redwood: Since publication of the White Paper, "Local Government in Wales: A Charter for the Future", I received one representation from Taff Ely borough council dated 6 April 1993 in opposition to the inclusion of Pentyrch in the proposed Cardiff unitary authority.

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his answer of 27 January, *Official Report*, columns *322-23*, if he will list the date of each specific representation that he has received favouring the inclusion of Wick, St. Brides Major and Ewenny in the proposed new unitary authority of Vale of Glamorgan.

Mr. Redwood: Since publication of the White Paper, "Local Government in Wales: A Charter for the Future", I have received representations from 13 organisations and individuals in support of the inclusion of Wick, St. Bride's Major and Ewenny in the proposed Vale of Glamorgan unitary authority dated as follows:

Dates of representations expressing support for the inclusion of Wick, St. Bride's Major and Ewenny in the proposed Vale of Glamorgan unitary authority:

7 March 1993
9 March 1993
11 March 1993
21 March 1993
23 March 1993
29 March 1993
31 March 1993
20 May 1993
10 June 1993
7 July 1993
12 July 1993
18 July 1993
26 January 1994

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his answer of 29 March, *Official Report*, column *625*, if he will list all the specific representations that he has received in favour of the inclusion of Pentyrch in the proposed new unitary authority of Cardiff; and when each one was made.

Mr. Redwood: Since the publication of the White Paper, "Local Government in Wales: A Charter for the Future", I have received one letter, dated 26 January 1994, from the Leaders of Cardiff city council and Vale of Glamorgan borough council stating that they support "the proposals as outlined in the Bill".

Mr. Ron Davies: To ask the Secretary of State for Wales if he will list the specific representations he has received opposing the inclusion of Llanelly in the proposed new unitary authority of Powys; and when each representation was made.

Mr. Redwood: Since publication of the Local Government (Wales) Bill, I have received the following specific representations opposing the inclusion of Llanelly in the proposed Powys unitary authority:

Cllr. Bernard Assinder, leader of Blaenau Gwent borough council – December 1993
Cllr. Bernard Assinder, leader of Blaenau Gwent borough council – January 1994
Cllr. Bernard Assinder, leader of Blaenau Gwent borough council – March 1994
Cllr. Bernard Assinder, leader of Blaenau Gwent borough council – March 1994
Cllr. Bernard Assinder, leader of Blaenau Gwent borough council – April 1994
Llanelly community council – December 1993
Monmouth Conservative Association – March 1994

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his answer of 29 March, *Official Report*, column *625*, if he will cite the precise reference and form of words in the representation he has received from Cardiff city council which indicates the authority favouring the inclusion of Pentyrch in the proposed new unitary authority of Cardiff.

Mr. Redwood: In a joint letter to me dated 26 January 1994, the Leaders of Cardiff city council and Vale of Glamorgan borough council said

"We would, therefore, wish to re-affirm our support for the proposals as outlined in the Bill. The proposed new unitary authorities present by far the best solution for the people of our areas, best for the people of the wider region and best for the local government in Wales."

HOUSE OF COMMONS

"A History of Salford Mining"

Miss Lestor: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition relating to Lancashire artists, "A History of Salford Mining", to be displayed in the Upper Waiting Hall.

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 11 July to Friday 15 July.

Ministerial Memoirs

Mr. David Nicholson: To ask the Lord President of the Council when the provision of compensation for Ministers who resign from office or are dismissed commenced; what factors occasioned it; how often it has been refused by any ex-Minister since 1979; and what representations he has received arguing that ex-Ministers should not publish memoirs of their time in office for a given period after leaving office.

Mr. Newton: Severance payments were introduced for Ministers in the House of Lords by section 13 of Parliamentary Pensions Act 1984, and extended to those in the House of Commons by the Ministerial and Other Pensions and Salaries Act 1991. These payments were introduced following recommendations by the Top Salaries Review Body; Reports No. 20, Cmnd 8881 of May 1983, and No. 26, Cm 362 of May 1988 respectively. They compensate for the abrupt loss of earnings which Ministers face immediately on leaving office. I am not aware of a severance payment ever having been refused. I have received no representations proposing a moratorium on the memoirs of ex-Ministers.

Statutory Instruments

Mr. Ian Bruce: To ask the Lord President of the Council how many statutory instruments were *(a)* made by Ministers and *(b)* approved by Parliament in (i) 1992 and (ii) 1993.

Mr. Newton: In 1992, there were a total of 3,359 statutory instruments made by Ministers; of these, 127 were laid before the House and approved. In 1993, the figures were 3,279 and 172 respectively.

LORD PRESIDENT OF THE COUNCIL

Management Systems

Dr. Lynne Jones: To ask the Lord President of the Council how much his Department's computer-aided facilities management systems cost; from whom they were purchased; how many person hours were required to commission them; what the estimated and actual saving has been from their operation; and to what extent the use of such systems accounts for the apparent rise in theft noted in his answer to the hon. and learned Member for Fife, North-East (Mr. Campbell) of 16 February, *Official Report*, column *774*.

Mr. Newton: The Privy Council Office has no computer-aided facilities management systems.

As to theft, I refer the hon. Member to my answer to the hon. and learned Member for Fife, North-East (Mr. Campbell) on 16 February, which records that no equipment has been stolen from the Privy Council Office in the last three years.

Correspondence

Mr. Austin Mitchell: To ask the Lord President of the Council how many letters were received from, and written to, hon. Members by him in February.

Mr. Newton: I received 23 letters from hon. Members in February and wrote to 16.

SOCIAL SECURITY

Pensioner Households

Mr. Luff: To ask the Secretary of State for Social Security what is his Department's estimate of the number of households comprising individuals of pensionable age *(a)* living alone and *(b)* living with another individual or individuals also of pensionable age.

Mr Hague: In 1990-91—the latest year for which information is available—an estimated 3·34 million persons over pension age lived in households alone and 2·12 million households comprised persons over pension age living with one or more others over pension age.

These estimates derive from the 1990-91 family expenditure survey.

Consultants

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what information technology consultants his Department has employed, for what purpose and at what total cost for each of the last five years.

Mr. Hague: The Department has employed IT consultants and contractors over the past five years to assist the permanent civil service IT specialists to provide IT services to the DSS group, Northern Ireland Social Security Agency, the Employment Service and Department of Health. All aspects of IT are covered including business analysis, development, implementation and service delivery.

Details of these services, including expenditure for IT consultants and contractors, are in the table.

Year	*Number of consultants*	*Number of contractors*	*Cost*
			£
1988-89	[1]—	[1]—	47,730,354
1989-90	493	131	40,907,144
1990-91	553	293	78,094,010
1991-92	541	245	65,922,056
1992-93	334	552	92,179,112

[1] Not available.

Carers

Mr. Hinchliffe: To ask the Secretary of State for Social Security what is his estimate of the proportion of the total social security budget which will be spent on the invalid care allowance and the carer premium in 1993-94.

Mr. Scott: Invalid care allowance represents 0·53 per cent. of the total social security budget, excluding administration costs, for 1993-94.

Carer premium is not a benefit in its own right, but is a factor in the calculation of the income-related benefits—income support, housing benefit and council tax benefit. Reliable data on expenditure on carer premium alone are not available for 1993-94.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what percentage of national average earnings the current level of invalid care allowance represents; and if he will make a statement.

Mr. Scott: In April 1993, the latest date for which figures are available, invalid care allowance represented 10·6 per cent. of national average earnings.

It provides a measure of income maintenance and is not intended to be a wage for carers.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what is the current annual cost of benefits for carers.

Mr. Scott: It is not possible to estimate the full cost of benefits which a carer may receive. Planned expenditure on invalid care allowance, which is specifically intended for carers, is £510 million for 1994-95.

Source: Departmental Report 1994.

War Pensions Agency

Mr. Matthew Banks: To ask the Secretary of State for Social Security what plans he has for the launch of a War Pensions Agency.

Mr. Hague: The War Pensions Agency has been formally launched today. The agency has developed a charter standard statement and a framework document which are both published today. I have arranged for these papers to be placed in the Library.

Income Support

Mr. Pickthall: To ask the Secretary of State for Social Security what estimates he has made of the effect of the removal of child benefit and additional income support from a full-time student on his or her 19th birthday.

Mr. Burt: I refer the hon. Member to my reply to the hon. Member for Preston (Mrs. Wise) on 15 March, at columns 628-29.

Cold Weather Payments

Mr. Redmond: To ask the Secretary of State for Social Security how many cold weather payments have been made in *(a)* Doncaster, *(b)* Barnsley, *(c)* Rotherham and *(d)* Sheffield since October 1993.

Mr. Scott: The administration of cold weather payments is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Tony Laurance to Mr. Martin Redmond, dated 12 April 1994:

As Michael Bichard is on sick leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many cold weather payments have been made in Doncaster, Barnsley, Rotherham and Sheffield since October 1993.

The information you require is detailed in the table below.

Benefits Agency district	*Number of cold weather payments made in the period 1 October 1993 to 30 March 1994*
Barnsley	11,617
Doncaster	14,602
Rother and Dearne Valley	19,978
Sheffield East	20,270
Sheffield West	18,338

I hope you find this reply helpful.

Invalidity Benefit

Mr. Kevin Hughes: To ask the Secretary of State for Social Security how many invalidity benefit awards for people in the Doncaster district of the Benefits Agency have been *(a)* reviewed, *(b)* disallowed and *(c)* reinstated on appeal in each of the last 12 months.

Mr. Hague: This is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Tony Laurance to Mr. Kevin Hughes, dated 12 April 1994:

As Michael Bichard is on sick leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking about Invalidity Benefit (IVB) awards in Doncaster District.

The information is not available in the exact format requested. However, I have provided such information as is available in appendix 1.

The information provided, with regard to IVB awards disallowed, represents only those disallowed on review and does not include those disallowed at the start of the claim. To obtain those figures would incur disproportionate cost.

The statistics provided are taken from clerical records maintained in the Doncaster District offices.

I hope you find this reply helpful.

Appendix 1

Month	*IVB awards reviewed*	*IVB awards disallowed*	*IVB awards reinstated on appeal*
March 1993	82	78	Nil
April 1993	88	82	Nil
May 1993	81	79	1
June 1993	115	106	2
July 1993	90	78	1
August 1993	84	78	3
September 1993	79	75	5
October 1993	78	75	4
November 1993	68	67	10
December 1993	47	46	5
January 1994	76	73	22
February 1994	90	84	15
March 1994	140	130	24

Mr. Kevin Hughes: To ask the Secretary of State for Social Security how many applications there have been for invalidity benefit in the last 12 months in the Doncaster district of the Benefits Agency.

Mr. Hague: This is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Tony Laurance to Mr. Kevin Hughes, dated 12 April 1994:

As Michael Bichard is on sick leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about applications for Invalidity Benefit in Doncaster.

The information is not available in the format requested. This is because, although Benefits Agency Districts record overall claims to incapacity benefits, claims to Sickness Benefit (SB) and Invalidity Benefit (IVB) are not recorded separately. Separate figures for SB and IVB could be obtained only at disproportionate cost.

Statistics are maintained however, to provide information regarding the total numbers of applications for SB/IVB received in each Benefits Agency District.

Between 1 March 1993 and 28 February 1994 there were 8,508 such applications received in the Doncaster District.

I hope you find this reply helpful.

Mr. Kevin Hughes: To ask the Secretary of State for Social Security what number of people in the Doncaster district have been in receipt of invalidity benefit in each month over the last two years.

Mr. Hague: This is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Tony Laurance to Mr. Kevin Hughes, dated 12 April 1994:

As Michael Bichard is on sick leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking about Invalidity Benefit recipients in Doncaster.

I have provided the information you requested at appendix 1. The figures will include a small number of people who have claimed but are not receiving Invalidity Benefit because they are in receipt of a higher overlapping benefit.

The statistics provided were obtained from a clerical count of cases within the Benefits Agency offices of the Doncaster District.

Doncaster district invalidity benefit recipients

	Number
March 1992	13,973
April 1992	11,662
May 1992	11,933
June 1992	12,054
July 1992	11,941
August 1992	12,083
September 1992	13,307
October 1992	12,576
November 1992	12,935
December 1992	12,682
January 1993	12,694
February 1993	12,788
March 1993	13,091
April 1993	12,953
May 1993	13,026
June 1993	13,666
July 1993	13,729
August 1993	13,857
September 1993	14,177
October 1993	14,370
November 1993	13,966
December 1993	14,666
January 1994	14,728
February 1994	14,690

War Pensioners (Deafness)

Mr. Pike: To ask the Secretary of State for Social Security (1) what representations he has received regarding audiological hearing tests for war pensioners in the last 12 months; and if he will make a statement;

(2) what changes have been made in the method of dealing with war pensioners' deafness claims in the last 12 months; and if he will make a statement.

Mr. Hague: This is a matter for Mr. Peter Mathison, the chief executive of the War Pensions Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Peter L. Pike, dated 12 April 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about War Pensions claims for deafness.

Claims for a War Pension in respect of deafness caused or made worse by service invariably require an audiometric test to be carried out to establish the extent of any hearing loss.

To improve the service provided to those making such claims, the procedure of audiometric testing was changed in June 1993.

At that time a contract was signed by General Healthcare Group PLC (trading as BMI Healthcare (Audiology Services)) to provide audiometric tests. BMI began arranging some tests from July 1993 and assumed responsibility for all such tests from August 1993.

Throughout this change all those involved previously in providing tests were kept informed. There was also an exchange of correspondence which dealt with representations made by the two main recognised professional bodies in this field—British Association of Audiological Technicians Ltd and the British Association of Audiological Scientists.

I hope you find my reply helpful.

Bronchitis and Emphysema

Mr. Cummings: To ask the Secretary of State for Social Security how many claims have been submitted in the Seaham and Peterlee areas for assessment of chronic bronchitis and emphysema; how many have been successful; and if he will make a statement.

Mr. Hague: The administration of industrial injuries disablement benefit is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Tony Laurance to Mr. John Cummings, dated 12 April 1994:

As Michael Bichard is on sick leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking about the number of claims submitted in the Seaham and Peterlee areas for assessment of chronic bronchitis and emphysema and how many have been successful.

Firstly, I would like to explain that there are two stages to the take on of claims for prescribed disease D12 (known as chronic bronchitis and emphysema), for which industrial injuries disablement benefit has been available since 13 September 1993 for people who have worked for at least 20 years underground in a coal mine.

Stage 1 was restricted to claims from people who were aged 70 or over on 13 September 1993 or had an award of higher rate Disability Living Allowance care component or higher rate Attendance Allowance. Stage 1 ended on 28 February 1994; stage 2 commenced from 1 March and is open to anybody to claim. All claims are considered for payment from 13 September 1993.

The information is not available in the format requested. This is because statistics are not available for specific areas but for Benefits Agency Districts. I have therefore supplied information for the Benefits Agency's North Durham District which covers the Seaham and Peterlee areas as well as Durham, Chester-le-Street and Stanley.

As at 27 March 1994 the number of claims for chronic bronchitis and emphysema received by the North Durham District Office was 2,646. This is in respect of both stage 1 and 2 of the take-on of claims. Not all of the claims have been processed yet but of those that have, 186 have been successful and have resulted in an award of Industrial Injuries Disablement Benefit.

I hope you find this reply helpful.

Compensation Claims

Mr. Duncan Smith: To ask the Secretary of State for Social Security what was the total number of claims notified to the compensation recovery unit for the years 1991, 1992 and 1993; in how many cases in each year no recovery was made because the claim had a value of less than £2,500; and what was the total amount recovered in each year.

Mr. Hague: This is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to my hon. Friend with such information as is available.

Letter from Tony Laurance to Mr. Iain Duncan Smith, dated 12 April 1994:

As Michael Bichard is on sick leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking about the number of claims notified to the Compensation Recovery Unit, the number of cases settled below the Small Payment Limit of £2,500, and the total amount recovered in each of the years 1991, 1992 and 1993.

The information requested is produced below for each financial year.

The number of claims notified to the Compensation Recovery Unit and the total amounts recovered are as follows:

Period	*Claims notified*	*Amount recovered £ million*
1 April 1991—31 March 1992	121,657	25·3
1 April 1992—31 March 1993	158,996	51·3
1 April 1993—31 March 1994	188,708	81·9

Compensators are not obliged to notify the Compensation Recovery Unit if the compensation award is settled at or below the Small Payment Limit. Of those notified 91,419 cases were settled at or below the Small Payment Limit between 1 January 1989 and 31 March 1993. For the period 1 April 1993 to 31 March 1994 the number of cases notified were 48,655.

I hope this reply is helpful.

Benefits Office, Highgate

Mr. Corbyn: To ask the Secretary of State for Social Security what plans there are for the Benefits Agency to relocate the Highgate benefits office; and if he will make a statement.

Mr. Hague: The relocation of the Benefits Agency office in Highgate is an operational matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Tony Laurance to Mr. Jeremy Corbyn, dated 12 April 1994:

As Michael Bichard is on sick leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about plans to relocate the Benefits Agency office in Highgate.

You will already be aware of the poor condition and design of the premises that house the Highgate office which have necessitated the need to relocate the office. We have identified suitable alternative accommodation at 1A Elthorne Road London N19. The main work to refurbish these premises began on 31 January 1994 and the projected completion, including the installation of computer cabling, is expected by 7 October 1994. The intention will be to open to the public around 14 November but this may be subject to revision. Until that date customers will continue to be served from the existing premises in Archway Tower.

The move from a very poor and inadequate building to modern office accommodation will provide improved quality services for customers and staff alike. It will mean increased privacy for customers, and improved access and service for people with disabilities and customers with children.

The Manager, Steve Watson, Euston District, PO Box 1933, London NW1 2ED will be happy to provide you with any further information or progress reports should you require them.

I hope you find this reply helpful.

TRADE AND INDUSTRY

Indonesia

16. **Mr. Corbyn:** To ask the President of the Board of Trade what restrictions there are on trade with Indonesia.

Mr. Needham: There are no major restrictions on trade with Indonesia. Some products require licences for export to Indonesia, and there are quota restrictions on imports of textiles and clothing into the EU. However, as a result of the successful completion of the GATT Uruguay round textile and clothing quotas will be phased out over a 10-year period under the ending of the multi-fibre arrangement. Indonesia's high tariffs will also be reduced.

Embassies (Advice to Business Men)

22. **Dr. Goodson-Wickes:** To ask the President of the Board of Trade what recent initiatives he has taken to improve the standard of advice given to British business men via Her Majesty's embassies overseas.

Mr. Needham: I am in regular contact with my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs about commercial work undertaken by FCO posts abroad. They are an integral part of our overseas trade services network. Recent initiatives, including the establishment of business links, the recruitment of export promoters and the preparation of market plans for our top 80 markets share the common objective of enhancing the standards of every part of the overseas trade services.

Aerospace Industry

24. **Mr. Robert Ainsworth:** To ask the President of the Board of Trade what representations he has received since last December's GATT settlement from the aerospace industry.

Mr. Needham: The Department of Trade and Industry has been in regular contact with the United Kingdom aerospace industry, both with individual companies and through the Society of British Aerospace Companies, about the continuing negotiations on a new GATT agreement on trade in civil aircraft.

Small Firms Loan Guarantee Scheme

25. **Mr. Gunnell:** To ask the President of the Board of Trade how many companies have utilised the small firms loan guarantee scheme in the year following the changes made to the scheme in the 1993 March Budget; and what is the total sum guaranteed under that scheme during that period.

Mr. McLoughlin: A total of 3,886 loans at a value of £155·01 million have been guaranteed under the small firms loan guarantee scheme in the year to 31 March 1994. This compares to 2,342 loans at a value of £52·01 million in the previous year.

Exports (Stimulation)

26. **Mr. Hayes:** To ask the President of the Board of Trade what plans he has to stimulate local events to promote United Kingdom exports; and if he will make a statement.

Mr. Needham: To assist British companies to compete in world markets my right hon. Friend has created business links giving local access to a wide range of business advice and support services. In addition, numerous export-related events are sponsored by my Department across the country. The current language campaign, with more than 70 local events and initiatives from this week onwards throughout the United Kingdom and a special BBC television programme, is one example.

National Consumer Council

27. **Mr. Pike:** To ask the President of the Board of Trade if he will make a statement on the effect on the service to consumers of the reduction in the funding of the National Consumer Council.

Mr. McLoughlin: I am confident the National Consumer Council will continue to promote and safeguard the interests of consumers, taking into account the revised level of grant in aid.

Local Markets

28. **Mr. David Nicholson:** To ask the President of the Board of Trade what representations he has received on the effect of the Deregulation and Contracting Out Bill on local markets.

Mr. Neil Hamilton: My Department has received some *120* representations from individuals, local authorities, trade associations and businesses on the Government's proposals to deregulate market franchise rights, of which 16 express support. Many of those who oppose the proposal do so under the misapprehension that it will abolish the right of local authorities to continue to hold markets and collect rents. Clauses 21 to 23 of the Deregulation and Contracting Out Bill would remove rights of local authorities with market franchises to object to proposals to set up competing markets within six and two thirds of a mile of their own. Other opponents believe that removing market franchise rights will remove controls over other markets which may cause a local nuisance. Market franchise rights can only be used against rival markets held on the same day as the franchise market or where, if not held on the same day, it can be demonstrated that the owner of the franchise has suffered actual loss. A range of powers is available to local authorities to control any undesirable consequences arising from other markets.

Exports and Inward Investment

29. **Mr. Riddick:** To ask the President of the Board of Trade when he last met business representatives to discuss exports and inward investment.

Mr. Needham: My right hon. Friend frequently has meetings with members of the United Kingdom business community which involve discussions concerning exports and inward investment.

Shipbuilding Industry

30. **Mr. Byers:** To ask the President of the Board of Trade what steps he is taking to support the shipbuilding industry.

Mr. Heseltine: My Department's sponsorship divisions maintain close contact with our shipbuilding industry. We provide the industry with assistance from the shipbuilding intervention fund and the home credit guarantee scheme. We provide the maximum level of support permitted by the seventh directive on aid to shipbuilding.

Institute of Directors

31. **Mr. Ian Bruce:** To ask the President of the Board of Trade when he last met the Institute of Directors to discuss matters affecting business including inward investment.

Mr. Heseltine: I have regular contact with the Institute of Directors to discuss matters affecting business.

Assisted Areas

32. **Mr. Moss:** To ask the President of the Board of Trade what assessment he has made of the new map for objective 5b areas in England.

Mr. Heseltine: I consider it to be generally very satisfactory. The Government negotiated a trebling of England's objective 5(b) coverage, to 1·7 million people.

I am particularly pleased that the Government secured designation of the whole of Cornwall. Newly eligible areas include large parts of Devon, parts of Somerset, Suffolk, Norfolk, Cambridgeshire, Staffordshire, Derbyshire and Lancashire, and large parts of Lincolnshire, North Yorkshire, Northumberland and Cumbria. New areas in Shropshire and Hereford and Worcester now complement those retained in rural Wales and a new area in Clwyd.

Personal Pensions

33. **Mr. Denham:** To ask the President of the Board of Trade what estimate he has made of the level of provisions required by insurance companies to meet the compensation arising from the mis-selling of personal pensions; and if he will make a statement.

Mr. Neil Hamilton: The Department has written to life offices asking for an indication of their likely exposure to compensation in respect of mis-selling of personal pensions, and providing guidance on how the Department expects them to reserve for any such exposure in future Companies Act accounts and DTI returns. Individual responses must remain confidential as between the life offices and the Department, but where a life office considers that it is likely to have a liability, or a contingent liability, in respect of mis-selling of pension business, the Department expects this to be recognised in the published accounts. The Securities and Investments Board is seeking to determine the extent of mis-selling and the position will not be clear until that review is completed later in the year. It would be wrong to conclude, therefore, at this stage that evidence of procedural defects necessarily implies that the advice given by financial advisers was bad.

Commercial Debt

34. **Mr. Bates:** To ask the President of the Board of Trade what representations he has received on the issue of late payment of commercial debt; and if he will make a statement.

Mr. McLoughlin: My right hon. Friend the President of the Board of Trade has continued to receive representations from a variety of organisations and individuals proposing responses to the problem of late payment.

On 30 November 1993, the Department of Trade and Industry published a consultation paper, "Late Payment of Commercial Debt", to seek the views of the business community on possible options to address the problem of late payment, including legislation for a statutory right to interest and a British Standard for prompt payment.

Responses to the paper were required by 31 March 1994. More than 340 responses have been received and are now under consideration.

Small Firms

35. **Mrs. Anne Campbell:** To ask the President of the Board of Trade what representations he has received from industry about the availability of finance for the growth and development of small firms.

Mr. McLoughlin: We regularly meet representatives from industry and we receive many suggestions as to how small firms can be helped to obtain the finance that they need.

Sir Michael Grylls: To ask the President of the Board of Trade when he expects to publish his report to Parliament on the status of small and medium-sized enterprises in the United Kingdom.

Mr. McLoughlin: My Department plans to publish the report small firms in Britain 1994 in June. A copy will be sent to individual hon. Members and a copy placed in the Library of the House.

Utility Regulators

36. **Mr. Enright:** To ask the President of the Board of Trade if he will review the power of the utility regulators to limit charges and boardroom salary increases.

Mr. McLoughlin: The utility regulators have sufficient powers to protect consumers' interests over a range of issues including prices. The remuneration of company directors is a matter for the company concerned and its shareholders.

Postal Services (Privatisation)

37. **Mr. Llwyd:** To ask the President of the Board of Trade how many representations he has received on the subject of the privatisation of postal services in the last year; and if he will make a statement.

Mr. Heseltine: Around 280 letters have been received on the subject in my Department since 1 April 1993 from hon. Members, interested parties and members of the public. A wide range of views have been expressed.

Companies House

Mr. Morgan: To ask the President of the Board of Trade what assessment he has made of the effects of full or partial privatisation of Companies House on employees' pension and redundancy rights.

Mr. Neil Hamilton: Any assessment would be premature in advance of a decision in principle on the future of Companies House. No such decision has yet been taken.

Nuclear Energy Review

Mr. Spellar: To ask the President of the Board of Trade if he will make a statement about the timetable and terms of reference of the nuclear energy review.

Mr. Eggar: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Beckenham (Mr. Merchant) on 16 December 1993, *Official Report*, columns *759-60*.

VAT Registration, North West

Mr. Gordon Prentice: To ask the President of the Board of Trade how many businesses registered and deregistered for value added tax in *(a)* Pendle and *(b)* the north-west in 1992 and 1993.

Mr. Neil Hamilton: The figures for 1992 are as follows:

	Registrations	*De-registrations*
North West (Standard Region)	19,262	22,791
Pendle	254	284

Figures are not available for 1993.

Shareholders and Creditors (Class Actions)

Mr. Austin Mitchell: To ask the President of the Board of Trade if he will introduce proposals for legislation under which shareholders and creditors would be able to bring class actions against the recognised supervisory bodies.

Mr. Neil Hamilton: I have no plans to seek to change the present state of the law.

Auditors

Mr. Austin Mitchell: To ask the President of the Board of Trade what information plc auditors are required to file with the recognised supervisory bodies in relation to their own affairs.

Mr. Neil Hamilton: All registered auditors must provide their supervisory body each year with information relating to the following matters so that the bodies may discharge their statutory duties as set out in part II of schedule 11 to the Companies Act 1989:

—the holding of an appropriate qualification;
—being a fit and proper person(s);
—professional integrity and independence;
—the technical standards applied to company audit work;
—the maintenance of competence;
—the monitoring and enforcement of compliance with the supervisory body's rules;
—eligibility for membership of the supervisory body;
—the ability to meet claims arising out of company audit work;
—the maintenance of the public register for company auditors by the supervisory body.

Mr. Austin Mitchell: To ask the President of the Board of Trade how many *(a)* individual auditors and *(b)* auditing firms are registered with each of the authorised bodies under the provisions of the Companies Act 1989.

Mr. Neil Hamilton: The latest available figures for those registered with the recognised supervisory bodies under the Companies Act 1989 are as follows:

Supervisory body	*Individuals*	*Firms*
Institute of Chartered Accountants in England and Wales	19,473	9,218
Institute of Chartered Accountants of Scotland	1,273	742
Institute of Chartered Accountants in Ireland	829	463
Chartered Association of Certified Accountants	3,959	507
Association of Authorised Public Accountants	460	425

Audit Failures

Mr. Austin Mitchell: To ask the President of the Board of Trade how many instances of audit failures he has referred to any accountancy body; and what was the outcome of each referral.

Mr. Neil Hamilton: I refer the hon. Member to the annual reports of the recognised supervisory bodies for company auditors for the years ended 30 September 1992 and 1993 respectively, copies of which are in the Library of the House.

Yorkshire Rider Bus Company

Mr. Madden: To ask the President of the Board of Trade what representations he has received concerning the proposed takeover of the Yorkshire Rider Bus Company by Badgerline.

Mr. Neil Hamilton: My right hon. Friend the President of the Board of Trade has received representations from the hon. Member. In addition, I refer the hon. Member to the answer given by my right hon. Friend the Leader of the House to a question raised by the former hon. Member for Bradford, South, Bob Cryer, on 24 March, *Official Report*, column 424. While the Director General of Fair Trading is still considering the proposed acquisition, all representations about it should be made direct to him.

Deregulation

Mrs. Anne Campbell: To ask the President of the Board of Trade (1) if he will estimate the number of newsagents who are expected to go out of business following the current deregulation proposals;

(2) if he will estimate the number of school children who will lose their delivery jobs following the current deregulation proposals.

Mr. Neil Hamilton: Statutory consultation on the provisions of an order under the Fair Trading Act 1973, in relation to the wholesale supply of national newspapers to retailers in England and Wales, ended on 31 March.

The proposed order, which follows a Monopolies and Mergers Commission report, would prohibit wholesalers from refusing to supply retailers on the grounds that an area is already adequately served; placing restrictions on the point of sale; preventing retailers from selling newspapers on to other retailers. I am prepared to consider as an alternative to an order any industry-led solutions that could lead to a substantial increase in competition comparable to that which would be achieved by an order. Until I have had a chance to consider fully the representations I have received I cannot say what precise form the changes I intend to introduce will take. Therefore, I would not wish to speculate about the potential impact of reform.

Exports (Declaration of Interest)

Mr. Cousins: To ask the President of the Board of Trade what guidance is given to *(a)* members of the Export Credit Advisory Council and *(b)* the British Overseas Projects Board on declarations of interest; what such declarations have been made; and in what form such declarations are recorded.

Mr. Needham: When members of the Export Credits Advisory Council are appointed, they are required to provide a list of their business interests and directorships to the Export Credits Guarantee Department on a confidential basis. These lists are updated from time to time as necessary and maintained by ECGD. Members are also required to declare where they have an interest when advising ECGD on particular issues.

As a condition of service, Overseas Projects Board members are asked to declare their financial interests, including their directorships, to the Department of Trade and Industry and to keep the Department informed of any changes. This information is retained on file by the DTI's Overseas Projects Board secretariat and held in strict confidence.

Companies Acts (Investigations)

Mr. Cousins: To ask the President of the Board of Trade how many investigators and inspectors appointed under the Companies Acts have declared an interest in the matters of companies under investigation in the years since 1989.

Mr. Neil Hamilton: My Department would not appoint a particular inspector or investigator if there was a known conflict of interest. If a possible conflict arose during the course of an investigation, officials would discuss with the appointee the appropriate course of action. Instances of this occurring are very infrequent.

Mr. Cousins: To ask the President of the Board of Trade what interests relevant to terms covered in the report on the affairs of Astra plc were declared by the inspectors investigating the affairs of the company.

Mr. Neil Hamilton: The inspectors disclosed no interests which conflicted with their appointment to investigate and report on the affairs of Astra Holdings plc.

Scott Inquiry

Mr. Flynn: To ask the President of the Board of Trade what discussions he or his officials have had with Lord Justice Scott regarding the ways in which the papers and documents submitted to his inquiry could be retained as a collection and made available to public scrutiny.

Mr. Needham: There was correspondence in February 1993 alerting the inquiry to the provisions of the Public Records Act.

Ice Cream

Mr. George Howarth: To ask the President of the Board of Trade (1) if he will make a statement on the effect on fair trade of the freezer monopoly in the ice cream industry;

(2) what advice is given to small and medium-sized ice cream makers seeking to sell their products to high street retailers and corner shops; and if he will make a statement;

(3) what is his response to the Monopolies and Mergers Commission's report on the Wall's freezer monopoly in the ice cream industry.

Mr. Neil Hamilton: The Monopolies and Mergers Commission's report on the supply in the United Kingdom of ice cream for immediate consumption was published on 29 March. The MMC has concluded that, although scale and complex monopoly situations exist in the industry, the practice of freezer exclusivity does not operate against the public interest. The Government have announced that, since the MMC have made no adverse findings, there is no action which can be taken on the report. Ice cream makers and retailers operate in a competitive environment and can choose how best to meet the needs of their customers.

European Funding

Mr. Gale: To ask the President of the Board of Trade what plans he has to ensure that the Thanet travel-to-work area obtains the maximum possible European regional development funding and objective 2 funding for investment in infrastructure for central area initiative sites; and if he will make a statement.

Mr. Heseltine: The Council regulations allow the member states three months from the date of the decision on eligibility, 20 January, to draw up and present to the Commission plans describing the uses to which it is intended to put the fund's grants. For this purpose the British objective 2 areas will comprise 13 plan areas. The plans are being prepared by Government Departments, with appropriate local consultation.

The Government have divided the indicative allocation, for the purposes of their plans, as follows:

Plan area	*Million ecu (1994 prices)*
North East England	308
West Cumbria	25
Yorkshire and Humberside	313
East Midlands	79
West Midlands	371
Greater Manchester/Lancashire/Cheshire	329
Greater London	74
Thanet	14
Plymouth	29
South Wales	188
Eastern Scotland	121
Strathclyde	286
Gibraltar	5
	2,142

The regulations allow a further six months to negotiate, on the basis of the plans presented, a Community support framework for each plan area. The frameworks will then govern the allocation and use of the fund's grants.

Only after the Community support frameworks have been negotiated and adopted can detailed decisions be taken on projects to receive grant.

Liquid Steel

Mr. Barry Jones: To ask the President of the Board of Trade, if he will make a statement concerning the level of production of liquid steel in the European Union.

Mr. Heseltine: Crude steel production in the EC increased from 132·2 million tonnes in 1992 to 132·5 million tonnes in 1993.

Fuel (VAT)

Mr. Boyes: To ask the President of the Board of Trade what estimate he has of the number of people who have paid for electricity in advance to avoid paying VAT on fuel bills.

Mr. Eggar: I understand that about 5 per cent. of electricity customers have made pre-payments.

Business Conditions

Mr. Jim Cunningham: To ask the President of the Board of Trade what reports he has received from *(a)* the Confederation of British Industry and *(b)* other business representatives regarding changes in business conditions in each quarter since April 1992.

Mr. Salisbury: My right hon. Friend the President of the Board of Trade regularly receives reports from the Confederation of British Industry and other business representatives regarding business conditions.

Export Share

Mr. Jim Cunningham: To ask the President of the Board of Trade what reports he has received from companies on changes in the United Kingdom's share of *(a)* the European export market and *(b)* the Pacific rim countries.

Mr. Needham: The Department receives many reports from companies concerning their export successes. Examples of companies doing well in the export market are included in the "Overseas Trade Magazine", which is available in the Library of the House.

Mr. Jim Cunningham: To ask the President of the Board of Trade what reports he has received from companies in *(a)* the west midlands and *(b)* Coventry regarding their exports to (i) Europe and (ii) the Pacific rim.

Mr. Needham: My Department has regular contact with firms in the west midlands and recognises their export successes in Europe and the Pacific rim.

Maastricht Treaty

Mr. Jim Cunningham: To ask the President of the Board of Trade what measures his Department is taking to make companies aware of the implications of the Maastricht treaty; and what representations he has received from companies regarding the implications for business of the Maastricht treaty.

Mr. Needham: We have had a number of requests for information on Maastricht from industry. Up to now, we have responded on an individual basis. In early May, we shall issue a new DTI booklet entitled "The Single Market —Making it Work for You", which will include material on aspects of the Maastricht treaty.

General Agreement on Tariffs and Trade

Mr. Jim Cunningham: To ask the President of the Board of Trade what representations he has received from *(a)* individual companies in (i) the west midlands and (ii) Coventry, *(b)* the Confederation of British Industry and *(c)* local chambers of commerce, regarding the implications of GATT.

Mr. Needham: My Department has responded to a large number of inquiries from companies, trade associations and chambers of commerce about the results of the GATT Uruguay round.

Mr. Jim Cunningham: To ask the President of the Board of Trade what are the implications for the aerospace industry of the proposed GATT agreements; and when he expects the agreement relating to that sector to be reached.

Mr. Needham: Negotiations on a GATT agreement on trade in civil aircraft are continuing. The Government's objective for these negotiations is to conclude an agreement which covers the whole aerospace sector, and which includes strict and balanced disciplines on direct and indirect government supports. On 14 December 1993, members of the GATT civil aircraft committee agreed that these negotiations would continue for a further year, ending in December 1994.

Bank of Credit and Commerce International

Mr. Gunnell: To ask the President of the Board of Trade what is the projected end date for the BCCI receivership; and what is the estimated total fee for the services of Touche Ross.

Mr. Neil Hamilton *[holding answer 12 April 1994]:* My Department is not aware of any estimate of the likely duration of the liquidation of BCCI. The fees of Touche Ross as liquidators are a matter for the court and the creditors.

Mr. Gunnell: To ask the President of the Board of Trade what proportion of the total income in the BCCI receivership is estimated will be absorbed by the fee to the receivers.

Mr. Neil Hamilton *[holding answer 12 April 1994]:* My Department does not have this information. It is a matter for the liquidators.

Mr. Gunnell: To ask the President of the Board of Trade what has been the total cost of the BCCI receivership to 31 March.

Mr. Neil Hamilton *[holding answer 12 April 1994]:* The total payments from the English liquidation of BCCI to 15 January, the anniversary of the winding up order, are approximately £215 million.

Mr. Gunnell: To ask the President of the Board of Trade what employment costs of former BCCI employees may become the liability of the receivers.

Mr. Neil Hamilton *[holding answer 12 April 1994]:* This is a matter for the liquidators.

Fire Safety

Mr. Alnger: To ask the President of the Board of Trade what plans he has to consult with the Chief and Assistant Chief Fire Officers Association about changes in fire safety legislation prior to publication of proposed changes.

Mr. Neil Hamilton *[holding answer 12 April 1994]:* The Government will consult all interested parties before making any legislative changes. As part of their widespread consultations, the team undertaking the review of fire safety legislation and enforcement, announced by my right hon. Friend, the President of the Board of Trade on 17 January, *Official Report*, column *381*, met representatives of the association on 28 March to hear their views on this important issue.

Mr. Ainger: To ask the President of the Board of Trade what discussions his Department has had with the Chief and Assistant Chief Fire Officers Association about fire safety legislation in the past six months.

Mr. Neil Hamilton *[holding answer 12 April 1994]:* My Department solicited views from the association last year as part of the consultations on the review of the regulations on children's nightwear and foam-filled furniture. The consultation period expired at the end of October 1993, but the association did not respond.

Mr. Ainger: To ask the President of the Board of Trade if he will place in the Library a copy of the construction task force report on the future of fire safety.

Mr. Neil Hamilton *[holding answer 12 April 1994]:* The working papers of all seven business deregulation task forces—including those of the construction task force on fire safety—were placed in the Library of the House on Wednesday 30 March.

DUCHY OF LANCASTER

Cryogenics

Mr. Rooker: To ask the Chancellor of the Duchy of Lancaster what contribution Her Majesty's Government make to the research and development of cryogenics by British industry and academic research institutions.

Mr. Waldegrave: The Government, through the Research Councils, support a range of research and development involving cryogenics. This includes support totalling £1 million per annum for research by university groups on low temperature physics and chemistry, and a £5 million programme supporting work on superconducting materials. The research councils also fund the development of superconducting magnets and cooling mechanisms for use in a range of scientific equipment, including synchrotron radiation, neutron beam and nuclear magnetic resonance equipment, and detectors for particle physics, astronomy and space research.

DEFENCE

RAF Carlisle

Mr. Kirkwood: To ask the Secretary of State for Defence if he will make a statement outlining Her Majesty's Government's response to the joint Whitley response to the equipment supply depot study consultation document on the future of No. 14 MU RAF Carlisle.

Mr. Hanley: My Department is currently considering the proposals contained in the RAF Carlisle joint Whitley response to the equipment supply depot rationalisation study, which was received on 28 March 1994. I shall be taking full account of all representations before coming to final decisions.

Greenham Common

Mr. Rendel: To ask the Secretary of State for Defence when he expects, under the Crichel Down rules, to restore commoners' rights to those who previously held them at Greenham common.

Mr. Hanley: Crichel Down rules regulate the disposal of land where there are former owners with rights to re-purchase. The issue of commoners' rights attaching to land is a separate matter. It is my Department's view, based on legal advice, that the commoners' rights on Greenham common were extinguished when compensation moneys were handed over to the Committee of Commoners. My Department has no plans to restore commoners' rights there.

Written Answers to Questions

Thursday 14 April 1994

LORD CHANCELLOR'S DEPARTMENT

Mr. Asil Nadir

Mr. Byers: To ask the Parliamentary Secretary, Lord Chancellor's Department how many charges were originally brought against Mr. Asil Nadir; and how many have been dismissed by the courts or withdrawn by the relevant authority.

Mr. John M. Taylor: Mr. Nadir was indicted on 58 counts of theft and eight counts of false accounting. None have been dismissed or withdrawn. He has yet to be tried.

Mr. Byers: To ask the Parliamentary Secretary, Lord Chancellor's Department how many joint charges were originally brought against Mr. John Turner and Mr. Asil Nadir; how many have been dismissed by the courts or withdrawn by the relevant authority; and to whom and what amount of costs have been awarded.

Mr. John M. Taylor: Mr. Turner and Mr. Nadir were not jointly charged with any of the offences. Mr. Turner pleaded not guilty to the offences with which he was charged, verdicts of not guilty were entered by the court as the prosecution offered no evidence, and he was subsequently discharged. He obtained a defendant's costs order and I understand that his legal representatives have yet to submit their bill of costs for determination.

Northern Cyprus

Mr. Byers: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Lord Chancellor met the President of the Republic of Northern Cyprus; and what subjects were discussed.

Mr. John M. Taylor: The Lord Chancellor met the leader of the Turkish Cypriot community on 6 May 1993. Mr. Denktash set out his views in relation to the political situation in Northern Cyprus. In addition, the position of Asil Nadir was discussed. The Lord Chancellor also met Mr. Denktash, together with the President of Cyprus, on 7 May 1993 at a function organised on the occasion of the Commonwealth law conference.

Child Witnesses

Mr. Devlin: To ask the Parliamentary Secretary, Lord Chancellor's Department what measures are being taken by courts in Cleveland to protect child witnesses with particular reference to the use of screens, television link equipment, and pre-recorded interviews; and if he will make a statement.

Mr. John M. Taylor: Television links and video playback equipment are in place in the Crown court sitting at Teesside combined court centre. Screens are also available if required by both criminal and civil cases heard there. All magistrates courts in Cleveland have video playback equipment, and can arrange the provision of screens if necessary. Arrangements can be made for screens to be available for child witnesses at the family hearing centres at Hartlepool and Stockton county courts.

Mr. Devlin: To ask the Parliamentary Secretary, Lord Chancellor's Department what guidance has been issued to judges relating to wigs and gowns in court during proceedings of cases of alleged child abuse.

Mr. John M. Taylor: There is no specific guidance issued to the judiciary relating to the wearing of wigs and gowns in cases of alleged child abuse. However judges have the discretion to remove wigs and gowns when they consider it appropriate.

Mr. Devlin: To ask the Parliamentary Secretary, Lord Chancellor's Department which courts in Cleveland have child liaison officers to protect child witnesses; and if he will make a statement.

Mr. John M. Taylor: There is a designated child liaison officer for every Crown court centre, including the one at Teesside combined court centre, in Cleveland.

Public Interest Immunity Certificates

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department, further to his answer of 17 March, *Official Report*, column *759*, if he will make it his policy to collate information in the future on the number of cases in which judges have been asked to consider a public interest immunity certificate.

Mr. John M. Taylor: I have no plans to collate information about applications to courts arising out of public interest immunity certificates.

Local Government Legislation

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the Acts of Parliament and consolidation Acts that affect local government that have been introduced by his Department since 1990.

Mr. John M. Taylor: The Lord Chancellor's Department has introduced 33 Acts of Parliament, including consolidation Acts, which have received Royal Assent since 1990. Of those, the following Acts contain specific references to local authorities:

- Capital Allowances Act 1990 (c.1)
- Town and Country Planning Act 1990 (c.8)
- Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9)
- Planning (Hazardous Substances) Act 1990 (c.10)
- Planning (Consequential Provisions) Act 1990 (c.11)
- Water Industry Act 1991 (c.56)
- Water Resources Act 1991 (c.57)
- Land Drainage Act 1991 (c.59)
- Water Consolidation (Consequential Provisions) Act 1991 (c.60)
- Social Security Administration Act 1992 (c.5)
- Social Security (Consequential Provisions) Act 1992 (c.6)
- Social Security Administration (Northern Ireland) Act 1992 (c.8)
- Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c.9)
- Taxation of Chargeable Gains Act 1992 (c.12)
- Trade Union and Labour Relations (Consolidation) Act 1992 (c.52)

Judicial Pensions and Retirement Act 1993 (c.8)
Charities Act 1993 (c.10)
Clean Air Act 1993 (c.11)
Radioactive Substances Act 1993 (c.12)
Health Service Commissioners Act 1993 (c.46)
Probation Service Act 1993 (c.47)
Pension Schemes Act 1993 (c.48)
Pension Schemes (Northern Ireland) Act 1993 (c.49)
Statute Law (Repeals) Act 1993 (c.50)

Other Acts of Parliament introduced by the Lord Chancellor's Department may affect local government in the same way as other bodies and individuals may be affected.

ENVIRONMENT

Right to Buy

Sir Ralph Howell: To ask the Secretary of State for the Environment how many council properties were sold in the Breckland district council area under the right to buy legislation in each year of its operation.

Sir George Young: Tables showing the available information on total right-to-buy sales for each English local authority and every financial year since 1980, with a cumulative total to December 1993, are in the Library.

In addition to some 2,500 dwellings sold under the right-to-buy legislation in Breckland district council since 1980, about 6,700 properties in full ownership were transferred from the authority to the Peddars Way housing association in March 1993, by way of large-scale voluntary transfer. Over the last 15 years, approximately 1,200 other voluntary sales were completed in Breckland; these are also shown in the tables.

Environmental Measures

Mr. Jim Cunningham: To ask the Secretary of State for the Environment if he will make a statement on the Government's plans to support emerging environmental industries and clean processes in British business and industry.

Mr. Atkins: The Government already provide considerable support and encouragement to the development of the United Kingdom's emerging environmental industries. For example, my Department and the Department of Trade and Industry established the joint environmental markets unit in December 1992 to assist and encourage United Kingdom firms to exploit the expanding opportunities in the world market for environmental goods and services. A growing number of firms are now taking advantage of the unit's services.

The President of the Board of Trade announced on 7 December that the Department of Trade and Industry and the Department of the Environment would jointly run a new environmental technology best practice programme. This will find and present to industry examples of how firms can reduce costs and pollution at one and the same time. The programme's main objective will be to encourage user companies to adopt environmentally favourable technology and best practice in environmental management. It will also encourage suppliers to develop such technology and techniques.

Mr. Jim Cunningham: To ask the Secretary of State for the Environment for what reasons funding for the environmental technology innovation scheme and the environmental management options scheme has been reduced.

Mr. Atkins: Both the environmental technology innovation scheme and the DTI's environmental management options scheme were three-year programmes which were open to grant applications between October 1990 and September 1993. Funding continues to be paid to on-going projects under the schemes and for disseminating their results.

The 1993 White Paper "Realising our potential: a Strategy for Science, Engineering and Technology" highlighted the importance of the spread of best practice and the transfer and diffusion of technology. The new £16 million environmental technology best practice programme, which was announced by the President of the Board of Trade on 7 December, has been set up to take this forward and will build on the earlier two schemes.

Mr. Jim Cunningham: To ask the Secretary of State for the Environment to what extent he considers that more stringent environmental regulations are necessary if British exports are to pass the environmental standards of other countries.

Mr. Atkins: A recent report commissioned by my Department and the Department of Trade and Industry concluded that United Kingdom firms are in a good position to exploit the rapidly expanding world market for environmental goods and services. The United Kingdom environmental industry is very competitive internationally and a highly successful exporter for the United Kingdom.

Mr. Jim Cunningham: To ask the Secretary of State for the Environment what plans he has to encourage environmental technology in British industries that would produce less waste and use fewer natural resources.

Mr. Atkins: A new environmental technology best practice programme, run jointly by my Department and the Department of Trade and Industry, was announced by the President of the Board of Trade on 7 December. It will make the best environmental technology and techniques more widely known to potential users and suppliers. The programme will have a strong emphasis on reducing waste at source, thereby making better use of natural resources.

Mr. Jim Cunningham: To ask the Secretary of State for the Environment if he will make it his policy to favour contractors with good environmental practices in its own purchases.

Mr. Atkins: The Department's procurement officers have already been provided with clear guidelines to integrate environmental factors into their buying requirements. This is in accordance with the Department's green housekeeping policy statement which was updated in March 1993 and the recently published green guide for suppliers of goods and services to the Department entitled: "Selling to DOE".

Mr. Jim Cunningham: To ask the Secretary of State for the Environment if he will take steps to ensure that products purchased by the Government should be tested for energy and non-renewable resource implications.

Mr. Atkins: Decisions on purchasing are a matter for individual Departments. However, recent Treasury

guidance states that specifications for goods and services should reflect the Department's environmental strategies while using competition and seeking best value for money.

My own Department has recently published a guide entitled "Selling to DOE" which, among, other things, informs suppliers of goods and services of our requirement for products which are energy efficient and made from recycled or renewable materials. The Department has also instructed its procurement officers to give preference to such products in accordance with our green housekeeping policy statement which was first published in 1992 and updated last spring.

My Department's energy efficiency office encourages Departments to improve all aspects of their energy efficiency, including purchasing, to assist them in achieving their target of improving their energy efficiency by 15 per cent. over five years.

Mr. Jim Cunningham: To ask the Secretary of State for the Environment if he will seek to impose mandatory minimum standards on matters such as energy efficiency.

Mr. Atkins: Standards for the energy efficiency of new buildings already exist in the building regulations. The Government are in the process of revising the regulations which should lead to an improvement in energy efficiency of between 25 and 35 per cent. compared with the current provisions.

The Government also support the EC proposals for energy labelling and minimum standards of appliances, provided that they can be achieved without excessive costs to consumers and manufacturers. Regulations to implement a directive setting minimum standards for the efficiency of new boilers came into force on 1 January 1994. Minimum standards requirements for the efficiency of other heating appliances await the formulation of appropriate European standards under the construction products directive.

Mr. Jim Cunningham: To ask the Secretary of State for the Environment what assessment he has made of the extent to which environmental regulations on industry could improve their competitiveness while protecting natural resources.

Mr. Atkins: We keep under constant review both the effectiveness and the effects of existing and possible new environmental regulations, as well as alternatives to regulations.

Single Regeneration Budget

Mr. Vaz: To ask the Secretary of State for the Environment if he will list the total amount of unallocated funds available under the single regeneration budget and the areas for which these funds are being considered.

Mr. Baldry: In the current financial year—1994-95—the funds available under the single regeneration budget will be taken up in meeting existing commitments from the programmes which have been brought together in the Budget.

In 1995-96, on current estimates, it is expected that about £100 million will be available to support new bids from local partnerships. The budget will be available throughout England. Guidance on bidding for these funds has been published by my Department today, 14 April. Copies of the guidance have been placed in the Library of the House.

Dartmoor National Park

Mr. Mans: To ask the Secretary of State for the Environment if he will announce his decision on the Dartmoor national park boundary variation order submitted to him by the Countryside Commission.

Mr. Atkins: My right hon. Friend has today confirmed, with modifications, the order to vary the boundary of the Dartmoor national park. The Commission proposed 16 additions and 11 deletions, aimed at aligning the boundary with new trunk roads—the A30(T)—and the A38(T)—and adding small areas of common land which are subject to the Dartmoor Commons Act 1985. The modifications made to the order by my right hon. Friend retain two small areas proposed for deletion at Whistley Cottage and Cheriton Bishop. In the china clay area, land at Lee Moor will be deleted and at Shaugh Moor added, thereby retaining within the park those areas subject to the order which are presently unworked and whose landscape remains of national importance.

English Partnerships

Mr. Bendall: To ask the Secretary of State for the Environment when he intends to issue guidance to English Partnerships, following his consultation last August; and if he will make a statement.

Mr. Baldry: I am pleased to announce that, following careful consideration of over 200 responses to the consultation draft, my right hon. Friend has today issued guidance to English Partnerships. Copies are available in the Library of the House. English Partnerships is required to have regard to this guidance in deciding which land is suitable for regeneration or development; which function it is to exercise for securing the regeneration or development of any particular land; and how it is to exercise those functions. The guidance will be kept under review and can be amended later if necessary.

Housing Stock

Mr. Wells: To ask the Secretary of State for the Environment which local authorities are considering the large-scale voluntary transfer of housing stock.

Sir George Young *[holding answer 12 April 1994]:* The following 12 authorities are included in the 1994-95 programme for large-scale voluntary transfers—LSVTs: Basingstoke and Deane borough council Castle Point borough council Cherwell district council Maldon district council Malvern Hills district council Mid Bedfordshire district council North Dorset district council Penwith district council Thanet district council Vale of White Horse district council Walsall metropolitan borough council and Wychavon district council.

We encourage all authorities to consider the possibility of transfer, but it is for individual councils together with their tenants to decide whether to pursue this option. I understand that a number of authorities are considering applying for places on the 1995-96 programme. We are likely to invite applications in the autumn and I hope to announce the names of successful applicants by the end of the year.

TRANSPORT

Drivers' Sleep Requirements

Ms Primarolo: To ask the Secretary of State for Transport what guidelines he has issued as to the minimum sleep requirements within 24-hour and seven-day periods for *(a)* airline pilots, *(b)* train drivers, *(c)* lorry drivers and *(d)* coach drivers.

Mr. Key: The Air Navigation Order 1989 requires that no member of an aircraft crew shall fly, nor shall an operator require him to fly, if either has reason to believe that he is suffering, or likely to suffer while flying, from fatigue which may endanger the safety of the aircraft or its occupants. Aircraft operators are also required to establish a scheme for the regulation of flight times for aircrews. Such schemes need to be approved by the Civil Aviation Authority.

The CAA's civil aviation publication 317 "The Avoidance of Fatigue in Aircrews" gives guidance on requirements for operator's flight time limitation schemes. Flight time limitation schemes do not set out minimum sleep requirements but specify maximum duty periods and minimum rests periods. The actual working of the schemes are complex but, in general, the maximum duty hours for aircrew should not exceed 55 hours in one week.

The Railways (Safety Critical Work) Regulation 1994 places a duty on all railway employers to prevent employees with key safety responsibilities from working excessive hours. The Health and Safety Executive's non-statutory guidance recommends that train drivers should under normal circumstances have a minimum rest period of at least 11 consecutive hours per 24-hour period. Further guidance will be given in a statutory approved code of practice to be produced by the Health and Safety Executive by March 1995.

For most heavy goods vehicle drivers and about half bus and coach drivers Council Regulation (EEC) No. 3820/85 on drivers' hours limits driving hours—nine hours a day which may be increased to 10 hours twice a week—breaks —a break or breaks totalling 45 minutes must be taken during or after 4·5 hours of driving—and rest periods—11 consecutive hours daily rest, reducible to nine hours three times a week, and 45 consecutive hours weekly rest, reducible to 36 hours or 24 hours away from base.

The remainder, which include drivers of vehicles used for the carriage of passengers on a regular service of not more than 50 km are exempt from EC regulations and are subject to domestic drivers' hours rules.

The domestic rules for heavy goods vehicles limit the daily driving period of 10 hours and a maximum working day/duty time to 11 hours. The domestic rules for public service vehicles differ from those for HGVs. The daily driving period of 10 hours per day is the same, but the maximum working day/duty time is 16 hours. There is also a 5·5 hour limit on continuous driving and a 10 hour daily rest requirement.

Booklets providing guidance on the regulations for both lorry and coach drivers are available from local traffic area offices.

Accountants

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will list the contracts currently being worked on for his Department by Coopers and Lybrand, Ernst and Young, Price Waterhouse, KPMG Peat Marwick, Grant Thornton, Binder Hamlyn, Robson Rhodes, Levy Gee, Hacker Young, Pannell Kerr Forster and Stoy Hayward.

Mr. Norris: The following of the firms referred to are carrying out contracts for the Department.

Coopers and Lybrand

Birmingham Northern Relief Road—financial advice.

Advice on possible sale of vehicle records database.

Review of Department's motorway communication maintenance contracts.

Ernst and Young

Advice on the use of project management systems in connection with the privatisation of British Rail.

Development of a commercial accounting system for the Coast Guard Agency.

Price Waterhouse

Advice on Design Build Finance and Operate contracts and longer term private finance options associated with motorway charging (jointly with Hambros Bank).

Sale of London Buses Limited subsidiaries.

Sale of the Trust Ports.

Royal train audit.

KPMG Peat Marwick

Commission to examine the business case for establishing a database of lighting on trunk roads and motorways.

Scoping study to determine availability of time-cost systems on the market for highways and project management.

Accountancy and taxation advice in connection with Rail privatisation.

Grant audit of London Transport.

Development of software—Routine Maintenance Management system (RMMS).

Development of software—UK Pavement Management System (UKPMS).

Channel Tunnel Rail Link

Mr. Rowe: To ask the Secretary of State for Transport if he will publish the rules governing the independent evaluation of the environmental assessment of the channel tunnel rail link, giving the criteria against which any such evaluation is to be judged.

Mr. Freeman: The environmental assessment rules for Bills authorising works are contained in Standing Order No. 27A. Where, as in the case of the new channel tunnel rail link, an environmental statement is required, it must be deposited by the promoter soon after the Bill. It must contain all the information set out in the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988, which are based on the requirements of EC Directive 85/337.

The environmental statement for the new channel tunnel rail link is being prepared for Union Railways by Environmental Resources Management and other specialist consultants. As part of a review for the Government of Union Railway's route development methodology in 1992-93, W. S. Atkins examined and endorsed the

approach to environmental assessment. Further reviews in relation to the route have not been considered necessary. It will be for Parliament, and the Bill Select Committee in particular, to scrutinise the environmental statement, with the benefit of submissions by petitioners and the promoter.

Thames Riverbus Service

Mr. Cohen: To ask the Secretary of State for Transport what was the total cost to public funds of the riverbus service on the River Thames during the period of its operation.

Mr. Norris: In 1989, a grant payment of £500,000 was made to the River Bus partnership by the Departments of Transport and of the Environment towards promotion and improvement of the service, conditional upon private sector investment of up to £2 million from five private sector developers, headed by Olympia and York. No other public funds were awarded and the service continued to operate at a loss, despite heavy subsidy from the private sector, until its demise in August 1993. Further contributions from public funds could not have been justified, as in transport terms the service represented poor value for money.

Radioactive Materials

Mr. Llew Smith: To ask the Secretary of State for Transport if he will make it his policy at the next European Transport Council to press for the admission to the standing working group on the transport of radioactive materials of non-governmental organisations as observers.

Mr. Norris: No. The standing working group, set up at the request of the European Parliament in 1982 and administered by the Directorate-General for Energy—DG XVII—already has the power to invite non-governmental representatives to its meetings.

ATTORNEY-GENERAL

Director of Public Prosecutions

Mr. Byers: To ask the Attorney-General when the Director of Public Prosecutions met the President of the Republic of Northern Cyprus either in her present capacity or when head of the Serious Fraud Office; and what subjects were discussed.

The Attorney-General: The Director of Public Prosecutions has never met the President of the Republic of Northern Cyprus.

SOCIAL SECURITY

Child Support Agency

Mr. Ingram: To ask the Secretary of State for Social Security what proportion of the existing assessments were reduced as a result of the child support formula changes on 7 February; how many absent parents were entitled to type A transitional protection before 7 February; how many absent parents have applied for type B transitional protection since 7 February; how many of these applications have been processed to date; and how many of these qualified for the new transitional protection.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Adam Ingram, dated 13 April 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Services about the impact of the policy changes to Child Support introduced on 7 February.

As a result of the formula changes around 37% of eligible assessments were reduced.

At 30 March, 2,226 absent parents whose maintenance liability had been assessed prior to 7 February 1993 had applied for transitional protection under the new arrangements, and over 1,900 cases had been processed. Of these transitional protection had been awarded to 840 absent parents. In addition, absent parents whose maintenance is assessed on or after 7 February have automatically been considered for transitional protection under the new arrangements.

Figures are not available on the number of absent parents entitled to type A transitional protection prior to 7 February.

I hope this reply is helpful.

Lone Parents

Dr. Wright: To ask the Secretary of State for Social Security how many lone parents in receipt of income support and maintenance are subject to the diversion procedure; and what proportion of maintenance orders in favour of lone parents on income support are subject to this procedure.

Mr. Burt: The total number of income support cases subject to diversion procedure is 60,927. Of these, 46,370 are lone parents with children whose cases are awaiting the completion of a maintenance assessment by the Child Support Agency. Statistics on the proportion of lone parents on income support whose maintenance orders are subject to the diversion procedure are not kept.

Family Credit Payments

Ms Walley: To ask the Secretary of State for Social Security what is his estimate of the money saved from *(a)* reduced housing benefit payments and *(b)* reduced council tax payments arising out of the family credit payments in respect of child care for working mothers.

Mr. Burt: Payments to all those already in work who begin to use the new earnings disregard in respect of child care costs will increase by an estimated £30 million in housing benefit and £5 million in council tax benefit in a full year at 1994-95 prices. Payments to the estimated 50,000 who commence work because of the introduction of the disregard will be reduced by an estimated £45 million in housing benefit and £10 million in council tax benefit.

Income Support

Mr. O'Hara: To ask the Secretary of State for Social Security what is the average cost to the Exchequer of income support to each successful applicant.

Mr. Burt: The information is in table 2.1 of the May 1993 "Income Support Statistics Quarterly Enquiry", a copy of which is in the Library.

Child Abuse

Mr. Tony Lloyd: To ask the Secretary of State for Social Security what were the terms of reference of the research into the Benefits Agency service delivery to 16

and 17-year-olds carried out by the child abuse studies unit of London university; what were its main findings; if he will place a copy of the final report in the Library; and if he will make a statement.

Mr. Burt: The report by the child abuse studies unit of London university into service delivery to 16 to 17-year-olds is an operational matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Tony Laurance to Mr. Tony Lloyd, dated 13 April 1994;

As Michael Bichard is on sick leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the report by the Child Abuse Studies Unit of London University into service delivery to 16 and 17 year olds.

The report to which you refer was not commissioned as a research document, but as an internal consultancy exercise looking at ways of improving service to this group of customers, and as such the Benefits Agency does not intend to publish the document.

The terms of reference were to investigate the standard of service delivery, identify good practices and areas of concern, establish an understanding of the needs of 16 and 17 year olds, identify the level of knowledge and information needs of advice workers, assess training needs of Benefits Agency staff, and evaluate pre/post claim information.

The report made a number of recommendations under headings such as Training, Publicity, Local Practice and Payment. Many of these recommendations refer to good practices to adopt when dealing with claims from young people. Guidance to staff in Benefits Agency District Offices is in the form of a Handbook called "Income Support for 16/17 year olds" and contains a section on good practices. This Handbook has been revised recently and where possible the recommendations from this report have been incorporated in the revised Handbook. The revised version has been in District Offices since mid-March 1994. A copy of the Handbook is already in the Library.

I hope you find this reply helpful.

Cold Weather Payments

Dr. Godman: To ask the Secretary of State for Social Security how many severe weather payments have been made in *(a)* Greenock and Port Glasgow, *(b)* Strathclyde and *(c)* Scotland as a whole since November 1993.

Mr. Hague: The administration of the cold weather payment scheme is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Tony Laurance to Dr. Norman A. Godman, dated 13 April 1994.

As Michael Bichard is on sick leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question in which you asked how many Cold Weather Payments had been made in Greenock and Port Glasgow, Strathclyde, and Scotland as a whole since November 1993.

Details on Cold Weather Payments made are available for each Benefit Agency District. The attached appendix gives details for the Clyde Coast and Cowal District which comprises the Greenock and Port Glasgow branch offices. As there is no single Benefit Agency District covering Strathclyde I supplied the details for the Districts that fall within the Scotland and Northern Benefit Agency Area Directorate.

I hope my reply has been helpful.

Appendix: Number of cold weather payments 1 November 1993 to 31 March 1994

BA District	*Number*
Clyde Coast and Cowal (comprising Greenock and Port Glasgow)	25,081
Strathclyde	
Benefit Agency Districts:	
Glasgow City	—
Glasgow East	—
Glasgow Laurieston	—
Glasgow South West	—
Glasgow West	—
Renfrew	—
Springburn and Cumbernauld	271,416
Scotland as a whole	840,578

HOME DEPARTMENT

Temazepam

Mr. Clelland: To ask the Secretary of State for the Home Department what representations he has received regarding the incidence of criminal activity involving the drug Temazepam.

Mr. Maclean: We have received two letters this year from Members of Parliament concerning criminal activity committed by people under the influence of the drug Temazepam. Both letters were from hon. Members representing constituencies in the north-east, and were prompted by the tragic murder of Sgt. Bill Forth on Tyneside.

Correspondence

Mr. Parry: To ask the Secretary of State for the Home Department when he expects to be able to reply to the hon. Member for Liverpool, Riverside, concerning the case of Anthony O'Kere; and if he will make a statement.

Mr. Charles Wardle: I wrote to the hon. Member on 31 March 1994.

Mr. Parry: To ask the Secretary of State for the Home Department if he will list the hon. Members who have written to him concerning the case of John Kamara; and if he will make a statement.

Mr. Maclean: Mr. Kamara maintains that he was wrongfully convicted in 1981 of murder and robbery. One hundred and four hon. Members and others have since written on his behalf. All of the matters raised in representations received have been carefully considered, but no grounds have come to light which would justify any action by my right hon. and learned Friend in respect of Mr. Kamara's conviction.

Racial Attacks

Mr. Parry: To ask the Secretary of State for the Home Department how many racially motivated attacks have occurred in *(a)* Liverpool and *(b)* Merseyside in each of the past five years; and if he will make a statement.

Mr. Maclean: The information available centrally relates to reported racial incidents, rather than racial

attacks, as defined by the Association of Chief Police Officers. Figures for Merseyside are given in the table. Information for Liverpool is not collected centrally.

Number of racial incidents in Merseyside

Year	Number of incidents
1988	136
1989	123
1990	144
1991	162
1992	134

ACPO definition: Any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motive, or any incidents which include allegations of racial motivation made by any person.

Mr. Parry: To ask the Secretary of State for the Home Department what steps he is taking to combat racially motivated crimes; and if he will make a statement.

Mr. Peter Lloyd: I refer the hon. Member to the reply I gave to his question on 3 March 1994 at column *821-22* for details of the practical steps being taken by the Government to combat racial violence. Since then, the Secretary of State has tabled an amendment to the Criminal Justice and Public Order Bill to make section 19 of the Public Order Act 1986—publication or distribution of written material intended or likely to stir up racial hatred—an arrestable offence. The Government are also studying ways to deal with persistent harassment. Any further steps will be taken in the light of the report of the Home Affairs Committee inquiry into racial attacks and harassment when it is published.

Prison Service

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department when the Prison Service will publish its next corporate plan.

Mr. Howard: The Prison Service has published its corporate plan for 1994-97. A copy has been placed in the Library.

Animal Experiments

Mr. McAllion: To ask the Secretary of State for the Home Department which species of octopus are being used for scientific procedures in Great Britain which might cause pain or lasting harm.

Mr. Charles Wardle: I refer to my reply to the previous question from the hon. Member for Dundee, East on 11 March at column *415*. Octopus vulgaris were included within the provisions of the Animals (Scientific Procedures) Act 1986 from 1 October 1993. Information on any scientific use of this species during the remainder of 1993 will be included in the "Statistics of Scientific Procedures on Living Animals 1993" to be published later this year.

Project licence authority is not required for the use of other octopus species in scientific procedures, and information about such use is not collected.

Special Constables

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department (1) what was the total annual budget for special constables in England and Wales in each year since 1979;

(2) what was the total annual budget for special constables for each constabulary in England and Wales in each of the last five years.

Mr. Charles Wardle: This information is not centrally available and could be provided only at disproportionate cost. Each police force has its own special constabulary which is funded centrally through the police grant. There is no separate financial provision for special constables, and such budgetary information is not centrally collected.

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department (1) how many special constables were on establishment in England and Wales in each year since 1979;

(2) how many special constables were on establishment in England and Wales in each constabulary in each of the last five years.

Mr. Charles Wardle: Special constables are not included in the assessment of police establishments. They are usually recruited on a divisional basis to supplement the numbers of regular officers, although there is currently a national campaign to encourage members of the public to volunteer.

Available statistics for the number of volunteers serving in special constabularies in England and Wales in 1980-1993 are given in table A. Figures for 1979 are not available.

The figures provided by individual constabularies for the years 1989-1993 are given in table B.

Table A

Year	Number
1980	15,108
1981	14,978
1982	15,160
1983	15,331
1984	16,012
1985	16,161
1986	16,070
1987	16,209
1988	15,788
1989	15,589
1990	15,881
1991	18,073
1992	19,243
1993	20,566

Table B

Forces	1989	1990	1991	1992	1993
Avon and Somerset	503	536	568	712	770
Bedfordshire	137	122	167	199	192
Cambridge	169	173	198	182	245
Cheshire	219	244	299	274	387
City of London	60	56	68	85	89
Cleveland	139	143	177	195	232
Cumbria	210	193	246	230	248
Derbyshire	251	275	347	335	423
Devon and Cornwall	852	913	984	946	1,067
Dorset	218	214	254	263	239
Durham	149	152	165	203	258
Dyfed-Powys	189	210	315	260	271
Essex	445	482	642	759	751

Forces	1989	1990	1991	1992	1993
Gloucestershire	209	206	224	274	315
Greater Manchester	473	517	530	570	617
Gwent	95	76	80	101	109
Hampshire	362	369	529	587	611
Hertfordshire	203	206	202	247	294
Humberside	249	273	316	422	446
Kent	500	501	484	554	587
Lancashire	432	377	474	539	565
Leicestershire	327	357	371	379	392
Lincolnshire	365	356	397	416	383
Merseyside	296	295	340	367	389
Norfolk	269	268	312	346	366
North Wales	175	199	256	295	298
North Yorkshire	334	383	387	388	497
Northamptonshire	240	218	271	302	330
Northumbria	538	534	571	512	517
Nottinghamshire	485	470	556	593	551
South Wales	261	257	352	432	534
South Yorkshire	316	317	371	412	473
Staffordshire	566	592	702	733	770
Suffolk	329	354	373	386	414
Surrey	174	215	214	251	232
Sussex	530	495	571	548	512
Thames Valley	568	532	564	606	623
Warwickshire	347	361	384	350	350
West Mercia	542	509	526	611	629
West Midlands	673	743	843	955	918
West Yorkshire	568	562	735	613	708
Wiltshire	269	261	273	322	349
Provincial Total	14,236	14,516	16,638	17,754	18,951
Metropolitan Police	1,353	1,365	1,435	1,489	1,615
England and Wales Total	15,589	15,881	18,073	19,243	20,566

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department (1) what changes he proposes to *(a)* the duties and *(b)* the powers of special constables;

(2) how the duties and powers of special constables have altered over the past 10 years.

Mr. Charles Wardle: The deployment of special constables and the duties to which they may be assigned always has been, and continues to be, an operational decision for which chief officers are responsible and which varies according to local circumstances and the training, experience and preferences of the special constables concerned. No changes have been made to the powers of special constables over the past 10 years: nor are any changes currently being contemplated.

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department how many hours were worked by special constables *(a)* per week and *(b)* per month in (i) 1992, (ii) 1993 and (iii) 1985.

Mr. Charles Wardle: This information is not centrally available and could be provided only at disproportionate cost.

Evidence on Commission

Mrs. Golding: To ask the Secretary of State for the Home Department if he will evaluate for use in England and Wales the system for allowing children to give evidence on commission, as used in Scotland.

Mr. Maclean: We intend to consider the adequacy of current legislative provisions relating to the evidence of children in criminal proceedings when the findings of Professor Graham Davies' research become available at the end of this year. As part of that consideration we shall certainly take into account the early experience of the Scottish courts in taking evidence from children on commission.

Pagans

Mr. Alton: To ask the Secretary of State for the Home Department what plans the Prison Service Chaplaincy has for publishing a section on pagans in its Directory and Guide on Religious Practice; and what are the reasons for this decision.

Mr. Peter Lloyd *[holding answer 12 April 1994]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. David Alton, dated 14 April 1994:

The Home Secretary has asked me to reply to your recent question about plans to publish a section on paganism in the Prison Service Directory and Guide on Religious Practice.

There are currently no plans to include a section on paganism in the Directory and Guide, although consultation is taking place to obtain more information on such groups and their beliefs.

TRADE AND INDUSTRY

Parcelforce and Post Office

Mr. Cousins: To ask the President of the Board of Trade how many working days have passed since the start of the Parcelforce and Post Office reviews; what the total expenditure up to the present date has been; and what the average expenditure on consultancy for each day of the review process has been.

Mr. McLoughlin: The Government announced their intention to privatise Parcelforce on 15 July 1992, *Official Report*, column 1137 and announced the review of the structure and organisation of the Post Office on 29 July 1992. From these dates to 31 March 1994 there were 435 and 425 working days respectively. Expenditure on consultancy advice stands at £1,366,204·97 to date, representing an average of approximately £3,150 per working day.

Trans-European Energy Networks

Mr. Cousins: To ask the President of the Board of Trade what is his policy in respect of projects a1, a2, c1, d10, e1, f1 and f2, listed in the annex containing projects of common interest, to the European Commission paper on guidelines for trans-European energy networks.

Mr. Eggar: The proposals are one aspect of continuing discussions between member states on trans-European networks. We consider that the criteria for identifying potential projects should be established before considering any list of specific projects. In our view, the criteria should recognise the principle of not supporting projects which are economically unviable, or which are capable of being financed by the private sector.

Research Establishments

Mr. Jessel: To ask the President of the Board of Trade if he will make a statement about the future of the DTI research establishments.

Mr. Heseltine: I announced on 4 May last year that I had commenced a review of the options for the future of my Department's laboratories. This review, carried out with the aid of KPMG Peat Marwick management consultants, is now complete, and I am announcing my intentions for the future of the three major establishments: the National Engineering Laboratory—NEL—the Laboratory of the Government Chemist—LGC—and the National Physical Laboratory—NPL. During the process of finalising these proposals, my Department has kept in close touch with the team undertaking the current multi-departmental efficiency scrutiny of public sector research establishments.

I have today placed in the Libraries of both Houses the summary report I have received from the consultants KPMG Peat Marwick. This summary necessarily excludes information the publication of which might be prejudicial to the taxpayer's interest in the negotiations surrounding these privatisations.

The DTI's laboratories are an important national resource and each of them plays a significant role in ensuring the competitiveness of British industry, and in meeting the needs of Government Departments. In the past few years they have been established as executive agencies within my Department under the "next steps" initiative. This has involved financing themselves principally from fee income, earned on contracts placed by arm's length customers. Their customers are in the private sector, in other Government Departments and in my own Department. Under this management regime the laboratories have become more focused in their work, more sensitive to their customers' requirements, and more cost-efficient. They have a good record of meeting the targets Ministers have set them, and of improving their performance from year to year.

In the light of reductions in their prospective work load, these laboratories face the need to reduce and restructure their operations and to seek new business and new customers. At the same time, the progress they have made as executive agencies, although it has been impressive, has also revealed more sharply the limitations inherent in operating on a commercial basis within a Government Department. In their ability both to raise and use capital and to develop and exploit the widest possible markets for their services they do not have the flexibilities they would possess in the private sector. All of the laboratories are now facing competition, and are experiencing declining work loads reflecting both that competition and the Government's changing research priorities. In response, the laboratories have improved their efficiency, but now need more flexibility to continue doing so.

My review has convinced me that each of these laboratories will respond best to these challenges within the private sector, and that once they are set free from the constraints of operating within Government, they will be better able both to serve their existing customers and to market their services to new customers, above all in industry. These laboratories all have a unique asset in the expertise of their staff, which is respected internationally. In the private sector there will be more scope for that expertise to be applied to the advantage of British industry. The laboratories will remain first class institutions.

The NEL's role is that of a technology services enterprise serving customers in the private and public sectors. A decision has already been announced that it will be prepared for privatisation once it has established its commercial viability. For some years now the NEL's aim has been to reach this point in 1994-95, so that the process of privatisation can be set in hand during 1995. It has made major progress towards these targets, and my review has now confirmed them in spite of major changes in its programme of activities, reflecting changing priorities within my Department's research and technology spending. These changes will make substantial restructuring necessary, following which I intend to seek a trade purchaser of the NEL during the summer of 1995.

The LGC's role is to provide chemical analysis and measurement services to several Government Departments and other bodies. A key asset is its independence and its reputation for impartiality. I have decided to pursue the recommendation of my consultants that it should be established as an independent non-profit-distributing company in the private sector. Preparations for this will be put in hand immediately, including a major restructuring programme, and I hope to complete the process by the end of 1995-96. However my mind is not closed to the possibility of a trade sale of the LGC, if a suitable buyer comes forward who can demonstrate the requisite independence.

The NPL's main task is to develop and disseminate national measurement standards. Its dominant customer is my Department's national measurement system policy unit. Although this position will remain, the laboratory needs to continue restructuring to adapt itself to a reduced budget for work of this kind. Although the efficiency of the NPL has continued to increase steadily as an executive agency, it now needs to achieve further significant restructuring. I have come to the conclusion that this will be more effectively achieved if its management is contracted to the private sector. I thus intend to invite proposals for a management contractor during 1995. Commercial progress under the management contractors will be carefully reviewed, and might in due course result in the NPL becoming ready to move into private sector ownership.

I shall separately be considering the future of the National Measurement Accreditation Service, part of the NPL, which the consultants felt should be viable on its own and could more appropriately operate independently of the NPL.

Although all these laboratories are finding an increasing proportion of their business from the private sector, my review has made it clear that their success under private sector ownership or management will depend on their ability to bid on fair and equal terms for business from customers in my own and other Government Departments. Those taking on the responsibility of their ownership and management will naturally need to be assured that these opportunities will be available. It is the clear intention of the Government that they will be. The White Paper "Realising our Potential" (CM2250) sets out our commitment that competitive tendering procedures must become the normal method of placing work.

These decisions represent major changes for all three establishments and their staff. The changes will enable the

NEL, the NPL and the LGC to take better advantage of new opportunities and to forge new and successful futures for themselves. The planning of this process is a complex task requiring thorough co-ordination. To assist in pushing it through with all vigour I have appointed the PA Consulting Group to act as project managers.

The consultants also considered future options for the National Weights and Measures Laboratory—NWML. They recommended no major change but I am looking at possibilities which the Deregulation and Contracting Out Bill will offer for contracting out some of the NWML's services. I will be making a further announcement in due course.

Electricity

Mr. John Marshall: To ask the President of the Board of Trade when he expects amendments to the Electricity (Class Exemptions from the Requirement for a Licence) Order 1990 to be made; and if he will make a statement.

Mr. Eggar: In December of last year, I announced a number of forthcoming amendments to the Electricity (Class Exemptions from the Requirement for a Licence) Order 1990.

I have today laid before Parliament an order which will bring four of the five amendments that I announced into effect. These are:

raising the amount of power that may be provided by small generators in certain circumstances without requiring a generation licence;

removing the condition that an own-generator requires a supply licence unless at least 51 per cent. of the electricity from his generating station goes to qualifying customers on the own-generators' site;

allowing companies to resell limited amounts of electricity purchased from a second tier supplier or own generator to franchise consumers located on their site; and

removal of the requirement that most exempt generators who have stations over 200 kW capacity must notify the Secretary of State of their name and address.

My officials have also considered further the fifth of these amendments, to allow more companies to be included in a "qualifying group" of consumers that may be supplied by an own-generator without requiring a licence. I expect to lay a separate order covering this amendment shortly.

These changes will reduce the regulatory burden on small generators, own generators and consumers who sell on a small proportion of the electricity they purchase. Consumers should also be helped by the undertaking on pool prices and the sale of generating plant that the Director General of Electricity Supply received from the main generators in February. I also note that DTI figures now show that the average electricity price paid by manufacturing industry in Great Britain fell by nearly 7 per cent. between 1989—before the electricity industry was vested—and 1993. This is further evidence of the success of electricity privatisation.

Small Firms

Mr. Garnier: To ask the President of the Board of Trade what developments have been made, since his announcement on 14 December 1992, in exploring how the small firms loan guarantee scheme can be improved through linking loans with appropriate help, advice and training in business skills.

Mr. McLoughlin: I am pleased to announce, subject to contract negotiations, the funding of 10 pilot projects which will offer advice and counselling to borrowers under the loan guarantee scheme. The pilot projects will start as soon as possible and will run for three years. The pilots will operate in the areas covered by the following:

Avon TEC
Birmingham Business Link
Doncaster Business Link
Hertfordshire TEC
Tyneside TEC
Metro TEC (Wigan)
Kent TEC
South Thames TEC
Fife Enterprise
Tayside Enterprise

European Union Fifth Directive

Mr. Austin Mitchell: To ask the President of the Board of Trade which aspects of the European Union's fifth directive he has opposed.

Mr. Neil Hamilton: I am opposed to a number of provisions in the fifth company law directive including the requirements for employee participation in public companies with 1,000 or more employees and for executive directors to be in a minority on company boards. I am also opposed to the inclusion in the directive of articles on the adoption and auditing of accounts.

Israel

Mr. Parry: To ask the President of the Board of Trade if he will make a statement on the trade figures between the United Kingdom and Israel over the past five years for which figures are available.

Mr. Heseltine: The trade figures between the United Kingdom and Israel for the past five years are shown in the table:

United Kingdom trade with Israel—1989 to 1993

(£ millions)

	1989	*1990*	*1991*	*1992*	*1993*
Imports	480	506	456	485	550
Exports	502	568	531	586	876

Source: United Kingdom Overseas Trade (Business Monitor MA20).

Novelty Fund

Mr. Steen: To ask the President of the Board of Trade what is his policy with regard to the novelty fund; if he will make a statement as to how much is in it; and what it does.

Mr. Heseltine *[holding answer 12 April 1994]:* I am unaware of this fund.

Enterprise Budget

Mr. Fatchett: To ask the President of the Board of Trade if he will set out the total enterprise budget for small firms for training and enterprise councils, for the last three financial years.

Mr. McLoughlin *[holding answer 13 April 1994]:* The total enterprise budget for small firms for training and enterprise councils for the last three financial years is:

	£ million
1991-92	156·98
1992-93	153·90
1993-94	162·19

WALES

Consultation Documents

Mr. Win Griffiths: To ask the Secretary of State for Wales, pursuant to his answer of 29 March, *Official Report*, column *634*, if he will list the consultation documents and indicate where the information about them is held.

Mr. Redwood: The information requested has been placed in the Library of the House and will be updated regularly. Copies of the consultative documents are available from my Department.

Accountants

Mr. Austin Mitchell: To ask the Secretary of State for Wales if he will list the contracts currently being worked on for his Department by Coopers and Lybrand, Ernst and Young, Price Waterhouse, BDO Binder Hamlyn, KPMG Peat Marwick, Grant Thornton, Robson Rhodes, Levy Gee, Hacker Young, Pannell Kerr Forster and Stoy Hayward.

Mr. Redwood: The Welsh Office currently has contracts with four of the firms mentioned. These are as follows:

Coopers and Lybrand
Evaluation of the advice and guidance credits initiative, commissioned jointly by the Welsh Office and the Department of Employment.
Financial accountancy support on the monitoring of NHS trusts in Wales.

KPMG Peat Marwick
Financial appraisal of local authority waste disposal transfer scheme. Advice on the Milk Marketing Board's scheme of reorganisation.

Pannell Kerr Forster
GP fundholding—manual of accounts helpline.

Price Waterhouse
Financial accountancy support on the monitoring of NHS trusts in Wales.

Ambulance Service

Mr. Llwyd: To ask the Secretary of State for Wales what is the position of the ambulance service in Wales in relation to the citizens charter; what is the response time expected for an emergency call; what arrangements have been made for monitoring the speed of response to emergency calls; and if he will make a statement.

Mr. Gwilym Jones: The patients charter requires that an emergency ambulance should arrive within 14 minutes in an urban area, 18 minutes within a rural area or 21 minutes within a sparsely populated area. In Wales these response times are expected to be met in 95 per cent. of calls. Performance is monitored quarterly and the target is being met for Wales.

School Buildings (Repair and Maintenance)

Mr. Llwyd: To ask the Secretary of State for Wales what information he has on the amount spent on repair and maintenance of school buildings by local education authorities in Wales for each financial year since 1989-90; and if he will make a statement.

Sir Wyn Roberts: This information is given in the following table. Figures for 1992-93 onwards are not yet available.

Gross current expenditure on repair and maintenance of school buildings, fixed plant and grounds[1]

	£000
1989-90	33,807
1990-91	36,984
1991-92	40,867

Source: Local authority returns.
[1] Excludes capital expenditure on new buildings, land or plant. Includes salaries of building maintenance workers and groundsmen, cost of materials, recharges by external agencies, charges from direct service organisations, architects, engineers and surveyors and expenditure on energy conservation and on health and safety. Excludes salaries of caretakers, cleaners etc.

Clinical Waste

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will issue guidance to both directly managed units and hospital trusts regarding the segregation of clinical waste.

Mr. Gwilym Jones: Guidance to both directly managed units and NHS trusts on the management of clinical waste, including segregation, was issued on 30 November 1993 and 21 February 1994.

CTF Training Courses

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he will take to continue the training courses of members of CTF consequent upon the closure on 31 March.

Sir Wyn Roberts: North East Wales TEC is working with CTF and the Employment Service to arrange counselling and assessment interviews and to identify suitable alternative opportunities. All participants affected will be given the opportunity to continue their programmes.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement concerning the closure of the CTF training centre, Shotton, Clwyd.

Sir Wyn Roberts: The North East Wales training and enterprise council and CTF did not reach agreement on renewal of a contract for 1994-95. The TEC is working with CTF and the local employment service to ensure suitable alternative training provision for the participants on Government training programmes who are affected.

Mr. Barry Jones: To ask the Secretary of State for Wales how many people have been trained at the CTF training centre; and how many were undergoing training up to 31 March.

Sir Wyn Roberts: In the year up to 31 March 1994, 80 people were trained at the centre with 51 still in training at 31 March.

Welsh Pre-School Playgroups Association

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will make it his policy to make grant funding available to the Wales Pre-School Playgroups Association.

Sir Wyn Roberts: Wales Pre-School Playgroups Association has been awarded a grant of £164,400 to help meet its central administrative and service delivery targets in 1994-95.

OVERSEAS DEVELOPMENT ADMINISTRATION

Desertification

Mr. Dafis: To ask the Secretary of State for Foreign and Commonwealth Affairs what changes in the United Kingdom overseas aid programme he expects will result from the negotiation of a global convention to combat desertification.

Mr. Lennox-Boyd: This will depend on the provisions of the final text although we do not expect the United Kingdom aid programme, which already gives attention to the issues involved, to require major changes. The negotiations are giving high priority to the problems facing many African countries; this region already benefits from a substantial share of our aid.

Palestinians

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans Her Majesty's Government have to provide *(a)* emergency aid and *(b)* development finance during 1994 for the Palestinians; and if he will make a statement.

Mr. Lennox-Boyd: We are ready to respond to emergencies as they occur. For example, following the Hebron mosque massacre on Friday 25 February, we made an immediate contribution of £34,000 towards the expenses of a surgical team of 10 Jordanian specialists, specialist supplies in support of the team and subsequent nursing, followed by a further £51,000 for hospital equipment. We have also given £500,000 to the International Committee of the Red Cross, in response to an appeal for its work in Israel and the occupied territories.

Development finance in support of the peace process will continue to be provided during 1994 through multilateral programmes, including those of the EC and the United Nations Relief and Works Agency, and our bilateral technical assistance programme.

Iraqi Exiles

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance the United Kingdom has given to Turkey and Iran in respect of the exodus of 2 million Iraqi Kurds, Assyrians, Chaldaeans, Yezidis and Turcomans after the uprising in March 1991.

Mr. Lennox-Boyd: Neither the Turkish nor the Iranian Governments sought assistance from the United Kingdom Government. However, since the 1991 crisis we have contributed over £2 million to helping Iraqi refugees in Iran. Details were given to the right hon. Member for Strangford (Mr. Taylor) on 25 January at columns *133-34*. We have given substantial assistance to all the groups mentioned through the UN agencies and non-governmental organisations.

Pergau Dam

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all payments made by the Overseas Development Administration in relation to the Pergau dam project, with the dates they were made and the amount of the payment made in each case.

Mr. Lennox-Boyd: The Overseas Development Administration has made over 200 payments in respect of this project since signature of the financial intergovernmental arrangement in July 1991. These fall into two categories: *(a)* interest rate support payments made to the Export Credits Guarantee Department to reduce the interest rate charged by the lending banks and *(b)* payments to consultants for technical, financial and environmental monitoring of the project. The cost of *(a)* has been: 1991-92, £1·882 million; 1992-93, £7·835 million; 1993-94, £14·650 million. The cost of *(b)* has been 1991-92, £0·039 million; 1992-93, £0·210 million; 1993-94, £0·170 million.

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) on what date the contract was signed between Her Majesty's Government and the Malaysian Electricity Company for funding of the Pergau project;

(2) on what date the formal agreement to finance the Pergau project was signed by Her Majesty's Government and the Government of Malaysia.

Mr. Lennox-Boyd: The Government are not party to the contract between the contractor and Tenaga Nasional Berhad for this project. Her Majesty's Government signed a financial arrangement with the Malaysian Government in respect of the project on 8 July 1991.

Aid Programme

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all British institutions and companies receiving funds from the British aid programme in each of the last five years, listing the amount of funds received by each of the institutions and companies for each of those years.

Mr. Lennox-Boyd: This information can be provided only at disproportionate cost.

Aid and Trade Provision

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the ATP projects of over £5,000,000 in value in the past 10 years where the escalation factor has been over 10 per cent. after the firm contract proposal has been made by the Government; and if he will name the contractors involved.

Mr. Lennox-Boyd: This information is not held centrally and could be collected only at disproportionate cost.

Burma

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the extent to which British and other non-governmental organisations are seeking to work in Burma and on what projects.

Mr. Lennox-Boyd: The Overseas Development Administration does not hold detailed information on the plans of individual non-governmental organisations seeking to work in Burma. However, our contacts with the NGO umbrella group, BOND—British Overseas NGOs for Development—indicate that there are around 13 British NGOs with differing degrees of interest in working in Burma across a variety of sectors. We are currently supporting one British NGO which is involved in English language teaching and teacher training activities.

We have no information on NGOs from other countries seeking to work in Burma.

Liberia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has for the expenditure of his contribution to the Liberian trust fund.

Mr. Lennox-Boyd: The details of expenditure are for the UN to decide, on the understanding that our contribution of $1 million is restricted to the fund's humanitarian purposes. We understand that $251,000 is committed to a public information campaign to encourage national reconciliation and to facilitate disarmament, and a further $16,000 will help ex-combatants to resume their studies at the university of Liberia. The balance will be used for humanitarian needs connected to the demobilisation programme.

HOUSE OF COMMONS

Refreshment Department

Mr. McMaster: To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission how many cases of dismissal of Refreshment Department staff have resulted in industrial tribunals in each of the past five years; how many have resulted in decisions against management; what was the total cost to Parliament of *(a)* being represented at tribunals and *(b)* awards against the Department over the same period; and what was the total cost of out-of-court settlements, pre-tribunal agreements and compensation awards over the same period.

Mr. Beith: In the past five years there has been one case of dismissal from the Refreshment Department which resulted in the member of staff concerned appealing to an industrial tribunal claiming unfair dismissal. The member of staff was dismissed on disciplinary grounds on 22 June 1989. The case was heard on 4 December 1989. The industrial tribunal found in favour of the complainant but in doing so acknowledged his contribution to the dismissal, which was placed at 60 per cent.

The complainant sought reinstatement but the tribunal found neither reinstatement nor re-engagement appropriate. An award of £1,500 was made, paid from House funds. The House of Commons Commission was represented by the Treasury Solicitor who, at that time, did not charge for its services. No costs were therefore incurred by the House for legal representation.

Other than the above there have been no out-of-court settlements, pre-tribunal agreements or compensation awards in the past five years.

Sites of Special Scientific Interest

Mr. George Howarth: To ask the Chairman of the Public Accounts Commission, if he will list *(a)* the location, damage category, extent and scale of damage, and whether such damage is new or recurrent, for each site of special scientific interest contained in reports to the National Audit Office since 1982 and *(b)* the cases and locations where such damage has been caused by new road schemes or road repairs or reinstatement works.

Sir Peter Hordern: I understand that the National Audit Office does not receive routine reports on sites of special scientific interest and does not maintain lists of damage or encroachment to such sites. This is a matter for English Nature.

The Comptroller and Auditor General is, however, undertaking an examination into "English Nature: Protecting and Managing Sites Of Special Scientific Interest" and expects to report his findings to Parliament later this month. This report will be available to hon. Members in the usual way.

European Community Institutions

Mr. Allen: To ask the Lord President of the Council how many hon. Members have taken advantage of the visit to a European Community institution that they are entitled to under the resolution of 6 December 1991, for the financial year 1992-93 and 1993-94.

Mr. Tony Newton: May I refer the hon. Member to my reply of 4 November 1993 (*Official Report*, Vol. 231, col. 362) concerning visits undertaken in 1992-93.

I will write to the hon. Member when final details for 1993-94 become available. So far 69 Members have submitted claims for journeys undertaken during the year.

Written Answers

Mr. Phillip Oppenheim: To ask the Lord President of the Council (1) how many parliamentary questions were answered in the year to 28 February 1994, by Government Department;

(2) who were the 10 members who asked the most parliamentary questions in the year to 28 February 1994; how many questions were asked by each; and at what estimated cost to the departments concerned.

Mr. Tony Newton: The POLIS database holds records for the following 41,126 written answers given in the year to 28 February 1994:

Department	*Number of answers*
Agriculture, Fisheries and Food	1,643
Attorney General	261
Chancellor of the Duchy of Lancaster	457
Defence	3,003
Education	1,595
Employment	1,686

Department	Number of answers
Environment	3,427
Foreign and Commonwealth Office	2,749
Health	4,405
Home Office	3,233
Lord Chancellor	552
Lord President of the Council	128
National Heritage	751
Northern Ireland Office	1,397
Prime Minister	844
Scottish Office	2,746
Social Security	2,138
Trade and Industry	2,995
Transport	2,589
Treasury	1,937
Welsh Office	2,343
Accommodation and Works Committee	51
Administration Committee	66
Catering Committee	22
Church Commissioners	42
Committee of Selection	1
Finance and Services Committee	10
House of Commons Commission	37
Information Committee	11
Public Accounts Commission	7

The 10 Members who received the highest number of these answers, together with the number of answers and the estimated cost, were as follows:

The hon. Member for:	Answer	Cost £
Blaenau Gwent (Mr. L. Smith)	1,323	128,000
Don Valley (Mr. Redmond)	983	95,000
Bristol, South (Ms Primarolo)	736	71,000
Meirionnydd Nant Conwy (Mr. Llwyd)	517	50,000
Liverpool, Walton (Mr. Kilfoyle)	488	47,000
Sheffield, Brightside (Mr. Blunkett)	474	46,000
Newcastle Upon Tyne, Central (Mr. Cousins)	419	41,000
Stoke-on-Trent, North (Ms Walley)	414	40,000
Cardiff, West (Mr. Morgan)	411	40,000
Leyton (Mr. Cohen)	403	39,000

The cost is calculated from the most recent estimate of the average cost of giving a written answer to a parliamentary question, namely £97, rounded to the nearest £1,000.

EDUCATION

Schools Expenditure

Mr. Walden: To ask the Secretary of State for Education what checks are made between his Department and the Department of the Environment to establish how much a local education authority's gross expenditure is validly recorded as spent on its schools.

Mr. Robin Squire: It is the responsibility of the district auditor, appointed by the local education authority, to check that the authority validly records its expenditure on schools and on other areas.

The Department for Education and, I understand, the Department of the Environment, carry out validity checks on authorities' revenue outturn returns. Any figure on the return which varies significantly from the previous year's return is queried with the authority concerned.

Students

Mr. Jim Cunningham: To ask the Secretary of State for Education (1) what were the factors and figures taken into account in the student income and expenditure survey for 1992-93;

(2) how the figures for commercial borrowing for student loans in the year 1992-93 were calculated for students under the age of 26 years;

(3) what information he has on whether borrowing by mature students is higher than by younger students; and what assessment he has made of the reasons for the difference in levels of borrowing between those groups.

Mr. Boswell: Copies of the "Student Income and Expenditure Survey" for the 1992-93 academic year were placed in the Library when it was published on 16 December 1993. The survey took account of income from grants, student loans, money and gifts from parents, earnings, social security benefits, commercial loans, withdrawals from savings, and of income from other sources such as investments. Account was taken of expenditure on housing costs, food, travel and other course-related expenses, leisure and entertainment, clothes and goods and services.

Sampled students were asked what interest-bearing loans they had taken out during the 1992-93 academic year, either from a bank or other financial institution or privately, and how much had been repaid. They were also asked about any overdraft held at the start of the year or expected to be taken out during the year, and how much they expected to be overdrawn at the end of the year.

The figures published in the survey for overdrafts for younger students show the amounts at the start and at the end of the year, but it is the change in the overdraft balance which is used as a component of student income. The survey showed significant differences in the patterns and levels of borrowing between different groups of mature students as well as between these groups and younger students. Students were not asked their reasons for borrowing money.

Mr. Jim Cunningham: To ask the Secretary of State for Education to what extent he has taken into account the net change in the overdraft balance bill when he assesses student debts, particularly in the final year; and what assessment he has made of what the final figure would be if the net change in the overdraft balance figures were taken into account.

Mr. Boswell: My right hon. Friend collects no information about individual students' debts or overdrafts. The "Student Income and Expenditure Survey" included questions to students in the sample about overdrafts. A copy of the report of the survey, commissioned by the Department, was placed in the Library on 16 December.

My right hon. Friend keeps the repayment arrangements for student loans under review. He believes it right that students should contribute towards their own maintenance costs. The repayment terms of the student loan facility are generous. Graduates can defer repayments for a year at a time if their income is below 85 per cent. of average earnings. For those with incomes above that level—currently about £14,000 a year—the level of repayments should be manageable.

Mr. Jim Cunningham: To ask the Secretary of State for Education if he will conduct an analysis of mature student borrowing by year of course undertaken.

Mr. Boswell: My right hon. Friend does not propose to undertake such an analysis.

Education Institutions

Mr. Evennett: To ask the Secretary of State for Education how many education institutions he and other Ministers in his Department have visited since the 1992 general election.

Mr. Patten: The information requested is as follows:

	Number
Schools	237
Further education institutions	44
Higher education institutions	53
Total	334

Drug Abuse (Pupil Exclusions)

Mr. Mike O'Brien: To ask the Secretary of State for Education how many pupils have been permanently excluded from schools in the north Warwickshire area for drug abuse in each of the last 10 years.

Mr. Forth: Figures for each of the last 10 years are not available. Information on permanent exclusions from maintained schools in England was collected by the Department over a two-year period, starting with the summer term 1990, under the national exclusions reporting system—NERS. In England, 81 pupils were excluded for drug-related offences and solvent abuse in year one and 179 in year two. It is not possible to provide an area breakdown of the figures because of assurances given as to confidentiality.

AGRICULTURE, FISHERIES AND FOOD

Slaughter Licences

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food what plans she has to introduce legislation which would require the purchaser of animals for slaughter to be licensed.

Mr. Soames: I have no such plans.

Pesticides Safety Directorate

Mr. Clappison: To ask the Minister of Agriculture, Fisheries and Food what targets have been set for the pesticides safety directorate in 1994-95.

Mrs. Gillian Shephard: I have set the pesticides safety directorate the following targets relating to relocation, financial performance, efficiency, the delivery of pesticides approval services and policy advice in 1994-95:

To relocate the agency from its present three sites to a single site in York in the Autumn of 1994.

To achieve 100 per cent. recovery of full costs and an overall efficiency gain of 2 per cent.

To meet the targets for delivery of services as specified:

Pesticides approval	*Applications completed*	*Maximum processing time (working days)*
Technical Stream		
Normal	280	335
Administrative Fast	500	20
Fast	265	115
Experimental Permit	40	190
Off label	100	60
Upgrade	160	—
Departmental Exp. Permit	12	255
Departmental Normal	4	335
Committee Stream		
Sift	8	120
Active Ingredient	12	235-275

The processing time targets apply to 80 per cent. of new applications.

The scientific quality of the directorate's work on the evaluation of pesticides will be monitored by the chairman of the Advisory Committee on Pesticides.

Details of performance in 1993-94 will be set out in the agency's annual report and accounts to be published during July 1994.

PRIME MINISTER

Meigle

Q7. **Mr. Bill Walker:** To ask the Prime Minister what plans he has to visit Meigle.

The Prime Minister: I have no immediate plans to do so.

Aberdeen

Q9. **Mr. Raymond S. Robertson:** To ask the Prime Minister if he has any plans to visit Aberdeen in the near future.

The Prime Minister: I have no immediate plans to do so.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 14 April.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 14 April.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Kashmir

Mr. Cox: To ask the Prime Minister if he was able to clarify, in his recent discussions with the Indian Prime Minister, whether the Indian National Commission on Human Rights will be able to look at the situation in Indian-administered Kashmir; and if he will make a statement.

The Prime Minister: I discussed the Indian Human Rights Commission in general terms with the Indian Prime Minister during our meeting on 14 March. We have welcomed the Commission's decision to conduct its first investigation into the incident at Bijbehara in Kashmir in October. Its report is due to be published on 17 April.

NATIONAL HERITAGE

England v Germany Football Match

Mr. Pendry: To ask the Secretary of State for National Heritage what advice he gave to the Football Association in relation to the proposed England v Germany match in Berlin; and when he first became aware of the date of the match.

Mr. Lennox-Boyd: I have been asked to reply.

The Foreign and Commonwealth Office gave no advice to the Football Association about staging the England v Germany football match in Berlin. We first became aware of the fixture in January of this year.

FOREIGN AND COMMONWEALTH AFFAIRS

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 24 February, *Official Report*, column *307*, what action has been taken by the United Nations Development Programme and other United Nations agencies to ensure that there is funding to ensure the security of the heavy weapons being handed over by militias in Somaliland and to provide for the civilian rehabilitation of the disarmed militias.

Mr. Douglas Hogg: The proposal prepared by the National Demobilization Committee—NDC—in north-west Somalia, with assistance from the UNDP/OPS contracted team of Zimbabweans—ZIMDAT—has now been refined and will be presented to donors at a briefing and discussion session in Nairobi on 22 April 1994. An appeal for funds will follow the briefing.

Burma

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of progress in Burma on human rights; and what representations he is currently making to the Burmese Government for human rights improvements.

Mr. Goodlad: There has been no significant improvement in Burma's human rights record.

We and our European partners continue to press the ruling military regime—the State Law and Order Restoration Council—to respect the human rights of all Burmese people, including ethnic minorities, and to release Aung San Suu Kyi and other political leaders. A resolution on these lines was adopted by consensus at the recent session of the United Nations Human Rights Commission in Geneva.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what stance was taken on Burma at the recent meeting of the United Nations Commission on Human Rights.

Mr. Goodlad: A consensus resolution was adopted at the recent session of the United Nations Human Rights Commission, calling on Burma to release unconditionally Aung San Suu Kyi and other political leaders, and criticising the human rights violations reported by the special rapporteur, Professor Yokota.

Hebron Massacre

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to the Israeli Government about Israeli terrorists and the Hebron massacre.

Mr. Douglas Hogg: I refer the hon. Gentleman to the answer I gave to the hon. Member for Clydebank and Milngavie (Mr. Worthington) on 30 March, *Official Report*, column *806*.

Syria

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's current relations with Syria.

Mr. Douglas Hogg: Since diplomatic relations were restored in 1990 relations have steadily improved. They are now good.

Occupied Territories

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current situation in the Gaza strip and Jericho regarding the withdrawal of Israeli military forces, in line with the timetable scheduled for the implementation of the declaration of principles; and if he will make a statement.

Mr. Douglas Hogg: I understand that the Israeli army has begun preparation for withdrawal from the Gaza strip and Jericho. The details of that withdrawal are still the subject of negotiations between the parties.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the Palestine Liberation Organisation for Her Majesty's Government to join an international observer force to oversee withdrawal of Israeli forces from the Gaza strip and Jericho; and if he will make a statement.

Mr. Douglas Hogg: We have received no request for participation in an observer force on withdrawal from Gaza and Jericho. We remain ready, together with our European Union partners, to contribute to a temporary international presence in the occupied territories as called for in United Nations Security Council resolution 904, if requested by the parties.

Korea

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current year's Team Spirit exercise in the Republic of Korea.

Mr. Goodlad: I have nothing to add to the answer I gave the hon. Gentleman on 16 March, *Official Report*, column *702*.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications of the US decision to deploy Patriot missiles in South Korea for the United Kingdom's policy on Korea; and if he will make a statement.

Mr. Goodlad: The deployment of Patriot missiles in South Korea is not a matter for us. But we have much

sympathy for the considerations which have led the US Government and the Government of the Republic of Korea to agree that this defensive system should be deployed.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the latest information he has received from the International Atomic Energy Agency in Vienna and the Centre for Disarmament Affairs at the UN in New York regarding the inspection of nuclear sites in North Korea.

Mr. Douglas Hogg: I refer the hon. Gentleman to the answer I gave to the hon. Member for Clydebank and Milngavie (Mr. Worthington) on 13 April, at column *206*.

Ukraine

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current situation in the Ukraine and its commitment to accede to the non-proliferation treaty.

Mr. Douglas Hogg: We welcomed the decision adopted by the Ukrainian Parliament on 3 February to ratify the strategic arms reduction talks treaty. We also welcomed the Parliament's decision to withdraw its reservation to article V of the Lisbon protocol of the START treaty, under which Ukraine undertakes to accede to the non-proliferation treaty in the shortest possible time. We have noted the affirmations by the Ukrainian President of Ukraine's intention to accede to the treaty, and we shall continue to urge her to do so at the earliest possible date.

Nuclear Weapons

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries that have not acceded to the treaty on the non-proliferation of nuclear weapons; and if he will make a statement.

Mr. Douglas Hogg: A list of the 27 countries which have yet to accede to the non-proliferation treaty has been deposited in the Library of the House.

Nuclear Non-proliferation

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries that have recently announced their intention to accede to the non-proliferation treaty.

Mr. Douglas Hogg: Argentina and Algeria have recently announced their intention to accede to the treaty on the non-proliferation of nuclear weapons. We have also welcomed the affirmations by the Ukrainian President of Ukraine's intention to accede to the treaty, and we shall continue to urge her to do so at the earliest possible date.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the latest situation in respect of accession to the non-proliferation treaty by the states of the former Soviet Union; and if he will make a statement.

Mr. Douglas Hogg: Those republics of the former Soviet Union which have yet to accede to the non-proliferation treaty are Kyrgyzstan, Moldova, Tajikistan, Turkmenistan and Ukraine.

Iraq

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations the International Atomic Energy Agency has made to Iraq regarding its obligations under the non-proliferation treaty; and if he will make a statement.

Mr. Douglas Hogg: In Iraq's case, the terms of the fullscope safeguards agreement, concluded pursuant to its membership of the NPT, have been subsumed into United Nations Security Council resolutions requiring Iraq to surrender to the IAEA all its nuclear weapons-usable material for destruction or removal. Moreover Iraq may not in the future acquire, research or develop any materials relating to nuclear weapons. The IAEA is at present setting in place a monitoring regime to ensure that weapons programmes of this type cannot be regenerated in Iraq.

Israel

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the International Atomic Energy Agency made to Israel regarding inspection of nuclear bases; and if he will make a statement.

Mr. Douglas Hogg: Israel has concluded a safeguards agreement with the IAEA to cover its research reactor at Soreq. We continue to urge Israel to allay suspicions about its nuclear programme by acceding to the non-proliferation treaty as a non-nuclear weapon state, and concluding a fullscope safeguards agreement with the IAEA.

Yemen

Mr. Bates: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Yemen.

Mr. Douglas Hogg: We fully support all the people of Yemen in their efforts to overcome the political crisis currently facing the country. We urge all parties to engage in dialogue and to work together for a peaceful and stable future for the people of Yemen.

Diplomats

Mr. Peter Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish figures recording the number of unpaid parking fines incurred by diplomatic missions in London during 1993.

Mr. Lennox-Boyd: The information requested by my hon. Friend is given in the table. The table also includes those international organisations which incurred unpaid fines. The figures may be reduced by late payments.

The total of 1,941 represents a 53·4 per cent. reduction from the 1992 published figure of 4,166 which has now been further reduced to 2,328 by late payments. This compares favourably with the same period in 1985 when almost 60,000 fines were recorded, and continues the downward trend in parking offences. We welcome this further reduction in unpaid parking fines and appreciate the co-operation of diplomatic missions and international organisations since the introduction of the parking policy. We shall continue carefully to monitor the level of unpaid fines, and take appropriate measures to ensure that fines are paid.

Unpaid Parking Fines

Diplomatic Mission	*1993*	*1992*
Nigeria	91	167
India	71	66
Saudi Arabia	60	127
Bangladesh	59	41
Pakistan	54	57
German Federal Republic	51	60
U.A.E.	51	128
Jordan	50	38
Hungary	50	60
Spain	48	60
Greece	46	153
Zambia	45	117
Oman	45	59
Tanzania	40	23
Sudan	39	70
Egypt	35	68
Cameroon	35	70
Ghana	35	48
Bulgaria	34	33
Thailand	32	80
Morocco	31	48
Gambia	30	63
Angola	30	35
Bahrain	29	18
Qatar	28	52
Tunisia	28	81
Poland	27	69
Israel	27	86
Romania	25	62
Uganda	25	7
France	25	182
Gabon	23	32
Uruguay	23	61
Brunei	22	24
Cyprus	21	62
Cote D'Ivoire	21	106
Kuwait	21	85
Italy	21	25
Russia	20	226
Cuba	20	11
Barbados	19	29
Malawi	18	18
Philippines	17	10
Algeria	17	34
Malaysia	15	27
Zimbabwe	15	38
China	14	159
Turkey	13	245
Portugal	12	42
Brazil	12	25
Afghanistan	11	2
Lesotho	11	10
Peru	11	7
East Caribbean	10	5
Mexico	10	19
Syria	9	22
Indonesia	9	5
Sierra Leone	8	6
Burma	8	7
Zaire	8	20
Mauritius	8	38
Liberia	8	4
Iran	7	12
Kenya	7	12
Libya	6	44
Chile	6	5
Czechoslovakia	6	4
Trinidad	6	2
Switzerland	6	2
Botswana	6	1
Yemen	5	12
Bahamas	5	1
Japan	5	14
Costa Rica	5	1
Fiji	5	9
Belgium	5	4
Jamaica	5	11
Swaziland	5	0
Iceland	3	1
Korea	3	85
Lebanon	3	14
Tonga	3	0
Guatemala	3	7
Canada	3	10
United States	3	26
Finland	2	16
Senegal	2	19
Ireland	2	13
Nepal	2	11
Colombia	2	2
Panama	2	3
Paraguay	2	10
Namibia	2	0
Lithuania	2	2
Austria	2	5
Ethiopia	2	14
Australia	2	5
Mongolia	2	4
Antigua	2	0
South Africa	2	5
Yugoslavia	2	12
Malta	1	5
Benin	1	0
Bolivia	1	0
Nicaragua	1	2
Seychelles	1	3
Ukraine	1	0
Armenia	1	2
Sweden	1	4
Guyana	1	7
Venezuela	1	16
Vietnam	1	2
Estonia	1	0
Slovakia	1	0
Netherlands	1	2
Latvia	0	0
Iraq	0	11
Honduras	0	5
Mozambique	0	3
Grenada	0	0
El Salvador	0	1
Ecuador	0	0
New Zealand	0	1
Dominica	0	0
Luxembourg	0	3
Norway	0	2
Singapore	0	1
Denmark	0	2
Slovenia	0	0
Somalia	—	—
Croatia	0	0
Belize	0	0
Sri Lanka	0	3
Papua New Guinea	0	1
Argentina	0	0
International Organisations		
Comm Sec	17	28
Cocoa	12	0
EBRD	11	8
African Dev Ban	9	5
Coffee	2	2
E C	1	1
W E U	1	1
I M O	0	1
United Nations	0	0
INMARSAT	0	7
Sugar	0	0
	1,941	4,166

Mr. Peter Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many serious

offences were allegedly committed in 1993 by persons entitled to diplomatic immunity; and how many foreign diplomats were withdrawn from their posts in Britain in the past year as a result of alleged offences.

Mr. Lennox-Boyd: Twenty-nine alleged serious offences by persons entitled to diplomatic immunity were drawn to the attention of the Foreign and Commonwealth Office in 1993. "Serious offences" are defined in accordance with the report to the Foreign Affairs Committee "The Abuse of Diplomatic Immunities and Privileges (1985)" as offences falling into the category which would in certain circumstances attract a maximum penalty of six months imprisonment or more. The majority involved drinking and driving, and shoplifting.

One diplomat was withdrawn from post in Britain as a result of alleged offences compared with eight the previous year.

	1985	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*
Traffic offences[1]									
(a) Drink/Driving	23	24	25	28	27	24	24	15	13
(b) Minor offences	87	71	86	103	75	53	45	30	31
Totals	110	95	111	131	102	77	69	45	44
Serious offences									
1. Drink/Driving as (a) above	23	24	25	28	27	24	24	15	13
2. Theft/shoplifting	20	12	11	10	10	8	9	9	9
3. Others	9	5	4	6	3	1	7	9	7
Totals	52	41	40	44	40	33	40	33	29
Other minor offences	16	6	12	8	16	7	11	2	4
Parking[2]									
Unpaid fines	59,625	22,337	14,437	10,079	7,831	6,551	5,145	4,166	1,941
Withdrawals									
Diplomats withdrawn at FCO request	18	17	18	14	14	6	7	8	1 plus (1 pending)

[1] NB Technically all traffic offences are "criminal" offences
[2] *Pre-1985 White Paper:* 1984 unpaid parking fines totalled 108,932

South Africa

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what remaining sanctions are being applied by Britain and other countries on South Africa; and when it is intended that they should be lifted.

Mr. Lennox-Boyd: The following international sanctions against South Africa are being applied by Britain —with exceptions as indicated:

United Nations

A mandatory embargo under SCR 418 of 4 November 1977 on the export of arms and para-military equipment to South Africa.

European Union

(i) An embargo on exports of arms and para-military equipment to South Africa;
(ii) An embargo on imports of arms and para-military equipment from South Africa;
(iii) A refusal to cooperate in the military sphere (ie a continuing ban on eg joint military exercises).

Commonwealth

(i) The strict enforcement of the mandatory Arms Embargo against South Africa;
(ii) Economic measures against South Africa as follows:
  (a) A ban on the sale and export of computer equipment capable of use by South African military forces, police or security forces[1];
  (b) A ban on new contracts for the sale and export of nuclear goods, materials and technology to South Africa[1];
  (c) A ban on the sale and export of oil to South Africa[2];
  (d) A strict and rigorously controlled embargo on imports of arms, ammunition, military vehicles and para-military equipment from South Africa;
  (e) An embargo on all military cooperation with South Africa.

[1] United Kingdom adherence ended following lifting of comparable European Union restrictions following the first meeting of the Transitional Executive Council on 7 December 1993.
[2] United Kingdom adherence ended following lifting of EC Oil Embargo in April 1992.

The lifting of United Nations embargoes is a matter for the Security Council. The European Union and Commonwealth have not yet agreed when their remaining restrictions will be lifted.

Somalia

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received from the United Nations regarding the recent meeting of faction leaders in Nairobi to bring an end to the war in Somalia; and if he will make a statement.

Mr. Lennox-Boyd: Representatives of the 15 Somali factions agreed a declaration calling for a ceasefire and voluntary disarmament. They will meet on 15 April to discuss a national reconciliation conference on 15 May to elect a president, vice-presidents and prime minister as well as the modalities to establish a national legislative assembly. We welcome this and hope it will contribute to the resolution of this tragic conflict.

TREASURY

Taxation

12. **Mr. Jim Cunningham:** To ask the Chancellor of the Exchequer if he will make a statement about the effect recent tax increases will have on the average level of tax in the country.

Mr. Dorrell: The average impact across all households will be increases of £5·75 in 1994-95 and £8·75 in the two years to 1995-96.

14. **Ms Eagle:** To ask the Chancellor of the Exchequer if he will estimate how much poor families on 75 per cent. or less of average earnings are now paying in income tax and national insurance following the changes introduced at the beginning of this month; and what the figure was for 1978-79.

Mr. Dorrell: The amount paid in tax and NICs will vary at different levels of income. The real take-home pay of a married man on three-quarters average earnings has increased by £61 per week since 1978-79.

18. **Mr. Bayley:** To ask the Chancellor of the Exchequer what proportion of the increase in the tax burden for a married couple on typical earnings, and with two children, since 1978-79 is accounted for by increases and extensions in VAT.

Sir John Cope: The amount of VAT paid by particular types of families depends partly on the rate and coverage of VAT and partly on levels and patterns of spending. Reliable estimates of the contribution made by each of these factors are not available.

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer (1) if he will estimate how much single persons on average male earnings are now paying in income tax and national insurance following the changes introduced at the beginning of this month; and what the figure was for 1978-79;

(2) if he will estimate the amount a typical couple with two children and one spouse working on average male earnings are now paying in income tax and national insurance following the changes introduced at the beginning of April; what he estimates this figure will be from April 1995; and what the figure was for 1978-79;

(3) if he will estimate the change in the direct tax burden a typical family will face in *(a)* 1994-95 and *(b)* 1995-96 on current policies;

(4) if he will estimate how much poor families on 75 per cent. or less of average earnings are now paying in income tax and national insurance following the changes introduced at the beginning of April; and what the figure was for 1978-79.

Mr. Dorrell: Information for 1994-95 was given in the reply to the hon. Member for Peckham (Ms Harman) on 19 January 1994, and for 1978-79 in the tables placed in the House of Commons Library as noted in the answer to the hon. Member for Edinburgh, South (Mr. Griffiths) on 13 April 1989, *Official Report*, column *624*. The effect of the Budget changes in 1995-96 will depend on changes in earnings and prices.

Research and Development

13. **Mrs. Anne Campbell:** To ask the Chancellor of the Exchequer what representations he has received about tax incentives for industrial research and development.

Mr. Dorrell: My right hon. and learned Friend has received a number of representations for enhanced relief.

Inward Investment

15. **Mr. Sweeney:** To ask the Chancellor of the Exchequer what evidence he has that the business taxation regime has encouraged inward investment into Britain; and if he will make a statement.

Mr. Kenneth Clarke: The United Kingdom has the lowest rate of corporation tax in the EC and G7. This has undoubtedly contributed to the United Kingdom's success in attracting inward investment.

Longer-term Investment

16. **Mr. Sheerman:** To ask the Chancellor of the Exchequer what new initiatives he plans to encourage longer-term investment.

Mr. Portillo: The Government believe that the best way to promote investment in British business is by creating the right macro-economic environment, with low inflation and sound public finances.

Income Tax

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer if he will estimate the number of people earning less than £64,000 a year who are now paying more tax than they did in 1979.

17. **Mr. Grocott:** To ask the Chancellor of the Exchequer if he will estimate the number of people earning less than £64,000 a year who are now paying more tax than they did in 1979.

19. **Mr. Denham:** To ask the Chancellor of the Exchequer if he will estimate the number of people earning less than £64,000 a year who are now paying more tax than they did in 1979.

Mr. Dorrell: In 1994-95 no-one will pay more income tax than they would under a 1978-79 indexed regime.

Sir David Knox: To ask the Chancellor of the Exchequer if he will publish figures showing the thresholds for higher-rate income tax, at current prices, at constant prices and as percentages of average male earnings in each year from 1979-80 to 1993-94 together with estimates of 1994-95, for single people, single-wage married couples and two-wage married couples.

Mr. Dorrell: The information is in the table.

Higher rate tax threshold

	At current prices				*At constant prices*[1]				*As a percentage of average male earnings*[2]			
	Single person	*Married couple, 1 earner*	*Married couple, 2 earners*[3]	*Person in receipt of full married couple's allowance*[4]	*Single person*	*Married couple, 1 earner*	*Married couple, 2 earners*[3]	*Person in receipt of full married couple's allowance*[4]	*Single person*	*Married couple, 1 earner*	*Married couple, 2 earners*[3]	*Person in receipt of full married couple's allowance*[4]
	(£)	(£)	(£)	(£)	(£)	(£)	(£)	(£)	(per cent.)	(per cent.)	(per cent.)	(per cent.)
1979-80	11,165	11,815	12,980	—	27,630	29,238	32,121	—	196	208	228	—
1980-81	12,625	13,395	14,770	—	26,844	28,481	31,405	—	185	196	216	—
1981-82	12,625	13,395	14,770	—	24,083	25,552	28,175	—	166	177	195	—
1982-83	14,365	15,245	16,810	—	25,602	27,170	29,959	—	176	186	205	—
1983-84	16,385	17,395	19,180	—	27,912	29,632	32,673	—	184	196	216	—
1984-85	17,405	18,555	20,560	—	28,206	30,070	33,319	—	181	193	214	—
1985-86	18,405	19,655	21,860	—	28,175	30,088	33,464	—	178	190	212	—
1986-87	19,535	20,855	23,190	—	28,966	30,924	34,386	—	176	188	209	—
1987-88	20,325	21,695	24,120	—	28,993	30,948	34,407	—	167	179	199	—
1988-89	21,905	23,395	26,000	—	29,468	31,473	34,977	—	164	176	195	—
1989-90	23,485	25,075	27,860	—	29,306	31,290	34,766	—	161	172	191	—
1990-91	23,705	—	—	25,425	26,984	—	—	28,941	149	—	—	160
1991-92	26,995	—	—	28,715	29,316	—	—	31,184	158	—	—	168
1992-93	27,145	—	—	28,865	28,589	—	—	30,401	150	—	—	160
1993-94	27,145	—	—	28,865	28,025	—	—	29,801	145	—	—	154
1994-95	27,145	—	—	27,145	27,145	—	—	27,145	139	—	—	139

[1] Provisional. At 1994-95 prices based on Budget assumptions of a 2 per cent. growth in the RPI in 1993-94 and 3·25 per cent. growth in 1994-95.
[2] Full-time males paid at adult rates working a full week (all occupations). Provisional for 1993-94 and 1994-95.
[3] Assumes wife's earnings election not made.
[4] Independent taxation for 1990-91 onwards.

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer how many representations he has now received concerning the increase in the number of people who will have to pay income tax as a result of his decision to freeze income tax allowances.

Mr. Dorrell: Treasury Ministers have received a number of representations about the freezing of allowances.

Trade Balance

20. **Mr. Barry Jones:** To ask the Chancellor of the Exchequer if he will make a statement on the balance of trade.

Mr. Portillo: The visible trade deficit in 1993 was the same as in 1992, despite strengthening activity in the United Kingdom and weakness in key European markets. With continuing good unit labour cost performance and improved competitiveness, the prospects are encouraging.

Debts (Late Payment)

21. **Mr. Simon Coombs:** To ask the Chancellor of the Exchequer what further consideration he has given to the introduction of a statutory right to interest on late payment of debt.

Mr. Nelson: As my right hon. and learned Friend announced in his Budget speech, a consultation paper on late payment of commercial debt was issued on 30 November. The consultation period closed on 31 March. We are currently considering the responses to this document.

Government Borrowing

22. **Mr. Gallie:** To ask the Chancellor of the Exchequer what steps the Government are taking to bring Government borrowing under control.

Mr. Portillo: The tight control of public spending and the tax measures announced in both Budgets last year will reinforce the fall in the public sector borrowing requirement as the economy recovers, returning it towards balance in the medium term.

Higher-rate Tax

23. **Mr. Duncan:** To ask the Chancellor of the Exchequer what evidence he has of the effect on incentives of cutting higher rates of direct taxation; and by how much higher rates of income tax have been changed since 1979.

Mr. Dorrell: In 1979, the top rate of tax on earned income was 83 per cent. It is now 40 per cent. Cutting tax rates has improved incentives at all levels, and has encouraged entrepreneurial initiative upon which the nation depends. Higher-rate taxpayers now contribute 40 per cent. of total income tax compared with 20 per cent. in 1979.

Economy

24. **Rev. Martin Smyth:** To ask the Chancellor of the Exchequer if he will make a statement on the latest state of the economy and the effect on the peripheral regions of fiscal policies.

Mr. Portillo: The Government's sound fiscal policies will ensure that the economic recovery is sustainable; all regions will enjoy the benefits of that recovery.

Public Sector Borrowing Requirement

25. **Sir Roger Moate:** To ask the Chancellor of the Exchequer when he next expects to publish his latest forecasts for the public sector borrowing requirement for 1993-94 and 1994-95.

Mr. Portillo: The first estimate of the 1993-94 outturn of the public sector borrowing requirement will be published on 20 April. A new forecast for the 1994-95 PSBR will be published this summer.

Value Added Tax

26. **Sir Michael Neubert:** To ask the Chancellor of the Exchequer when he next expects to meet his Finance Minister counterparts in Europe to discuss developments in the VAT regime.

Sir John Cope: My right hon. and learned Friend the Chancellor of the Exchequer expects to meet EC Finance Ministers at the forthcoming meetings of the ECOFIN Council which are scheduled for 16 May and 6 June. The agenda will not be finalised until close to the meetings, but the Greek presidency's provisional agenda for 6 June provides for discussion on the draft EC directive on the VAT treatment of passenger transport and the draft EC VAT simplification directive.

27. **Mr. Canavan:** To ask the Chancellor of the Exchequer what recent discussions he has had with the fuel and power companies about VAT; and if he will make a statement.

Sir John Cope: None. However Customs officials have had a number of meetings with representatives of the gas and electricity supply industries and with other fuel suppliers. A wide range of issues about the implementation of VAT on fuel and power have been discussed.

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer (1) how much he estimates the imposition of VAT on domestic fuel will cost the average family from *(a)* the beginning of April 1994 and *(b)* April 1995;

(2) what estimate he has made of the increase to the average family's weekly fuel bill of an 8 per cent. tax imposition on domestic fuel;

(3) if he will estimate the cost in a full year to an average household's energy bills of the introduciton of VAT at *(a)* 8 per cent. and *(b)* 17½ per cent.

Sir John Cope: The cost of VAT on domestic fuel bills will depend on the future level of fuel prices and on what happens to spending patterns. But VAT at 8 per cent. applied to an estimate of fuel bills in 1993-94, would cost households on average around £1.05 per week, and VAT at 17½ per cent. around £2·30 a week.

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer how many representations he has now received concerning the imposition of VAT on domestic fuel and power.

Sir John Cope: Treasury Ministers have received a number of representations.

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer (1) if he will estimate the number of people who took advantage of avoiding paying VAT on fuel after 1 April by paying their bills in advance;

(2) if he will estimate the number of pensioners and people on low incomes who took advantage of avoiding paying VAT on fuel after 1 April by paying their bills in advance.

Sir John Cope: It is estimated that about 5 per cent. of domestic electricity consumers and about 4 per cent. of domestic gas consumers paid fuel bills in advance of the imposition of VAT on 1 April. It is not possible to make separate estimates for different types of household.

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what percentage of an average household's income he forecasts will be spent on VAT in *(a)* 1994-95 and *(b)* 1995-96.

Sir John Cope: The latest published information shows that VAT paid by households averaged around 6-8 per cent. of household gross income in 1992.

Public Borrowing

28. **Mr. Bellingham:** To ask the Chancellor of the Exchequer what assessment he has made of the effect on the economy of allowing the current level of public borrowing to continue unchecked.

Mr. Portillo: Failure to put the public finances on a sound basis would have severely damaged confidence and thereby weakened the recovery.

Tax Distribution

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what is the latest information he has about the income distribution of the direct and indirect tax burden.

Mr. Dorrell: The latest information is given in the article "The Effects of Taxes and Benefits on Household Income, 1992" published in the January 1994 edition of *Economic Trends.*

Local Government Reform

Mr. Dalyell: To ask the Chancellor of the Exchequer what is his latest estimate of the transitional costs of local government reform in the United Kingdom.

Mr. Portillo: The transitional costs of local government reform in England will depend on the final structures that are adopted. The latest estimate of transitional costs in Wales is between £65 million and £150 million and in Scotland between £120 million and £194 million.

Mr. Michael Allcock

Mr. Byers: To ask the Chancellor of the Exchequer when Mr. Michael Allcock was first suspended from his duties; when he is expected to return to work; if he will receive full pay during the period of his suspension; and if he will make a statement.

Mr. Dorrell: I refer the hon. Member to the answers I gave on these matters to the hon. Member for Newcastle upon Tyne, Central, (Mr. Cousins) on 30 June 1993 at column *505.* Mr. Allcock was suspended from duty pending inquiries being carried out by the Metropolitan police. He was first suspended on 11 September 1992 on full pay. On 20 January 1994 he was charged with criminal offences and since that date his suspension has been without pay. I am not able to make any further statement pending the outcome of the criminal proceedings.

Tax Relief

Mr. Maxton: To ask the Chancellor of the Exchequer what is the cost of tax relief on investment income for *(a)* occupational pensions, *(b)* personal pensions and *(c)* other exempt institutions, differentiating between that part of the relief due to relief from tax on dividends and that part of the relief due to relief from tax on capital gains.

Mr. Dorrell: The available estimates for 1993-94 are as follows:

(a) The total cost of tax relief on investment income of occupational pension schemes is estimated to be about £5·1 billion. This includes £2 billion of tax credits issued with dividends of United Kingdom companies for occupational pensions funds.

(b) It is not possible to provide a total for relief on investment income in respect of personal pension schemes, though the total of tax credits issued with dividends is £0·75 billion for insurance companies on account of their pension funds. It is not possible to seperate this estimate between personal pensions and other pension business.

(c) Tax credits on dividends to charities total about £200 million. About £60 million of tax repayments for income received under deduction of tax were made to charities.

Lack of information on the length of time that pension funds hold various types of assets means that a reliable estimate of the cost of tax relief on capital gains of funds cannot be made.

Mr. Dan Smalley

Mr. Llew Smith: To ask the Chancellor of the Exchequer what communications Her Majesty's Customs and Excise has had with its United States counterparts in connection with the trial of Mr. Dan Smalley and his allegations about arms exports to Iran.

Sir John Cope: Customs and Excise has had no communications with its United States counterparts in connection with a Mr. Dan Smalley. However, Her Majesty's Customs and Excise had communications with United States Customs in 1982 and 1983 about the trial of Mr. Ian Smalley and his allegations about arms exports to Iran. No recent communications have taken place on this matter.

SCOTLAND

Forth Valley Health Board

Mrs. Fyfe: To ask the Secretary of State for Scotland (1) if he will list those consulted before the four new hospital units were built by Forth Valley health board;

(2) on what grounds the contract for the Forth Valley health board's community village project was awarded to Sir Norman Foster and Partners;

(3) if he will state the reasons why four new hospital units completed in autumn 1993 by Forth Valley health board have not been used;

(4) what is the cost of the modifications needed to the new hospital units built by Forth Valley health board;

(5) what defects there are in the newly built psychiatric units in Forth Valley health board.

Mr. Stewart: These are matters for Forth Valley health board.

Conservation

Mr. Charles Kennedy: To ask the Secretary of State for Scotland (1) what proportion of the sites of special scientific interest in *(a)* Scotland and *(b)* the Highland region are included in the list of possible special areas of conservation compiled by Scottish National Heritage;

(2) what proportion of the land area in *(a)* Scotland and *(b)* the Highland region is concerned by the list of possible special areas of conservation recently submitted to the Government.

Sir Hector Monro: I refer the hon. Member to the answers I gave to the hon. Member for Caithness and Sutherland (Mr. Maclennan) on 12 April, *Official Report*, column *119-20*.

Mr. Maclennan: To ask the Secretary of State for Scotland if he will have regard to the economic, social and cultural requirements and regional and local characteristics of those areas included in the proposed list of special areas of conservation he has received from Scottish Natural Heritage when making his decision; and if he will make a statement.

Sir Hector Monro: Yes. However, I refer the hon. Member to the reply I gave him on 12 April, *Official Report*, column *120*, in which I made clear that the preliminary advice received from Scottish Natural Heritage does not constitute a list of proposed special areas of conservation.

Cervical Smear Tests

Dr. Godman: To ask the Secretary of State for Scotland if he will make a statement concerning the implementation by *(a)* the Argyll and Clyde health board and *(b)* the Scottish Office of the recommendations of the report into the maladministration of the cervical smear test programmes at the Inverclyde royal hospital, Greenock; and if he will make a statement.

Mr. Stewart: The Argyll and Clyde health board is implementing the recommendations addressed to it through a comprehensive purchasing plan based on service specifications for all components of the board's cervical screening programme including targets and quality control procedures. A purchasing plan has been approved by the board and the specification of service required has now been issued to provider units.

A task force is currently considering the feasibility and the implications of rationalising the cervical cytopathology services and an extensive consultation exercise is under way involving relevant laboratory consultants, clinicians and independent experts. The task force is expected to report with recommendations to the board by May.

Those recommendations addressed to the Scottish Office Home and Health Department are being taken forward. The Common Services Agency has been asked to set up the new central co-ordinating unit for cervical and breast screening services at a cost of £100,000 per annum. The post of national medical director to head the unit was advertised in December 1993 but it was not possible to appoint a suitable candidate. Arrangements are in hand to re-advertise the post for either a full-time or two part-time appointments. Work is proceeding on setting out a management framework and a programme of work for the central monitoring unit.

A working group to formulate the policy for implementation of internal quality control in all laboratories carrying out cervical cytopathology has been set up under the chairmanship of one of the Department's medical officers, and comprises members from the Royal College of Pathologists, the British Society of Clinical Cytology, the Institute of Biomedical Science and

representatives from each of the three other United Kingdom Departments of Health. The Health Education Board for Scotland—HEBS—has produced a new promotional leaflet encouraging women to attend for screening. This was distributed to all GPs and clinics via health boards at the end of March.

Revised guidance, covering management responsibilities, quality controls, rationalisation of laboratories, staffing and appropriate levels of training is being prepared and will be issued following agreement with the appropriate professional bodies.

Progress on implementation of the recommendations will continue to be monitored by the management executive.

Dr. Godman: To ask the Secretary of State for Scotland what was the cost of the investigation conducted by Dr. Euphemia McGoogan and others into the maladministration of the cervical smear test programme at the Inverclyde Royal hospital, Greenock; and if he will make a statement.

Mr. Stewart *[holding answer 13 April 1994]:* The cost of the inquiry including the publication of the report, into cervical cytopathology at Inverclyde Royal hospital, Greenock, conducted by Dr. McGoogan and the inquiry team, was £41,500.

Hospital Closures

Mr. Gordon Prentice: To ask the Secretary of State for Scotland what considerations led him to collect centrally information on hospital closures.

Mr. Stewart: Health boards are required to submit proposals for hospital closures to the Secretary of State for Scotland for approval.

Executed Prisoners (Reburial)

Mr. McMaster: To ask the Secretary of State for Scotland how many exhumations to allow reburial of executed prisoners have taken place since the abolition of capital punishment.

Lord James Douglas-Hamilton: Responsibility for the subject of the question has been delegated to the Scottish Prison Service under its chief executive Mr. E. W. Frizzell. I have asked him to arrange for a reply to be given.

Letter from Mr. E. W. Frizzell to Mr. Gordon McMaster, dated 14 April 1994:

Lord James Douglas-Hamilton has asked me to reply to your Question about the number of exhumations to allow reburial of executed prisoners which have taken place since the abolition of capital punishment.

Enquiries have been made at all prison establishments and no record has been found of any such exhumations having taken place.

Capital Convictions (Licences)

Mr. McMaster: To ask the Secretary of State for Scotland how many people reprieved from a capital conviction are now at large in the community on licence; and what is the rate of recall of such people.

Lord James Douglas-Hamilton: Available records suggest that a total of five individuals are in the community on licence who were reprieved from a capital conviction before the abolition of the death penalty in 1965. Two of these people were recalled to custody, but subsequently re-released.

Two further persons reprieved from a capital conviction were recalled to custody and have not subsequently been re-released.

Electors

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will publish tables showing the total electorate, the number of *(a)* male and *(b)* female electors, the number of electors attaining the age of 18 years on the current register and the number of electors on the permanent absent voters register in each Euro-constituency, parliamentary constituency and regional electoral division in Scotland.

Lord James Douglas-Hamilton: My right hon. Friend has arranged for information about the total number of electors and attainers in the 1994 register of electors in each European parliamentary constituency, parliamentary constituency and regional electoral division in Scotland to be placed in the House Library. Information about electors by gender is not held centrally, nor is information about those electors who have been granted absent votes for an indefinite period.

NHS (Staff Cars)

Mr. Worthington: To ask the Secretary of State for Scotland what was the expenditure on personal cars for staff in real and constant price terms in the NHS in Scotland in every year since 1979.

Mr. Stewart: This information is not held centrally and could be provided only at disproportionate cost.

Non-medical Consultants

Mr. Worthington: To ask the Secretary of State for Scotland what has been the expenditure on non-medical consultants in the NHS in Scotland in each of the past five years.

Mr. Stewart: This information is not held centrally.

NHS Costs

Mr. Worthington: To ask the Secretary of State for Scotland what were the costs of administration in the national health service in Scotland, in real and constant price terms, in each year since 1979; and what percentage this took each year of total NHS expenditure.

Mr. Stewart: The information is set out in the table.

Year	Outturn: Administration costs (£ thousands)	Outturn: Total expenditure (£ thousands)	Outturn: Per cent.	Constant price terms[1]: Administration costs (£ thousands)	Constant price terms[1]: Total expenditure (£ thousands)	Constant price terms[1]: Per cent.
1979-80	72,680	[2]1,024,002	7·10	173,015	2,437,636	7·10
1980-81	92,408	[2]1,329,420	6·95	185,593	2,674,620	6·95
1981-82	101,288	[2]1,494,720	6·78	185,805	2,741,951	6·78
1982-83	132,032	1,622,742	8·14	226,098	2,778,858	8·14
1983-84	138,192	1,726,950	8·00	226,159	2,826,247	8·00
1984-85	141,829	1,852,563	7·66	221,007	2,886,781	7·66
1985-86	153,452	1,963,711	7·81	226,551	2,899,151	7·81
1986-87	162,400	2,081,844	7·80	232,942	2,986,135	7·80
1987-88	174,541	2,274,155	7·67	237,691	3,096,954	7·67
1988-89	189,606	2,509,327	7·56	241,962	3,202,224	7·56
1989-90	205,975	2,730,014	7·54	245,761	3,257,346	7·54
1990-91	230,766	2,982,854	7·74	254,799	3,293,497	7·74
1991-92	263,529	3,623,885	7·27	273,646	3,763,003	7·27
1992-93	302,205	3,899,208	7·75	302,205	3,899,208	7·75

[1] The GDP deflator at market prices has been used to adjust the figures to constant price terms.
[2] Community health service administration costs for 1979-80 to 1981-82 were not identified separately in health boards' accounts.

NHS Managers

Mr. Worthington: To ask the Secretary of State for Scotland how many managers have been employed in the national health service in each year since 1979.

Mr. Stewart: General management has been introduced into the national health service in Scotland progressively from 1986 onwards. The data available centrally on the number of staff employed as general and senior managers are given in the table. These figures include staff previously employed on senior nursing or administrative and clerical terms and conditions of service who are now employed on the terms and conditions applicable to general or senior managers.

General and senior managers employed by the national health service in Scotland
Whole-time equivalents at 30 September

Year	General managers	Senior managers	Total
1988	62·0	28·0	90·0
1989	62·0	49·0	111·0
1990	65·0	281·0	346·0
1991	71·0	452·6	523·6
1992	73·0	727·5	800·5
1993	83·0	1,068·6	1,151·6

NHS Public Relations

Mr. Worthington: To ask the Secretary of State for Scotland what was the expenditure on public relations in the national health service in every year since 1979 in real and constant price terms.

Mr. Stewart: The information requested is not held centrally.

Greater Glasgow Health Board

Mr. Worthington: To ask the Secretary of State for Scotland when was the last time a resident of Clydebank was appointed to the Greater Glasgow health board.

Mr. Stewart: Mrs. Margaret McGarry, a resident of Clydebank, was appointed to the Greater Glasgow health board in 1987 for a second four-year term.

Student Loans

Mr. Rooker: To ask the Secretary of State for Scotland what is the current average debt of students in Scotland to the Student Loans Company Ltd.

Lord James Douglas-Hamilton: This is a matter for the Student Loans Company Ltd. and I will ask the chief executive to write to the hon. Member.

It may not be possible for the company to distinguish between the different parts of the United Kingdom.

Hairmyres Hospital

Mr. Ingram: To ask the Secretary of State for Scotland if he will provide the average admission waiting times at Hairmyres hospital for each of the last five years for the departments of dermatology, urology, ophthalmology, ENT, gynaecology and orthopaedic.

Mr. Stewart *[holding answer 12 April 1994]:* The information, for which the mean waiting time for admission from the waiting list has been given, is shown in the table:

Days

Specialty	1989	1990	1991	1992	1993
Dermatology	—	—	—	—	—
Urology	40·2	49·4	101·7	102·4	74·6
Ophthalmology	—	—	—	—	—
ENT	—	—	—	—	—
Gynaecology	38·4	48·4	51·1	61·1	45·9
Orthopaedics	86·6	82·8	63·7	70·5	94·9

Source: SMR1.
Notes: 1993 data provisional;
'—' No data available.

Police Functions

Dr. Godman: To ask the Secretary of State for Scotland how many hours per week are worked by civilians in functions which were previously treated as police jobs *(a)* in total and *(b)* per civilian employee; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 13 April 1994]:* The information requested is not available.

Dr. Godman: To ask the Secretary of State for Scotland which functions formerly performed by police officers have been transferred to civilians since 1980; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 13 April 1994]:* Any function performed by police officers which does not require the powers of a constable can in principle be transferred to civilians. Scottish police forces have recently been advised that the functions set out in the following table should normally be performed by civilians.

Administration and record keeping
Animal health
Audiovisual technicians
CID administration
Communications (technical)
Computer Manager
Computer services
Criminal records
Divisional administration
Drivers
Driving instructors
Fingerprint department
Firearm registration (administration)
Fixed Penalty office
Force information officer
Force welfare officer
Forensic laboratory
Force Finance officer
Force property custodian
Home defence
Identification Branch (including Fingerprints)
Legal documents
Lost property
Photographic department
Public office
Road safety
Scene of Crime officer
School-crossing patrols administration
Station assistants
Support—Air, dogs, marine, mounted, special branch, ports
Support—general
Taxi-cab administration
Technical services and other equipment maintenance
Traffic administration
Traffic warden administration
Traffic warden superviser
Turnkeys/matrons
Vehicle fleet workshop or garage including supervisor
Wireless workshop

Out-patients (Waiting Times)

Dr. Godman: To ask the Secretary of State for Scotland what percentage of patients are seen by a medical practitioner within *(a)* 30 minutes or *(b)* within one hour of their out-patient appointment time.

Mr. Stewart: Information on how long patients have to wait to be seen after their appointment time at out-patient clinics is monitored by health boards and is not collected centrally. Health boards report that few patients overall wait longer than 30 minutes; that where they do they are given an explanation and an indication of how much longer the wait is likely to be; and that where monitoring reveals a particular problem action is taken to remedy it.

Medical Negligence

Dr. Godman: To ask the Secretary of State for Scotland what has been the cost of the proven cases of medical negligence in hospitals in each of the past 10 years; what was the average time of such cases to completion; in how many cases medical practitioners were *(a)* dismissed from the health service, *(b)* advised to retire or *(c)* suffered some other sanction; and if he will make a statement.

Mr. Stewart *[holding answer 13 April 1994]:* The information requested on the cost of settlements in cases of medical negligence in hospitals in Scotland can be provided only from 1 January 1990 when financial responsibility for medical negligence was assumed by health boards. The costs, including claimants' costs, for this period were as follows:

	£
1989-90	957,956
1990-91	1,290,968
1991-92	998,369
1992-93	1,091,489

Figures for 1993-94 are not yet available.

The length of time taken to settle such cases can vary depending on the nature of the case. If agreement is reached before a case reaches the courts, it can be settled within six to nine months of a claim being lodged. If a claim is determined by the courts, the average time taken to reach a conclusion is around five years.

Information on the number of cases in which medical practitioners were dismissed from the service, advised to retire or suffered some other sanction is not held centrally.

Dr. Godman: To ask the Secretary of State for Scotland when he expects information on medical negligence claims for 1992-93 to be made available; and if he will make a statement.

Mr. Stewart *[holding answer 13 April 1994]:* The total amount of compensation payments for 1992-93, including claimants' costs, for all health boards and NHS trusts in Scotland in respect of the negligence of their medical and dental staff was £1,091,489.

Inverclyde Royal Hospital Trust

Dr. Godman: To ask the Secretary of State for Scotland (1) if he will place in the Library a copy of a detailed statement of the financial accounts of the Inverclyde royal hospital trust since its inception;

(2) what analysis he made of the financial viability of the Inverclyde Royal hospital application for trust status before giving it approval; and if he will make a statement.

Mr. Stewart *[holding answer 13 April 1994]:* Inverclyde Royal NHS trust became operational only from 1 April 1994 and its accounts will not be available until after the end of its first year. The trust is required to produce an annual report including accounts in respect of its first year of operation by September 1995. This is a public document which will be published by the trust.

A thorough analysis of the finances of Inverclyde Royal hospital involving financial consultants was made during the public consultation period on the hospital's trust application. This concluded that the hospital was financially viable and there is nothing to suggest otherwise.

Gourock Ropeworks

Dr. Godman: To ask the Secretary of State for Scotland if he will make a statement concerning the present circumstances of the Gourock ropeworks in Port Glasgow and its likely future use.

Sir Hector Monro *[holding answer 13 April 1994]:* Consideration of the possible future use of the ropeworks building continues to involve Inverclyde district council, Renfrewshire Enterprise and Scottish Home, as well as Historic Scotland which reports to me for my interest in the ropeworks as a listed building.

I intend to write to the hon. Member on this constituency matter.

Hospital Trusts

Dr. Godman: To ask the Secretary of State for Scotland what arrangements have been made for the maintenance of pension funds for staff employed at *(a)* Inverclyde royal hospital trust and *(b)* other hospital trusts elsewhere in Scotland, and if he will make a statement.

Mr. Stewart *[holding answer 13 April 1994]:* Employees transfer to national health service trusts on their existing terms and conditions and have the same rights to membership of the statutory national health service superannuation scheme as other national health service employees. New staff recruited by the trusts also have the same rights to membership. Their contributions to the scheme, and those of their employers, are payable to the Exchequer to fund the benefits under the scheme.

Blood

Mr. Kirkwood: To ask the Secretary of State for Scotland what profits the Scottish National Blood Transfusion Service made on the sale of blood to private hospitals or health care organisations in each of the last five years; at what price blood was sold in each year; what happens to the profits; and what steps are taken to inform people giving blood to the Scottish National Blood Transfusion Service that their blood is to be sold to private hospitals or health care organisations.

Mr. Stewart: The Scottish National Blood Transfusion Service does not sell blood or blood products and therefore the matter of profit does not arise. Where blood or blood products are supplied to non-national health service hospitals, the administrative and other costs are recovered in the form of a handling charge. Literature is available at donor sessions to explain that a proportion of blood donated may be used to treat non-national health service patients but only where this can be done without detriment to the national health service.

EMPLOYMENT

European Social Fund

Mr. Worthington: To ask the Secretary of State for Employment (1) what representations he has had from voluntary organisations about the financial difficulties caused to them by the system of funding for ESF projects; and what action he proposes to take;

(2) what steps he has taken to give voluntary organisations an indication about whether their European social fund projects which started on 1 January last will be funded; and what are the reasons for this policy;

(3) what representations he has made to the European Union about the practice of retrospective funding for ESF projects; and what assurances he has had about improvements.

Mr. Michael Forsyth: There have been a number of representations from voluntary sector organisations concerned about the delay in agreeing plans with the Commission and the consequent effect on money being released from Brussels. This concern is shared by the United Kingdom Government who continue to put pressure on the Commission to respond formally to the objective 3 plan which was submitted last November.

The United Kingdom Government agreed to arrangements that allowed requests for expenditure received by the European Commission by 30 April 1994 against agreed priorities to be regarded as eligible for assistance from the Structural Funds—including European social fund—backdated to 1 January 1994. Plans for objectives 1, 2, 3 and 5b have either been submitted or will be submitted to the Commission by the end of April. However, until plans have been agreed with the Commission it is not possible to approve formally any projects for 1994. No resources can be made available for individual projects until funds are received from the Commission.

For all objectives, the 1993 operational year was extended until 31 March 1994 to allow activity to continue following representations from applicant organisations,. This has helped voluntary organisations, among others, to continue their work.

Mr. Worthington: To ask the Secretary of State for Employment on what date in each of the past five years voluntary organisations were told whether they had funding for European social fund projects starting on 1 January of that year.

Mr. Michael Forsyth: There is no single date in any year when voluntary organisations are given approval for European social fund—ESF—funding. A timetable is agreed between the ESF unit and voluntary sector co-ordinators or regional secretariats for submitting applications. This is dependent on the United Kingdom receiving formal decisions from the Commission. Once applications are received, the ESF unit aims to process them within six weeks. We give top priority to the processing of voluntary sector applications.

Mr. Worthington: To ask the Secretary of State for Employment if he will give a breakdown in financial and percentage terms of how ESF funding is allocated to his Department's projects, local authority projects, voluntary organisation and other projects in each of the past five years.

Mr. Michael Forsyth: The following table sets out the information requested:

Allocations

	1991		*1992*		*1993*	
	£ million	*Per cent.*	*£ million*	*Per cent.*	*£ million*	*Per cent.*
Local authorities	123·31	33·53	131·24	34·76	217·59	34·87
Voluntary sector	24·20	6·58	29·27	7·75	59·80	9·58
Higher education	19·87	5·40	20·56	5·45	46·34	7·43
Industrial training organisations	5·59	1·52	6·75	1·79	15·42	2·47

	1991		1992		1993	
	£ million	Per cent.	£ million	Per cent.	£ million	Per cent.
TEC-LEC	1·03	0·28	6·40	1·69	22·56	3·61
Government	192·91	52·46	182·53	48·34	261·14	41·85
Miscellaneous	0·85	0·23	0·82	0·22	1·16	0·19
Total	367·75	100·00	377·57	100·00	624·01	100·00

Information for 1990 broken down by sector could be obtained only by manual analysis at disproportionate cost. Figures for 1989 are available only from the Commission. All money allocated in 1990 which was not taken up was carried forward for use in 1991.

The figures for 1991 and 1992 relate to the final amounts paid to the sectors, whereas those for 1993 relate to amounts originally approved, since final claims for the programmes in question have not yet been submitted.

The figures for Community initiatives between 1991 and 1993 are included in the 1993 figures.

Mr. Worthington: To ask the Secretary of State for Employment how much ESF funding has been allocated in real and constant price terms to the Scottish voluntary sector in each of the past 10 years.

Mr. Michael Forsyth: The information about European social fund support to the Scottish voluntary sector is set out in the following table. The Employment Department took over responsibility for the administration and payment of applications for ESF from the European Commission with effect from the 1990 calendar year; information prior to this is only available from the Commission.

	Cash (£)	1990 prices (£)
1990	5,574,325	5,574,325
1991	8,322,510	7,866,267
1992	10,267,161	9,283,147
1993	18,736,309	16,377,892

Notes:

1. Figures for 1990-92 are amounts claimed at final claim stage, while for 1993 the figure is the amount originally approved since final claims for the programmes in question have not yet been submitted.
2. 1990 prices calculated using the GDP deflator at factor cost.

Advisory, Conciliation and Arbitration Service

Mrs. Ewing: To ask the Secretary of State for Employment how many ACAS offices operate in the United Kingdom; and if he will list them by geographical location.

Miss Widdecombe: There are currently 13 ACAS offices operating in the United Kingdom, grouped together in seven ACAS regions in England, together with Scotland and Wales. The offices are:

London region: London
Midlands region: Birmingham, Nottingham
Northern region: Newcastle
North West region: Manchester, Liverpool, Accrington
Scotland: Glasgow
Eastern and Southern: Fleet
South and West: Bristol
Wales: Cardiff
Yorkshire and Humberside: Leeds
Head office: London

Mrs. Ewing: To ask the Secretary of State for Employment what has been the total number of referrals made to ACAS in each of the past five years.

Miss Widdecombe: The number of referrals and requests for assistance made to ACAS in the last five years is as published in the ACAS annual reports for the years 1988 to 1992. These are as follows:

	1988	1989	1990	1991	1992
Requests for collective conciliation	1,059	1,164	1,260	1,386	1,207
Referrals to ACAS arbitration	138	169	200	157	162
Requested advisory mediation work	985	1,144	964	947	787
Individual conciliation cases	44,443	48,817	52,071	60,605	72,166
Public enquiries	315,601	349,324	418,394	466,954	487,778

The figures for 1993 will be available in June 1994, when the ACAS annual report 1993 is expected to be published.

Labour Statistics

Mr. Harry Greenway: To ask the Secretary of State for Employment how many people are currently in work; what the figure was in 1979 and 1975; and if he will make a statement.

Miss Widdecombe: The information is shown in the following table:

Workforce in employment: United Kingdom (Seasonally adjusted)

	(Thousands)
December 1975	24,927
December 1979	25,485
December 1993[1]	25,017

[1]Latest available.

Mr. Prescott: To ask the Secretary of State for Employment if he will list for each year since 1984 the number of people in Great Britain surveyed by the labour force survey who, although they are without a job, have looked for a job within the four weeks prior to their labour force survey interview or are waiting to start a job they had already obtained, were not available to start a job within the two weeks following their labour force survey

interview, and the number of people who were neither in employment nor unemployed on the International Labour Organisation measure but who said they wold like a job.

Mr. Michael Forsyth: Both of the categories asked for in the question are defined as 'economically inactive' according to International Labour Organisation guidelines. Estimates from the labour force survey for the spring of each year since 1984 of the numbers in each group are given in the following table.

As shown by the analyses of these groups routinely published in the LFS help line section of the *Employment Gazette*, the majority of people who say they want work but are not actively seeking it are students; looking after a family or home; or long term sick or disabled.

Great Britain

People who say they would like work but are not actively seeking it and/or are not available to start

Thousands

Quarter	*Total*	*Of which: seeking work, but not available to start*[1]
Spring 1984	2,414	207
Spring 1985	2,266	222
Spring 1986	2,316	205
Spring 1987	2,180	206
Spring 1988	2,184	195
Spring 1989	2,314	221
Spring 1990	2,198	186
Spring 1991	2,245	218
Spring 1992	2,221	313
Spring 1993	2,195	310

Source: Labour Force Survey

[1] Numbers without a paid job who had either looked for work in the past four weeks or were waiting to start a job they had already obtained, but were not available to start within the next two weeks.

Mr. Prescott: To ask the Secretary of State for Employment how many indices of unemployment are calculated by each of the countries in the Organisation for Economic Co-operation and Development.

Mr. Michael Forsyth: The results of a survey of the more commonly used unemployment measures in 16 countries were published in the September 1992 *Employment Gazette*, a copy of which is available in the Library. To extend this to all OECD countries would incur disproportionate costs.

Mr. Prescott: To ask the Secretary of State for Employment if the unemployment statistics used in the Government's submission to the G7 jobs summit in Detroit, "Competitiveness and Employment: The UK Approach" represented the level of unemployment in the United Kingdom, or the monthly claimant count; and if they were validated by the director of statistics in his Department.

Mr. Michael Forsyth: Charts 4A and 4B in "The UK Approach" show unemployment rates which use the claimant count as the numerator. Figures based on the claimant count have the advantage of being monthly, up-to-date and available for a long run of years. The charts used figures from published sources. The director of statistics is responsible for the quality of all Employment Department labour market statistics published by the Government Statistical Service.

The latest available labour force survey results, for autumn 1993, show a seasonally adjusted International Labour Organisation unemployment rate for Great Britain of 10·1 per cent.—close to the rate shown in chart 4B for that period.

Mr. Prescott: To ask the Secretary of State for Employment how many changes to the method of calculating the monthly unemployment register and the claimant count there have been since the Government took office in 1979; and what has been the statistical effect on the count of each change at the time the change took place.

Mr. Michael Forsyth: I refer the hon. Member to the reply given to the hon. Member for Holborn and St. Pancras (Mr. Dobson) on 26 October 1992, *Official Report*, column *496*. Since that reply was given there has been one additional discontinuity.

In February 1994 the Northern Ireland system for administering unemployment benefits was fully integrated into the computerised national unemployment benefit system—NUBS—which has been operating throughout the rest of the United Kingdom since 1983. The changeover eliminated an overcount in the Northern Ireland figures leading to a slight downward revision of about 1,500 to the unadjusted level of claimant unemployment in Northern Ireland, and likewise to the United Kingdom figures.

Appropriate revisions have been made for past periods to maintain the consistency of the seasonally adjusted series. Full details are given on page S16 of the April *Employment Gazette*, which is available in the Library.

Mr. Prescott: To ask the Secretary of State for Employment what assessment he has made of the accuracy of the labour force survey as a representation of the level of unemployment in the United Kingdom; and what plans he has to improve it.

Mr. Michael Forsyth: As with any sample survey, estimates from the labour force survey are subject to sampling variability and "confidence intervals" are published with the results.

The LFS measures unemployment according to the ILO definition, which is used extensively by industrial countries throughout the world and by international organisations. While EC regulations require all member states to conduct an annual LFS, Britain has opted to conduct the survey on a quarterly basis to ensure more up-to-date results.

Official statisticians are always seeking ways of improving the quality and speed of publication of their surveys. For example, the introduction of computer assisted interviewing in the LFS has led to higher data quality and an improvement in the speed of publication of the results to just over three months from the end of the survey period.

Mr. Prescott: To ask the Secretary of State for Employment what is his definition of the claimant count; and what assessment he has made of the claimant count as an accurate measure of the level of unemployment.

Mr. Michael Forsyth: The monthly claimant unemployment count covers all those people claiming unemployment-related benefits, that is unemployment benefit, income support or national insurance credits at Employment Service local offices, who declare for each day they claim that they are unemployed, capable of work, available for work and actively seeking employment.

Students claiming benefit during a vacation and who intend to return to full-time education, and temporarily stopped workers, are excluded.

The count is accurate at both national and local level because it is a by-product of the system for paying unemployment-related benefits and is a 100 per cent. count. Both the claimant count measure of unemployment and the internationally comparable measure produced by the labour force survey have shown similar trends over recent years and, since spring 1992, the two measures have been at similar levels.

Mr. Prescott: To ask the Secretary of State for Employment (1) what was the estimate of the level of unemployment in the United Kingdom in *(a)* February 1994 and *(b)* February 1979;

(2) what was the seasonally adjusted unemployment claimant count for February for *(a)* the United Kingdom and *(b)* the regions in England and Wales, Scotland and Northern Ireland; and what were the comparable figures on the current series with the figures for February 1979.

Mr. Michael Forsyth: The information requested is available from the NOMIS database in the Library.

Mr. Prescott: To ask the Secretary of State for Employment what assessment he has made of the cost to increase the frequency of the labour force survey from every quarter to every month; and if he will do so.

Mr. Michael Forsyth: The existing quarterly labour force survey costs about £8 million per year. Although no detailed assessment has been made, to increase the survey's frequency to every month, while maintaining the sample size, would lead to an approximately threefold increase in the survey's costs.

A switch to a LFS providing estimates for individual months would require a re-design of the existing quarterly survey, which would take up to two years to implement.

Mr. Prescott: To ask the Secretary of State for Employment what was the seasonally adjusted figure published for registered unemployment for February 1979 using the series existing in February 1979 for *(a)* the United Kingdom and *(b)* the regions in England and Wales, Scotland and Northern Ireland.

Mr. Michael Forsyth: Prior to 1982 the monthly unemployment figures were based on the number of registrants at jobcentres, not all of whom were claiming benefits. When registration at a jobcentre became voluntary and threatened the integrity of the count the basis of the figures was changed to become a count of those claiming unemployment-related benefits at Employment Service local offices—formerly unemployment benefit offices. The figures given in the table relate to the former basis and are not comparable with the consistent, seasonally adjusted, claimant count figures for the same period.

Seasonally adjusted registered unemployment—February 1979

Region	*Level*
South East	286,300
Greater London	140,800
East Anglia	33,500
South West	97,300
West Midlands	121,000
East Midlands	75,200
Yorkshire and Humberside	117,900
North West	196,200
North	115,100
Wales	86,000
Scotland	173,700
Northern Ireland	60,600
United Kingdom	1,362,500

HEALTH

NHS (Private Finance)

Mr. Blunkett: To ask the Secretary of State for Health if she will list all those national health service projects worth over £250,000 which have been financed by private sector money since February 1993.

Mr. Sackville: The private finance initiative is helping the national health service to capture the skills and expertise of the private sector to give better services, higher quality and more resources for the NHS. Private finance will mean additional capital spending on top of the £2·1 billion public capital in 1994-95. New delegated limits for the NHS, introduced in April 1993, have removed obstacles that were inhibiting effective use of private finance. Only schemes with a capital cost over £1 million must be submitted centrally and, therefore, information is not available centrally on all schemes with a capital cost over £250,000. The table lists 20 schemes of over £1 million capital cost which have been approved since February 1993.

NHS projects using private capital over £1 million approved since February 1993

Ealing, Hammersmith and Hounslow Health Agency: lease of office accommodation.
Yorkshire Regional Health Authority: clinical waste incineration.
Hastings and Rother NHS Trust: Conquest Hospital staff residences.
West Middlesex Hospital: endoscopy unit.
North Bedfordshire Health Authority: residential accommodation at Steppingley and Biggleswade.
Bolton Health Authority: clinical waste incineration.
New River Health Authority: lease of office accommodation.
Leicester Mental Health Services: lease of new Trust Headquarters.
United Leeds Teaching Hospitals NHS Trust: generating station.
William Harvey Hospital (Ashford): clinical waste incineration.
Barnet Health Authority: residential accommodation in Hendon.
Plymouth and Torbay Health Authority: clinical waste incineration.
Kensington, Chelsea and Westminster Health Authority: staff residences at Carlton Gate.
East Sussex Health Authority: residential accommodation for continuing care of the elderly.
Brent and Harrow Health Authority: provision of residential accommodation.
Doncaster Healthcare NHS Trust: clinical waste incineration.
Kent and Canterbury Hospitals NHS Trust: staff accommodation.
St. James' NHS Trust, Leeds: combined heat and power plant.
Hertfordshire Health Agency: lease of office accommodation.
Hillingdon Health Agency: lease of office accommodation.

Domiciliary Care Agencies

Mr. Mike O'Brien: To ask the Secretary of State for Health what plans she has to implement a system of registration and inspection of domiciliary care agencies.

Mr. Bowis: Local authorities are already able to inspect such agencies on a voluntary basis. We have no current

plans to introduce compulsory registration of domiciliary care agencies, but we will review the position next year as part of our overall review of inspection.

Correspondence

Mr. Michael Spicer: To ask the Secretary of State for Health when she intends to reply to the letter from the hon. Member for Worcestershire, South of 18 March asking her to state the intended publication date of the Bloomfield report on proposals for dental remuneration.

Dr. Mawhinney: I replied to the hon. Member's letter on 13 April.

Nurses

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what expressions of concern she has received about the pay levels of junior nurses;

(2) what representations she has received from the nursing organisations regarding hours and conditions of nurses and junior nurses.

Dr. Mawhinney: None.

Mr. Jim Cunningham: To ask the Secretary of State for Health what are the current annual average working hours for nurses; and what were the figures for 1991-92 and 1992-93.

Dr. Mawhinney: The normal working hours for all whole-time nurses employed under Nursing and Midwifery Staffs Negotiating Council terms and conditions are 37·5 per week, any additional hours worked would be at the request of the employing authority. Information on annual average working hours is not available centrally.

Dental Services

Mr. McKelvey: To ask the Secretary of State for Health when she will be giving the Government's response to the Bloomfield report on general dental services in the national health service.

Dr. Mawhinney: I refer the hon. Member to the reply I gave the hon. Member for Gower (Mr. Wardell) on 18 February at column *1042*.

Mr. Parry: To ask the Secretary of State for Health what representations she has received from *(a)* the public and *(b)* the dental profession concerning the timing of the response to the Bloomfield report and the oral health strategy; and if she will make a statement.

Dr. Mawhinney: We have recently received written representations from some members of the dental profession and a few from the public concerning the timing of our announcement of proposals for the national health service dental service.

Health Services (Merseyside)

Mr. Parry: To ask the Secretary of State for Health what is the waiting list on Merseyside for treatment of arthritis; and if she will make a statement.

Dr. Mawhinney: Information on waiting times for in-patient and day case treatment by specialty and by regional health authority, district health authority and trust is given in "Hospital Waiting List Statistics: England", which is published twice yearly. The latest figures are for September 1993 and copies are available in the Library.

Information on waiting times to first out-patient appointment is not yet collected centrally.

Health Services (Merseyside)

Mr. Parry: To ask the Secretary of State for Health (1) what plans there are to establish a rheumatology service for the Merseyside region; and if she will make a statement;

(2) what special facilities are provided for the treatment of psoriasis on Merseyside.

Mr. Sackville: District health authorities and general practitioner fundholders are responsible, as the purchasers of health care, for ensuring that patients have access to a comprehensive range of hospital and community health services. There are well-developed services for the treatment of psoriasis and rheumatology for the people of Merseyside. The hon. Member may wish to contact Sir Donald Wilson, chairman of North West regional health authority, for details of existing services and any plans for their development.

St. Helens Hospital

Mr. Parry: To ask the Secretary of State for Health what complaints she has received from *(a)* elected Members and *(b)* patients from the St. Helens and Knowsley area concerning the waiting times at St. Helens hospital; and if she will make a statement.

Dr. Mawhinney: We are not aware of any such complaints. No patients have to wait longer than one year for in-patient or day case treatment at the St. Helen's and Knowsley hospitals national health service trust, and 80 per cent. are seen within six months.

Abbots Langley Hospital

Mr. Blunkett: To ask the Secretary of State for Health what discussions she has had with Abbots Langley hospital with regard to the pension arrangements for staff.

Dr. Mawhinney: None.

Private Prescriptions

Mr. Blunkett: To ask the Secretary of State for Health what discussions she has had with the Norfolk family health services authority regarding private prescriptions; and what guidelines she has issued to FHSAs on the subject.

Dr. Mawhinney: An official in the Department has recently had a conversation with Norfolk family health services authority about private prescriptions. Guidance will be issued to all FHSAs shortly.

Mr. Blunkett: To ask the Secretary of State for Health what monitoring her Department undertakes of the amount of private prescriptions being dispensed; and if she will provide a breakdown by FHSA of the number of private prescriptions dispensed, and the price at which they were dispensed.

Dr. Mawhinney: None. These transactions are outwith the national health service.

NHS Pensions

Mr. Blunkett: To ask the Secretary of State for Health what guidelines she has issued to health authorities and trusts as respects the Transfer of Undertakings (Protection of Employment) Regulations 1981 with regard to pensions.

Dr. Mawhinney: The national health service executive issued guidance on the Transfer of Undertakings (Protection of Employment) Regulations 1981 to the NHS in November 1993. Copies of the guidance are available in the Library. This guidance includes specific references to pensions and an appendix which provides advice on evaluation of pensions comparability and the assessment of pension packages.

Family Health Services Authorities

Ms Primarolo: To ask the Secretary of State for Health what the projected outturn is for each family health services authority for 1993-94; and by how much this varies from the planned expenditure for each authority.

Mr. Sackville: Details of individual family health services authority expenditure against cash limits in 1993-94 will not be available until annual accounts are submitted. Information on projected outturn for individual authorities is not collected, but is available from regional health authorities.

Ms Primarolo: To ask the Secretary of State for Health, pursuant to the answer given by the Under-Secretary of State on 24 March, *Official Report*, column *416*, on what basis a family health services authority can refuse to require general practitioners to provide cover to respite centres and similar community care facilities.

Dr. Mawhinney: A family health services authority may require a general practitioner included in its medical list to provide treatment to an individual at any place in his practice area, provided there is no other doctor who, at the time of the request, is under an obligation to give treatment to that person. However, FHSAs are not required, or to require general practitioners on their medical lists, to provide general medical services cover to organisations as a whole.

Ms Primarolo: To ask the Secretary of State for Health what guidance her Department has issued to family health services authorities, voluntary groups and local authorities relating to general practitioner cover for day centres, respite centres and other community care facilities.

Dr. Mawhinney: Guidance on ensuring that people attending various care centres have access to general practitioner services has been issued to family health services authorities and other bodies in health circular HSG 92/42 and local authority circulars 92/15 and 88/15, copies of which are available in the Library.

General Practitioners

Ms Primarolo: To ask the Secretary of State for Health what information regarding the income of fundholding and non-fundholding general practitioners is held centrally.

Dr. Mawhinney: Information is available centrally on the aggregate value of fees and allowances and directly reimbursed expenses paid to general practitioners; and on the number of general practitioners. These data are collected by family health services authority area and do not separately identify payments to fundholding and non-fundholding general practitioners.

Ms Primarolo: To ask the Secretary of State for Health what information is held centrally regarding the staff employed by general practitioners.

Dr. Mawhinney: Information on the numbers and categories of staff employed by general practitioners is collected bi-annually from family health services authorities and published on a regional basis in "General Medical Services Basic Statistics, England and Wales", copies of which are available in the Library. Details are also collected of the total proportional reimbursements made by FHSAs to general practitioners of the staff costs they incur.

Mr. Redmond: To ask the Secretary of State for Health if she will list the general practitioner fundholding practices in South Yorkshire; and if she will give the total spent out of the allocation for each practice for 1992-93 and the current year to date.

Dr. Mawhinney *[pursuant to his reply, 28 March 1994, c. 592]:* I regret that my previous reply was incorrect. The information provided should have related to Trent rather than Yorkshire regional health authority. The answer should therefore have read:

There will be 286 fundholding practices in the Trent region from 1 April 1994, covering 44 per cent. of the population. Regional health authorities are responsible for managing the general practitioner fundholding scheme in their areas. For local information about South Yorkshire the hon. Member may wish to contact Sir Michael Carlisle, chairman of the Trent regional health authority.

NHS Reforms (London)

Ms Primarolo: To ask the Secretary of State for Health (1) how much was spent by her Department in writing, designing, printing and distributing the leaflet "NHS Changes in London—Answers To The Questions You've Been Asking";

(2) to how many households her Department intends to distribute the leaflet "NHS Changes in London—Answers To The Questions You've Been Asking";

(3) which Minister approved the contents of the leaflet "NHS Changes in London—Answers To The Questions You've Been Asking";

(4) which Minister agreed the timing of the distribution of the leaflet "NHS Changes in London—Answers To The Questions You've Been Asking"; and how that timing was agreed upon.

Dr. Mawhinney: The estimated cost of producing and distributing the leaflet is £150,000. It has been distributed to approximately 3·28 million households within the M25. My right hon. Friend the Secretary of State and her ministerial team approved the content of the leaflet and the timing of the distribution.

Private Hospitals

Ms Primarolo: To ask the Secretary of State for Health (1) how many GP fundholders have contracts with independent private hospitals;

(2) how many GP fundholders refer a majority of their national health service patients to private or independent hospitals.

Dr. Mawhinney: This information is not available centrally.

I refer the hon. Member to the reply I gave her on 7 February, *Official Report*, column 52.

NHS Expenditure

Ms Primarolo: To ask the Secretary of State for Health what is the current total expenditure within the national health service on treatment purchased from independent or private hospitals; and how much is spent by FHSAs and GP fundholders.

Mr. Sackville: In 1992-93, the latest year for which figures are available, the total expenditure by national health service trusts, regional and district health authorities and family health services authorities on purchase of healthcare from non-national health service providers was £268·23 million.

Included in the figure above is £13·13 million expenditure by general practitioner fundholders on hospital services from non-national health service providers. FHSAs have no expenditure in respect of hospital services other than that incurred by fundholders.

Notes:

1. Expenditure is not analysed to identify precisely purchases from independent or private hospitals. The figures are for "purchase of healthcare" from bodies "other than NHS bodies".
2. The figures are provisional: the summarised accounts are subject to audit by the National Audit Office.
3. *Source:* (i) Annual accounts of FHSAs; and Regional, District and London Postgraduate Teaching Hospitals (Special Health Authorities) 1992-93; (ii) National health service trusts' financial returns 1992-93.

NHS (Private Patients)

Ms Primarolo: To ask the Secretary of State for Health how many private patients were treated within national health service hospitals in 1992-93.

Mr. Sackville: Preliminary indications for 1992-93 are that private patients accounted for around 100,000 finished consultant episodes in national health service hospitals in England, or about 1 per cent. of total episodes.

Written Answers to Questions

Friday 15 April 1994

LORD CHANCELLOR'S DEPARTMENT

Courts Service

Mr. Meacher: To ask the Parliamentary Secretary, Lord Chancellor's Department what are his plans for privatisation in the courts service; what plans he has to achieve them within the terms of the Deregulation and Contracting Out Bill; and what plans he has to seek the repeal of section 27 of the Courts Act 1971 before the contracting out or privatising of the courts service.

Mr. John M. Taylor: There are no plans either to privatise any part of the court service in the sense of the private sector taking over responsibility for ensuring the provision of court services or to repeal section 27 of the Courts Act 1971. However, the Deregulation and Contracting Out Bill would amend that section to enable the Lord Chancellor to contract with others to provide staff to carry out administrative work in the Supreme Court and county courts and hence enable him to market-test any such work where doing so was likely to improve the value for money of the services concerned and would not risk impugning the independence or probity of the judicial process. The Government have decided, however, that there will be no market testing in the courts service at least until it has been launched as an executive agency in April 1995.

Defendants (Custody)

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the recommended period that a defendant can be held in custody before Crown court trial; if he will indicate the trend in achieving this target; and if he will make a statement.

Mr. John M. Taylor: Pursuant to the Prosecution of Offences (Custody Time Limits) Regulations 1987, the maximum period of time an individual may be held in custody between committal for trial and arraignment is 112 days—16 weeks. The table shows the trend in achieving the limit. In addition, the Department sets custody waiting time targets which are 12 weeks in London, 10 weeks in the south-eastern area and eight weeks elsewhere in England and Wales.

Custody waiting times

	Percentage of defendants dealt with within 16 weeks	*Average waiting time (weeks)*
1989	84	10·1
1990	84	10·0
1991	84	10·0
[1]1992	82	11·1
[1]1993	77·1	12·59

[1] Provisional figures.

Crown Prosecution Service

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department what rights of audience barristers directly employed by the Crown Prosecution Service have in the Crown court; and what plans he has to alter such rights.

Mr. John M. Taylor: Barristers employed by the Crown Prosecution Service have no rights of audience in the Crown court.

The Lord Chancellor's Advisory Committee on Legal Education and Conduct is at present considering this issue, and no decision on the rights of audience of employed barristers will be taken until the advisory committee's advice is received. This is expected later this year.

Principles of Justice

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department what codification of the principles of justice has taken place since 1979; and what proposals he has for further codification.

Mr. John M. Taylor: No legislation of a purely codifying nature has been enacted since 1979. However, some legislation emanating from recommendations by the Law Commission, such as the Children Act 1989, has been drafted in the context of codification of the area of the law to which it relates. The Government are considering a draft codifying Bill on offences against the person and general principles, which was published by the Law Commission in 1993—Law Com. No. 218.

Judges

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department how many judges were *(a)* barristers and *(b)* solicitors; and if he will make a statement on the trends in appointments.

Mr. John M. Taylor: As at 1 April 1994 there were 509 circuit judges in office, of whom 449 had been barristers and 60 had been solicitors at the time of their appointment. There were 95 High Court judges of whom 94 had been barristers and one a solicitor. All other Supreme Court judges had been barristers and all Lords of Appeal had been barristers or members of the Faculty of Advocates in Scotland. By comparison, as at 1 October 1991, 46 out of the 446 circuit judges and none of the more senior judges in office had been solicitors at the time of their appointment. It continues to be the Lord Chancellor's policy to appoint to each judicial post the candidate who appears to him to be best qualified to fill it.

CHURCH COMMISSIONERS

Compensation

Mr. Frank Field: To ask the right hon. Member for Selby, as representing the Church Commissioners how many *(a)* inquiries and *(b)* detailed applications have been made for compensation under the Priests (Ordination of Women) Measure 1993.

Mr. Allison: A total of 836 individuals have sought and received information about the Ordination of Women

(Financial Provisions) Measure. Very few have given any indication of their actual intentions; 177 individuals have resigned or indicated their firm intention to do so, with a view to receiving financial provision under the Measure.

OVERSEAS DEVELOPMENT

Indonesia (Aid)

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of the aid and trade provision programme has been absorbed by Indonesia in each year since 1979.

Mr. Lennox-Boyd: The table provides details drawn from "British Aid Statistics" for the calendar years up to 1990; and for the financial years from 1991 onwards.

Indonesia percentage of ATP expenditure

	Per cent.
Calendar years	
1980	Nil
1981	Nil
1982	4·8
1983	8·8
1984	11·4
1985	46·4
1986	0·1
1987	3·5
1988	2·0
1989	2·2
1990	3·9
Financial years	
1991-92	10·7
1992-93	10·5

Acer Engineering

Mr. Cousins: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid-trade projects have been awarded to Acer Engineering since 1990; and in how many other such projects Acer Engineering acted as a subcontractor or consultant.

Mr. Lennox-Boyd: Acer Engineering has not been the lead contractor for any project supported with aid and trade provision finance since 1990. Data are not held centrally on subcontractors or consultants employed by lead contractors under aid and trade provision-supported contracts, and such information could be provided only at disproportionate cost.

Pergau Dam

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what payments of compensation have been made in connection with the Pergau dam project to the state Government of Kelantan and to local landowners; and by whom.

Mr. Lennox-Boyd: We understand that Tenaga Nasional Berhad—the publicly listed Malaysian Electricity Company—agreed in 1992 to pay compensation to the Kelantan State Government for the use of land and water and loss of timber revenue. This amounted to just over M$121 million—£28 million. We understand that compensation has also been paid to local landowners although we are not aware of the amount.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make available the most up-to-date analyses of the environmental impact of the Pergau dam.

Mr. Lennox-Boyd: ODA continues to monitor the environmental effects of this project. It is not our policy to publish advisers' reports but, following a recent monitoring visit by an ODA adviser, the main conclusions were that the Malaysian environmental management plan is being effectively implemented and that the Pergau project will not have an adverse long-term environmental impact.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the cost to public funds of the specialist consultants appointed by the Overseas Development Administration to monitor progress on the Pergau dam.

Mr. Lennox-Boyd: We expect to spend a total of £1·035 million up to the 1996-97 financial year on technical, financial and environmental monitoring of the implementation of the project.

Mr. Hain: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations he had over the military implications of the Pergau dam project.

Mr. Lennox-Boyd *[holding answer 12 April 1994]:* None.

Iraq

Mr. Livingstone: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what assessment he has made of the consequences of the sanctions on Iraq on the food consumption of the civilian population;

(2) what assessment he has made of the consequences of the sanctions on Iraq on the repair of water purification and sewage plants that were destroyed in the Gulf war;

(3) what assessment he has made of the change in the incidence of water-borne diseases and other diseases since the imposition of sanctions on Iraq;

(4) what assessment he has made of the change in the incidence of infant mortality since the imposition of sanctions on Iraq.

Mr. Lennox Boyd: We have made no assessments of our own. Iraq is continuing to refuse access to the UN special rapporteur on human rights in Iraq and UN human rights monitors. We do, however, receive reports from UN agencies and non-governmental organisations with their assessments of needs in Iraq. It is on the basis of these assessments that we have provided some £66 million humanitarian aid to the Iraqi people since 1991.

Burma

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the extent to which refugees are leaving Burma as a result of actions of the Burmese Government.

Mr. Lennox-Boyd: We understand from the United Nations High Commissioner for Refugees that at present there is no significant movement of refugees from Burma into neighbouring countries.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs when the World Health Organisation's plan for the development of health services in Somaliland will be produced; and what plans exist to make it available for public scrutiny.

Mr. Lennox-Boyd: The World Health Organisation has informed us that the plan is expected to be made public by the end of April. Copies will be placed in the Libraries of both Houses.

PRIME MINISTER

Iraq

Mr. Dalyell: To ask the Prime Minister if he will seek to arrange for a senior official of the Foreign Office to visit the marshlands of Iraq, in the area where the Tigris joins the Euphrates, to be accompanied by a medical officer experienced in water-borne malnutrition-related diseases and an expert in water filtering and pumping equipment.

The Prime Minister *[holding answer 14 April 1994]:* Many international organisations and humanitarian workers have sought to visit these areas to aid civilians. However, Iraq has consistently refused to permit access, despite the fact that this is in contravention of the United Nations Security Council resolution 688.

SOCIAL SECURITY

Pensioner Incomes

Mr. Bowden: To ask the Secretary of State for Social Security if he will make an analysis for each quintile of pensioner incomes for single pensioners, pensioner couples and all pensioner units similar to that published on 7 May 1993, *Official Report*, columns *294-98*, using the most recent family expenditure survey figures available.

Mr. Hague: The information is in the tables.

Table 1: The average incomes of pensioners 1979/1990-91 (by quintile-quintile 1=lowest)
Average income (£ per week January 1991 prices)

Income source	*Quintile 1*		*Quintile 2*		*Quintile 3*		*Quintile 4*		*Quintile 5*		*Total*	
(a) Single Pensioners	1979	1990-91	1979	1990-91	1979	1990-91	1979	1990-91	1979	1990-91	1979	1990-91
Earnings[1]	0·4	0·1	0·1	0·3	0·3	0·5	3·5	2·5	23·2	23·8	5·5	5·44
Benefit Income	47·2	51·4	54·8	61·4	57·5	68·7	57·1	66·6	51·7	63·3	53·7	62·30
Investment Income	1·9	2·8	2·0	4·0	2·2	4·5	6·4	15·4	30·5	81·2	8·6	21·60
Occupational Pension	0·6	1·6	1·7	4·9	3·1	7·7	7·3	20·2	34·3	66·6	9·4	20·20
Other[1]	0·4	0·2	0·1	0·5	0·3	0·4	0·9	0·7	0·9	2·2	0·5	0·80
Gross Income	50·5	56·0	59·0	71·1	63·0	81·8	75·0	105·3	141·0	237·0	78·0	110·20
Deductions	5·2	6·9	4·0	6·9	4·0	7·2	7·0	11·7	27·0	44·1	10·0	15·40
Net Income BHC (mean)	45·3	49·1	55·0	64·2	59·0	74·6	68·0	93·6	113·0	192·9	68·0	94·80
Net Income AHC (mean)	34·8	37·5	43·3	50·0	46·9	57·3	54·4	81·9	97·9	186·0	55·4	82·60
Net Income BHC (median)	46·8	50·7	55·7	65·6	61·8	75·2	68·9	92·3	98·2	158·9	61·8	75·20
Net Income AHC (median)	36·7	39·8	43·3	48·9	47·6	54·4	54·8	78·8	84·8	149·2	47·6	54·40
(b) Pensioner Couples												
Earnings[1]	0·3	0·2	1·2	1·6	5·5	7·1	25·9	19·5	88·5	72·0	24·2	20·00
Benefit Income	79·1	87·0	86·2	99·0	86·1	101·0	81·5	95·8	72·9	89·1	81·2	94·40
Investment Income	2·5	5·0	3·4	8·2	5·4	18·8	9·9	39·3	59·9	154·6	16·2	45·10
Occupational Pension	2·4	5·4	6·8	13·2	17·7	28·4	35·5	60·7	89·1	164·5	30·2	54·40
Other[1]	0·3	0·1	0·4	0·3	1·5	0·8	0·8	0·9	1·0	2·7	0·8	1·00
Gross Income	84·6	97·7	98·0	122·3	116·2	156·0	153·7	216·2	311·5	482·8	152·5	214·80
Deductions	5·7	12·5	5·2	12·8	7·8	16·5	17·0	27·5	74·8	99·0	22·0	33·60
Net Income BHC (mean)	78·9	85·2	92·7	109·5	108·5	139·5	136·6	188·7	236·7	383·8	130·5	181·20
Net Income AHC (mean)	64·6	72·9	76·0	94·9	91·5	129·0	117·8	180·5	209·0	377·9	111·6	170·90
Net Income BHC (median)	79·1	86·7	91·8	108·1	106·5	138·6	134·7	186·5	204·6	311·8	106·5	138·60
Net Income AHC (median)	64·7	74·5	75·2	89·9	89·4	123·2	117·0	172·5	180·9	300·0	89·4	123·20
(c) Pensioner Units												
Earnings[1]	0·3	0·8	0·5	0·7	0·8	1·7	9·8	9·2	48·4	42·7	11·9	10·90
Benefit Income	58·1	64·3	66·0	74·4	64·3	76·7	65·1	81·1	62·4	74·6	63·2	74·20
Investment Income	2·1	2·8	2·6	5·2	2·8	8·0	7·8	23·9	40·8	111·0	11·2	30·30
Occupational Pension	1·2	5·9	3·6	7·1	5·9	13·4	16·0	34·1	56·3	107·0	16·6	32·90
Other[1]	0·4	0·5	0·2	0·5	0·5	0·4	1·3	0·9	0·8	2·3	0·6	0·90
Gross Income	62·0	74·3	72·9	87·8	74·3	100·2	99·9	149·2	208·7	337·5	103·5	149·10
Deductions	5·4	4·8	4·7	8·8	4·8	9·5	9·4	17·7	44·9	65·8	13·8	22·20
Net Income BHC (mean)	56·6	69·5	68·2	79·0	69·5	90·7	90·5	131·5	163·8	271·7	89·7	127·00
Net Income AHC (mean)	48·2	56·6	52·9	58·2	56·6	80·5	75·9	123·1	140·7	263·0	74·9	115·50
Net Income BHC (median)	49·7	63·3	57·9	69·0	63·3	79·5	78·8	119·0	150·9	226·9	63·3	79·50
Net Income AHC (median)	39·7	48·5	43·8	50·3	48·5	62·9	61·6	103·3	129·0	213·2	48·5	62·90

Notes:

[1]Indicates that sample sizes are too small to provide reliable estimates. Figures are shown only to demonstrate how totals are arived at.

1. All figures before housing costs (BHC) unless otherwise stated. After housing costs=AHC.
2. All average amounts are means except where otherwise stated.
3. Components may not sum to totals owing to rounding.
4. Pensioner units are defined as single people over state pension age and couples in which the husband is over state pension age.
5. Estimates of percentage growth are based on unrounded income figures and may not therefore be the same as those calculated from the rounded amounts shown in the table.
6. Estimates of growth in total net incomes by quintile are based on medians. Estimates of growth of components of income and total incomes of all pensioners are based on means.

(d) Growth in pensioner income 1979 to 1990-91

Average income change (per cent.)

Income source	*Quintile 1*			*Quintile 2*			*Quintile 3*		
	Single pensioners	*Pensioner couples*	*Pensioner units*	*Single pensioners*	*Pensioner couples*	*Pensioner units*	*Single pensioners*	*Pensioner couples*	*Pensioner units*
Earnings[1]	–67	–33	150	183	33	35	54	29	115
Benefit income	9	10	11	12	15	13	19	17	19
Investment income	48	97	35	100	141	104	102	249	184
Occupational pension	163	124	399	181	95	99	151	60	125
Other[1]	–50	–58	22	265	–15	100	49	–50	–2
Gross income	11	16	20	21	25	20	29	34	35
Deductions	33	120	–11	61	145	88	78	112	98
Net income BHC[2]	9	10	27	18	18	19	22	30	25
Net income AHC[2]	8	15	22	13	20	15	14	38	30

Income source	*Quintile 4*			*Quintile 5*			*Total*		
	Single pensioners	*Pensioner couples*	*Pensioner units*	*Single pensioners*	*Pensioner couples*	*Pensioner units*	*Single pensioners*	*Pensioner couples*	*Pensioner units*
Earnings[1]	–27	–25	–6	2	–19	–12	–1	–17	–9
Benefit income	17	17	25	22	22	19	16	16	17
Investment income	139	297	205	166	158	172	151	179	170
Occupational pension	175	71	113	94	85	90	115	80	98
Other[1]	–26	11	–32	140	162	196	51	19	37
Gross income	40	41	49	68	55	62	42	41	44
Deductions	74	61	88	61	32	47	62	53	60
Net income BHC[2]	34	38	51	62	52	50	[3]39	[3]39	[3]42
Net income AHC[2]	44	48	68	76	66	65	[3]49	[3]53	[3]54

N.B. means given for total income growth.

[1] Indicates that sample sizes are too small to provide reliable estimates. Figures are shown only to demonstrate how totals are arrived at.

[2] Median.

[3] Mean.

Notes:

1. All figures before housing costs—BHC—unless otherwise stated. After housing costs—AHC.
2. All average amounts are means except where otherwise stated.
3. Components may not sum to totals owing to rounding.
4. Pensioner units are defined as single people over state pension age and couples in which the husband is over state pension age.
5. Estimates of percentage growth are based on unrounded income figures and may not therefore be the same as those calculated from the rounded amounts shown in the table.
6. Estimates of growth in total net incomes by quintile are based on medians. Estimates of growth of components of income and total incomes of all pensioners are based on means.

Table 2
Investment Income for Pensioner Units of all Ages

Quintile (Q1 = lowest)	Percentage of units in receipt		Average amount for those in receipt (£ per week)		
	1979	1990-91	1979	1990-91	Percentage growth
(a) Pensioner Couples					
Q1		68		7·3	n/a
Q2	61·5	75	4·8	10·9	n/a
Q3	67·8	84	7·9	22·4	182
Q4	75·3	91	13·1	43·3	230
Q5	89·9	98	66·7	157·5	136
All	71·2	83	22·7	54·1	138
(b) Single Pensioners					
Q1	49	64	3·9	4·4	14
Q2	49	59	4·1	6·8	67
Q3	45	64	5·0	7·0	41
Q4	62	77	10·3	19·9	93
Q5	78	92	39·0	88·6	127
All	57	71	15·2	30·3	100
(c) All Pensioner Units					
Q1	32	65	4·0	5·5	36
Q2	55	64	4·6	8·1	75
Q3	50	71	5·6	11·3	103
Q4	68	83	11·5	28·8	151
Q5	83	95	49·4	116·7	136
All	62	76	18·2	40·1	120

Table 3
Investment Income for Recently Retired Pensioner Units

Quintile (Q1 = lowest)	Percentage of units in receipt		Average amount for those in receipt (£ per week)		
	1979	1990-91	1979	1990-91	Percentage growth
(a) Pensioner Couple					
Q1					n/a
Q2		70		12·8	n/a
Q3	65		6·6		n/a
Q4		88		37·5	n/a
Q5	84	100	44·7	152·6	n/a
All	73	83	24·1	56·8	136
(b) Single Pensioners					
Q1					n/a
Q2					n/a
Q3		53		4·6	n/a
Q4					n/a
Q5		89		57·7	n/a
All	61	72	14·1	39·0	177
(c) All Pensioner Units					
Q1					
Q2	53·1	59	4·7	8·7	87
Q3		72		13·5	n/a
Q4	72·1	87	11·8	27·8	n/a
Q5	88·2	94	53·6	107·4	100
All	68	78	20·4	49·9	145

Table 4
Occupational Pension for Pensioner Units of All Ages

Quintile (Q1 = lowest)	Percentage of units in receipt		Average amount for those in receipt (£ per week)		
	1979	1990-91	1979	1990-91	Percentage growth
(a) Pensioner Couple					
Q1		37		14·7	n/a
Q2	45	62	10·2	21·4	n/a
Q3	73	74	24·2	38·5	59
Q4	75	82	47·1	73·9	57
Q5	70	88	127·3	186·7	47
All	62	68	48·9	79·4	62
(b) Single Pensioners					
Q1					n/a
Q2		27		12·0	n/a
Q3	17	44	10·8	17·4	n/a
Q4	41	61	18·1	33·2	83
Q5	55	69	62·6	96·1	53
All	29	46	32·4	44·3	37
(c) All Pensioner Units					
Q1		25		12·0	n/a
Q2	25	43	9·7	16·5	n/a
Q3	35	56	17·0	24·0	41
Q4	55	68	28·9	49·9	73
Q5	62	78	90·3	136·6	51
All	40	54	41·1	60·8	48

Table 5
Occupational Pension for Recently Retired Pensioner Units

Quintile (Q1 = lowest)	Percentage of units in receipt		Average amount for those in receipt (£ per week)		
	1979	1990-91	1979	1990-91	Percentage growth
(a) Pensioner Couple					
Q1					n/a
Q2		51		23·8	n/a
Q3	57		23·3		n/a
Q4		82		64·3	n/a
Q5	70	87	99·7	184·0	n/a
All	62	70	57·5	82·2	43
(b) Single Pensioners					
Q1					n/a
Q2					n/a
Q3					n/a
Q4					n/a
Q5					n/a
All	33	49	34·9	24·8	29
(c) All Pensioners					
Q1					n/a
Q2		36		18·2	n/a
Q3	42	57	20·2	28·7	n/a
Q4		76		53·2	n/a
Q5	62	78	83·3	128·2	n/a
All	50	61	51·2	71·6	40

Notes to tables 2 to 5:

1. Pensioner units are defined as single people over state pension age and couples in which the husband is over state pension age.
2. A Recently Retired pensioner unit is defined as a single pensioner aged less than five years above SPA or a pensioner couple where the husband is aged less than five years above SPA.
3. Where boxes have been joined together this signifies that due to low numbers of sample cases, an estimate has to be given for a number of combined quantiles.
4. All amounts are given at January 1991 prices.
5. Tables 1 and 3 are based on the seperate income distributions for single pensioners, pensioner couples and all pensioner units respectively. Tables 2 and 4 are based on seperate income distrubtions for recently-retired single pensioners, pensioner couples and all pensioner units respectively.

Child Support Agency

Mr. Bill Michie: To ask the Secretary of State for Social Security what consideration has been given to the publication of the collection and enforcement manual of the Child Support Agency; and if he will make a statement.

Mr. Burt: There are no plans to publish the child support collection and enforcement manual.

Youth Training

Mr. Steinberg: To ask the Secretary of State for Social Security how many youth training recipients have become eligible for top-up payments to bring them up to income support level and for welfare benefits since 11 April; and what will be the cost to public funds.

Mr. Burt: The information requested is not available. Many YT trainees have access to resources beyond their YT allowance—earnings from employers, for example. Without knowledge of such resources, it is not possible to say how many young people might now be entitled to income support.

Housing Benefit

Mr. Morgan: To ask the Secretary of State for Social Security what consultations he has had with the voluntary organisations specialising in halfway houses, hostels and supported housing for former residents of institutions catering for those with learning difficulties in relation to the future provision of housing benefit, inclusive of the cost of support and care.

Mr. Hague: In order to restore the existing policy intention, my right hon. Friend the Secretary of State has recently consulted the Social Security Advisory Committee and the local authority associations on a proposed change to the regulations relating to eligibility for housing benefit where rent includes the cost of general counselling and support.

HOME DEPARTMENT

Police Force

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department how many persons currently hold the rank of *(a)* constable, *(b)* sergeant, *(c)* inspector, *(d)* chief inspector, *(e)* superintendent, *(f)* chief superintendent, *(g)* assistant chief constable and *(h)* deputy chief constable in each of the police forces in England and Wales other than the Metropolitan police.

Mr. Charles Wardle: The information requested is set out in the table.

Police service strength by rank in England and Wales as at 31 January 1994

Police force	*Deputy chief constable*	*Assistant chief constable*	*Chief superintendent*	*Superintendent*	*Chief inspector*	*Inspector*	*Sergeant*	*Constable*
Avon and Somerset	1	3	9	31	52	160	468	2,306
Bedfordshire	1	1	4	13	15	61	161	907
Cambridgeshire	0	1	2	13	25	61	203	960
Cheshire	1	1	4	18	31	107	292	1,436
City of London	1	0	5	9	19	59	127	664
Cleveland	1	2	0	11	21	88	216	1,083
Cumbria	1	1	6	15	21	72	187	874
Derbyshire	1	2	5	21	32	98	266	1,381
Devon and Cornwall	1	3	9	36	48	142	462	2,219
Dorset	1	1	6	16	26	69	204	972
Durham	1	1	6	16	20	79	215	1,051
Dyfed Powys	1	1	3	13	20	41	157	729
Essex	0	3	10	30	52	140	453	2,252
Gloucestershire	1	1	4	11	21	59	170	881
Greater Manchester	1	4	22	77	114	418	1,075	5,311
Gwent	1	1	4	11	15	46	155	761
Hampshire	1	3	5	39	42	154	504	2,532
Hertfordshire	1	1	5	20	31	90	248	1,289
Humberside	1	2	8	15	37	104	295	1,571
Kent	1	3	10	27	46	183	450	2,446
Lancashire	1	3	9	33	63	172	517	2,345
Leicestershire	1	2	6	18	28	106	279	1,403
Lincolnshire	0	1	4	12	22	65	193	908
Merseyside	1	4	17	60	74	263	753	3,503
Norfolk	1	1	5	14	23	66	210	1,106
Northamptonshire	1	1	4	15	22	69	165	903
Northumbria	1	3	9	36	59	179	517	2,783
North Wales	1	0	7	21	26	71	227	995
North Yorkshire	0	2	4	12	24	72	199	1,015
Nottinghamshire	1	2	7	22	28	126	333	1,813
South Wales	1	3	8	32	51	168	518	2,356
South Yorkshire	1	3	12	36	46	159	458	2,297

Police force	Deputy chief constable	Assistant chief constable	Chief superinten-dent	Superinten-dent	Chief inspector	Inspector	Sergeant	Constable
Staffordshire	1	2	8	23	40	120	342	1,655
Suffolk	1	1	6	17	18	64	184	920
Surrey	1	2	6	19	18	86	269	1,259
Sussex	1	4	5	28	36	172	463	2,274
Thames Valley	1	3	11	37	46	194	516	3,092
Warwickshire	1	1	3	14	17	58	159	784
West Mercia	0	2	7	24	37	131	300	1,541
West Midlands	1	4	21	77	101	380	1,057	5,334
West Yorkshire	1	4	9	49	73	272	765	3,828
Wiltshire	1	1	5	12	19	69	195	970

Consultants

Mr. Milburn: To ask the Secretary of State for the Home Department, pursuant to his answer of 30 March, if he will list the firms of consultants employed by his Department and the number of contracts they have undertaken.

Mr. Charles Wardle: The suppliers of the consultancies are as follows; figures in brackets indicate the number of contracts to that company if more than one:

Supplier

Beck and Politzer
Capita
Clayton Forde Associates
Coopers and Lybrand (×5)
DBI Associates
D. Jenkins
Dent Lee Witte plc
David Matthews Associates
Ernst & Young (×2)
ER Consultants
Ewbank Preece Limited (×2)
G. Lister
Grosvenor, Consult, Dew Limited
Harrison Smith Associates Limited
Hedra Limited
IHSM Consultants Limited
IRM (×2)
J. L. Patterson
Jones Lang Wooton
Kensington Construction Centre
Kingsley Lord (×2)
KPMG Peat Marwick (×2)
L. Massey (×3)
Laboratory of the Government Chemist
Lamb Business Management Services
LEK
M. Kenworthy
MIRO Communications (×2)
OCP (×2)
Organisation Consul Hart
PA Consulting (×5)
Price Waterhouse (×5)
R. Dewey
R. Oliver
REL Consultants
Resource Evaluation
Rethinking Recycling
Shreeveports (×2)
Strategic People
The Institute of Counselling
Touche Ross (×2)
Tricon Catering Services
Vector Corporate Directions Limited (×3)
Wolsey Hall Oxford
Yale Consultants

Blasphemy

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many actions have been brought for the offence of blasphemy since 1964; and how many resulted in a conviction.

Mr. Maclean: Records held centrally show only one prosecution brought since 1964 for blasphemy offences. This prosecution resulted in a conviction.

Overstaying

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 29 March, *Official Report*, column *612*, if he will make it his policy to collect centrally statistics by country on the number of visitors to the United Kingdom who overstay.

Mr. Charles Wardle: Such statistics could be collected only if there were comprehensive records of all arrivals and departures of non-European Economic Area nationals, of whom about 6·5 million are visitors to the United Kingdom each year. Maintaining such a database would not be cost-effective.

Firearm Certificates

Sir Jerry Wiggin: To ask the Secretary of State for the Home Department what was the total sum received in England and Wales for *(a)* firearm certificates and *(b)* shotgun certificates during 1993 or the most recent year for which figures are available.

Mr. Charles Wardle: In 1992, the most recent year for which figures are available, the total sum received in England and Wales was £2,258,600 for firearm certificates and £2,730,200 for shotgun certificates.

Racially Motivated Harassment

Ms Ruddock: To ask the Secretary of State for the Home Department (1) what percentages of *(a)* prosecutions and *(b)* convictions under section 5 of the Public Order Act 1986 in each year since 1987 were for racially motivated harassment;

(2) how many prosecutions there have been under section 5 of the Public Order Act 1986 in each year since 1987; how many convictions there have been in each year since 1987; and what were the penalties for those convicted in each case.

Mr. Maclean: Information is not collected centrally as to whether an offence committed under section 5 of the Public Order Act 1986 was racially motivated.

The table shows the number of prosecutions, convictions and type of disposal given for offences under section 5 of the Public Order Act 1986 from 1987 to 1992. 1993 data will not be available until the autumn.

Number of defendants prosecuted, convicted and type of disposal given for offences under section 5 of the Public Order Act 1986 from 1987 to 1992 England and Wales

	1987	1988	1989	1990	1991	1992
Prosecutions	12,660	32,493	37,358	36,632	30,247	27,796
Convictions	9,490	24,079	26,828	25,193	19,478	16,541
Total sentenced	9,475	24,056	26,794	25,206	19,475	16,541
Type of disposal						
Absolute or conditional discharge	1,249	3,054	4,009	4,046	3,801	4,052
Fine	7,673	19,647	21,596	20,091	14,378	11,746
Community sentences[1]	125	283	289	251	214	148
Immediate custody	—	—	—	16	27	6
Otherwise dealt with[2]	428	1,072	900	802	1,055	589

[1] Includes probation orders, supervision orders, community service orders, attendance centre orders and from 1 October 1992 combination orders.
[2] Includes fully suspended sentences.

Secure Training Centres

Mr. Ashton: To ask the Secretary of State for the Home Department (1) if the sites for the new secure training centres will be well away from residential areas;

(2) when he expects to announce the chosen sites for the five new secure training centres for persistent juvenile offenders subject to a secure training order.

Mr. Maclean: I hope to be able to announce a decision next week about the sites for the new centres.

Detention Centre, Gringley

Mr. Ashton: To ask the Secretary of State for the Home Department if the empty detention centre at Gringley near Retford, Nottinghamshire is still available for sale; and if he will consider selling the site to a consortium of local residents.

Mr. Maclean: No. The site was withdrawn from sale by the Prison Service pending an assessment of its potential use as a secure training centre.

Mr. Ashton: To ask the Secretary of State for the Home Department what was the reason for the closure of the former Gringley detention centre, near Retford; how many inmates it held; and how many people were employed there.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Mr. D. Lewis to Mr. Joe Ashton, dated 15 April 1994:

The Home Secretary has asked me to reply to your recent Question about the closure of the former Gringley detention centre.

Gringley detention centre was closed in March 1988, as, following the discontinuance of detention centres, the site was too small and uneconomical for any alternative use by the Prison Service.

When it operated as a detention centre, it had a certified normal accommodation of 72.

It is not possible to provide precise details of staff numbers, as Gringley was operated as a satellite of Hatfield, then an open establishment for young prisoners. It is estimated that a total of about 35 staff were normally required to cover the shift system and support services which operated at Gringley.

Prisoners, Northumbria

Mr. Beith: To ask the Secretary of State for the Home Department how many prisoners are currently held in police cells in the Northumbrian police force area; and why they are not held in prisons.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Mr. D. Lewis to Mr. A. J. Beith, dated 15 April 1994:

The Home Secretary has asked me to reply to your recent Question about the number of prisoners currently held in police cells in the Northumbria police area and why they are not held in prisons.

On 12 April 1994, the latest date for which complete information is available, 23 prisoners were held in police cells in the Northumbria police area.

Since 1 January 1994, the prison population in England and Wales has risen by over 3,000. This has caused considerable pressure on local prison accommodation, particularly in the North of England.

Since 14 February 1994, there have been insufficient places available at Durham prison for all those committed to prison custody from courts in its catchment area.

HEALTH

Health Care

Ms Primarolo: To ask the Secretary of State for Health what assessment she has made of the financial savings of moving activity from secondary to primary health care.

Dr. Mawhinney: The balance between secondary and primary care is for local decision taking into account local needs and resources, existing provision, and the views of local people.

Ethnic Monitoring

Ms Ruddock: To ask the Secretary of State for Health what ethnic monitoring is undertaken by her Department within the national health service and within training providers associated with the national health service.

Dr. Mawhinney: Information on the ethnic origin of nursing, midwifery and health visiting staff was first

collected in September 1993. Results should be available in mid 1994. Ethnic origin information for the remainder of the national health service non-medical work force will be collected in September 1994.

Data on the ethnic background of doctors in the hospital and community health services is also collected by the Department. The NHS executive has just set up a central monitoring programme in England and Wales to examine the outcome of NHS consultant appointments in terms of gender and ethnic origin of applicants.

From later this year, the English National Board for Nursing, Midwifery and Health Visiting will collect data from approved institutions offering nursing, midwifery and health visiting qualifications.

Campaigns

Mr. Matthew Taylor: To ask the Secretary of State for Health, pursuant to her answer of 14 February, *Official Report*, column *623*, if she will list, for each campaign that does not include advertising, the objectives and mechanisms for assessing the effectiveness of the campaign and the results of such assessments.

Mr. Sackville: The additional information requested has been included in revised tables which have been placed in the Library. The results of assessments for 1993-94 are not yet available.

Bosnia

Mr. Worthington: To ask the Secretary of State for Health what medical facilities in Britain have recently been offered to victims of the war in Bosnia; and what plans she has to increase these.

Dr. Mawhinney: Since the beginning of this year 17 casualties from Bosnia have been treated for a variety of medical and surgical conditions in appropriate national health service hospitals. To date, all placements have been arranged through regional health authorities in England but the Department has maintained liaison with the other territorial health departments.

It is generally accepted that the overriding need now is to build up the capacity to provide sustainable health care within the former Yugoslavia. Nevertheless, we are continuing to respond to requests for individual cases to be treated here when special need arises because of a lack of the necessary facilities locally.

Domiciliary Care Agencies

Mr. Mike O'Brien: To ask the Secretary of State for Health what representations she has received regarding the provision of legal powers for professionals to intervene where an abusive situation in a domiciliary care agency cannot be alleviated by other means.

Mr. Bowis: None.

Departmental Office Space, Ipswich

Mr. Cann: To ask the Secretary of State for Health how many square feet of office space her Department leases, rents or owns inside the boundary of the borough of Ipswich; and what was the equivalent area in June 1979.

Mr. Sackville: The Department of Health has no office accommodation in Ipswich which it rents or owns.

Suffolk health authority and Suffolk family health services authority occupy office premises on the Saint Clements hospital site, leased from East Suffolk Local Health Services National Health Service Trust.

Junior Doctors

Mr. Jim Cunningham: To ask the Secretary of State for Health what plans she has for the recruitment to the national health service of more junior doctors.

Dr. Mawhinney: The new deal will further reduce hours worked by junior doctors. To help achieve these reductions, regional task forces have been given the freedom to increase senior house officer numbers where necessary, in consultation with postgraduate deans, to ensure that educational standards are maintained.

The number of junior doctors will change as a result of the Government's acceptance of the recommendations of "Hospital Doctors: Training for the Future". This will introduce planned and structured training and increase the ratio of senior medical staff to junior doctors. Over the next few years, this should reduce the numbers in higher specialist training but increase the number of consultants and the proportion of care delivered by them.

Copies of both documents are available in the Library.

Ambulances

Mr. Sheerman: To ask the Secretary of State for Health what steps she is taking to encourage the purchase and use of ambulances manufactured in the United Kingdom.

Mr. Sackville: The sourcing and purchase of ambulances by competitive tender is a matter for each individual ambulance service, having regard to operational requirements, availability in the marketplace, and best overall value for money.

Birth Defects

Mr. Alex Carlile: To ask the Secretary of State for Health if she will seek a report on the relationship between the incidence of birth defects and the transmission of viruses carried by sea water contaminated with sewage effluent; and if she will make a statement.

Mr. Sackville: There are no known links between viral infections of any type, including viruses transmitted through sea water, and limb reduction deformities at birth. There are therefore no plans to commission a study along the lines suggested.

With regard to investigations into reports of unusual occurrences of babies born with limb defects, I refer the hon. Member to the reply I gave to the hon. Member for Hartlepool (Mr. Mandelson) on 1 March at column *678*.

General Practitioners (Mobile Phones)

Mr. Blunkett: To ask the Secretary of State for Health what plans she has to subsidise calls made or received by general practitioners on mobile phones in the course of their duties when on call.

Dr. Mawhinney: Expenses incurred by general practitioners in the delivery of general medical services are reimbursed to the profession in full.

Mr. Blunkett: To ask the Secretary of State for Health what guidelines her Department has issued to general practitioners in relation to the use and charging of calls received on mobile phones from patients when on call.

Dr. Mawhinney: None.

NHS Leaflet

Ms Primarolo: To ask the Secretary of State for Health how many typical modern health centres, as described in her Department's leaflet, "NHS Changes in London—Answers to the Questions You've Been Asking" have been established in London.

Dr. Mawhinney: Health centres are managed by local health authorities and community trusts and detailed information is therefore not available centrally. Analysis of primary care development plans received from health authorities within the London implementation zone indicates that 24 capital projects involving health centres were established during 1993-94 and a further 33 building developments are planned for 1994-95. Seventy-four additional service improvement initiatives have been identified which will extend primary care provision by introducing dental, orthopaedic, occupational or psychiatric health care within a general practitioner setting. I refer the hon. Member to the reply I gave her on 18 January at column 525. This provided a list of all the LIZ-funded primary care projects established in 1993-94.

Ms Primarolo: To ask the Secretary of State for Health how many new minor injury units there will be in central London, as described in the leaflet, "NHS Changes in London—Answers to the Questions You've Been Asking".

Dr. Mawhinney: At present there are two minor injury units in central London, the south Westminster centre and walk-in facilities at St. Charles hospital, Kensington. Plans are being developed to establish further units at St. Bartholomew's Smithfield site and also for Lambeth, Greenwich, Bethnal Green and Hackney.

London Ambulance Service

Ms Primarolo: To ask the Secretary of State for Health what are the latest figures for the London ambulance service's record in reaching patients charter targets for response times.

Mr. Sackville: The latest published figures are for January 1994 and are as follows:

	Per cent.
14-minute response standard	65
8-minute response time	12
3-minute activation time	34

This performance falls short of the patients charter targets. That is why in this financial year the Government and the London regions will invest an extra £14·8 million in the London ambulance service, tied to specific improvements in performance.

Health Workers

Ms Primarolo: To ask the Secretary of State for Health how many health service workers have been made redundant in London since the Tomlinson report was published.

Dr. Mawhinney: Separate figures for inner London have been held centrally only since April 1993. Between April and December 1993 around 750 redundancies were reported by inner London hospitals.

Health Information

Ms Primarolo: To ask the Secretary of State for Health how many people have called *(a)* the health information service and *(b)* the health literature line.

Dr. Mawhinney: A special trawl of the national health service regions shows that the number of calls received by the health information service in the period between April 1992 and March 1994 was 234,656.

The number of calls received by the health literature line in the period between April 1993 to March 1994 was 223,346.

WALES

Consultants

Mr. Milburn: To ask the Secretary of State for Wales, pursuant to his answer to the hon. Member for Blaenau Gwent (Mr. Smith) of 22 February, *Official Report*, column *144*, if he will list the firms of consultants employed by his Department and the number of contracts they have undertaken.

Mr. Redwood: Since 1988-89, the Welsh Office has engaged the following firms of consultants:

Firms	*Number of occasions employed*
Aldbourne Associates	2
Ampersand Systems Ltd.	2
Apple Design	1
Aspinwall & Co.	2
Aston Business School	1
Axis Consultants Ltd.	1
Babti & Dobbi	1
Bar Quas Ltd.	2
BASE	1
BIS Ltd.	2
Briar Associates	5
Bristol Business School	1
Butler & Young	1
Cambridge Scientific Ltd.	1
Capita Group	1
Cardiff Business School	1
Centre for Health Planning and Management	1
Clifford Talbot Partnership	4
Computer and Management Consultants plc	1
Coopers and Lybrand	20
Cousins Stephens Associates	1
CRG	1
CSL Group	1
DBI Associates	2
Drivers Jonas	2
ECOTEC	1

Firms	Number of occasions employed
ERES	1
Ernst & Whinney	2
Ernst & Young	1
Feedback Communications	1
Finesse Corporate Functions	1
Frank Griffiths Associates Ltd.	1
George Courderoy	1
Gwent Management Consultancy Service	1

Consultancy Firm	Number of Contracts
HACAS	2
Hay Management Consultants	2
Henley Management Consultants	1
Howard Humphries and Partners	4
Hunters	1
IMC Management Consultants Ltd.	1
JAB Associates	1
KOALA	1
KPMG Peat Marwick	13
Lesley Hoys & Associates	1
London Economics Ltd.	2
Matt McDonald	1
MMM Consultancy Group	1
Mouncey and Partners	1
MVA Systematica	1
North West Regional Research Laboratory	1
Os[illegible]ber TPA	1
Owen Thomas and Co.	3
PA Cambridge Economic Consultancies	1
PA Consulting	1
PA Hutchinson	1
P-E Incubon	2
PEP Ltd.	1
Peter Stanley Associates	1
Phillip Sweet Associates	1
Pi Associates	3
PIEDA	4
Price Waterhouse	7
Prieda Plc	1
Prime Energy	1
Quo-Tec Ltd.	3
Rita Hale and Associates	1
SCA Ltd.	1
Segal Quince and Wicksteed	1
Social Information Systems Ltd.	3
Social Services Strategic Planning	2
Software Personnel	1
Soil Survey and Land Research	1
SRD Consultants	1
Studio 35 Ltd.	1
TACP Landscape Architects	1
Terry Darlington	1
Tony Ball and Associates	1
Touche Ross	22
University of Wales: Centre for Housing and Development	1
Victor Hausner	1
Wales and South West Regional Research Laboratory	1
Wallace Evans Ltd.	3
Warwick Business School	2
Welsh Development Technology Marketing	1
W. F. Atkins—Wales	2
William Battle Associates	4
Wilter Associates	1

School Buildings

Mr. Dafis: To ask the Secretary of State for Wales what representation he has received from teachers' and head teachers' organisations regarding the condition of school buildings; and if he will meet the president of the National Association of Head Teachers in Wales to discuss linkage between social deprivation and low educational achievement.

Sir Wyn Roberts: My right hon. Friend and I have from time to time received representations on the condition of school buildings from teachers and head teachers organisations; responsibility for the repair and maintenance of school buildings rests with the local education authority. Any request from the president of the National Association of Headteachers in Wales for a meeting to discuss linkage between social deprivation and educational achievement will be carefully considered.

Buckley, Local Facilities

Mr. Barry Jones: To ask the Secretary of State for Wales (1) if he will visit Bistre community centre, Buckley, Clwyd; and if he will meet the voluntary bodies who use the centre;

(2) if he will convene a meeting with Clwyd county council and Buckley town council to review local facilities and voluntary groups in Buckley; and if he will make a statement;

(3) if he will meet Buckley town council.

Mr. Redwood: I have no immediate plans to visit Bistre community centre or to meet Clwyd county council and Buckley town council to review local facilities and voluntary groups in Buckley.

Milk Surpluses

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make it his policy to allow dairy farmers in Wales who have exceeded their production quota to donate their surplus milk to third-world aid agencies; and if he will make a statement.

Mr. Redwood: The European Commission has confirmed that, under the present EC regulations, using surplus milk for food aid purposes would count against producers' quota allocation. I have asked officials to review this matter in consultation with the Ministry of Agriculture, Fisheries and Food and the Commission.

Water Drainage, Llandudno

Mr. Alex Carlile: To ask the Secretary of State for Wales if the customer services committee for Wales investigation into foul and surface water drainage systems in Llandudno has been completed; and if he will put a copy in the Library.

Mr. Redwood: The investigation by the Customer Service Committee for Wales of the flooding incident at Llandudno in June 1993 was primarily directed at the response of Dwr Cymru Cyf—Welsh Water—to the incident, in the light of a number of customer complaints received regarding possible compensation. Following investigation it was considered that none of the complaints could be upheld by the committee because the flooding resulted from very exceptional weather conditions. If the hon. Member requires a copy of Dwr Cymru's report on the incident as provided to the customer service committee, he should contact the company directly.

Bovine Tuberculosis, Gwent

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will seek a report into the relationship between the outbreak of tuberculosis on a Gwent dairy farm last summer and the presence of infected badgers; and if he will make a statement.

Mr. Redwood: An investigation into the possible causes of an outbreak of bovine tuberculosis on a Gwent dairy farm last year continues to be carried out by the state veterinary service. No definitive conclusions have been reached.

Dental Services

Mr. Gareth Wardell: To ask the Secretary of State for Wales what account he has taken of the figures for children's dental decay in the 1992 annual report of the chief medical officer at the Welsh Office in considering revisions to Welsh health circular (89)28 on requirements for the community dental service; and if the circular is still in force.

Mr. Gwilym Jones: Welsh health circular (89)28 remains in force. It remains relevant to present needs and requirements and there are no plans to revise it.

TREASURY

Value Added Tax

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 March, *Official Report*, column *819*, if he will list the amount of value added tax outstanding for each year since 1988, including 1993, as a percentage of total value added tax collected.

Sir John Cope: Information for the years 1988 to 1993 is shown in the table.

The amounts outstanding shown in the table are the absolute gross cumulative amounts of value added tax arrears at 31 March each year.

Year	*VAT arrears at 31 March*	*Cumulative VAT arrears at 31 March as a percentage of net receipts for the year ended 31 March*
	£ billion	
1988	0·8	3·5
1989	0·9	3·2
1990	1·2	4·0
1991	1·5	4·7
1992	1·6	4·6
1993	1·6	4·2

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 March, *Official Report*, column *819*, if he will list the average daily arrears of value added tax for each year since 1986, including 1993, as a percentage of average daily collections of value added tax.

Sir John Cope: Information for the years 1986 to 1993 is shown in the table.

Year	*Average daily arrears at 31 March*	*Net VAT collected in year ended 31 March*	*Net average daily collections*	*Average daily arrears as a percentage of net VAT collected in the year*
	£ billion	*£ billion*	*£ million*	
1986	1·4	19·3	53·0	7·0
1987	1·2	21·4	58·5	5·7
1988	1·0	24·1	65·9	4·4
1989	1·1	27·3	74·9	4·0
1990	1·2	29·5	80·8	4·0
1991	1·6	31·0	84·9	5·2
1992	1·9	35·6	97·6	5·4
1993	2·0	37·2	102·0	5·4

The average daily arrears figure represents the average gross amount of value added tax outstanding on any one day during the year. It cannot be directly related to an average daily collections figure, as the first is a measure of average total cumulative arrears outstanding on any day. The latter relates to average receipts on a single day, and is not a cumulative figure.

The percentages shown relate to the average daily arrears figure at the year end, expressed as a percentage of net VAT collected in the year.

Inland Revenue

Mr. Mandelson: To ask the Chancellor of the Exchequer how many counter callers and telephone queries the Inland Revenue had in the period February to March in 1992, 1993 and 1994.

Mr. Dorrell: The numbers of counter callers and telephone queries dealt with by tax offices in the periods concerned are set out in the table. Data are not available for the smaller number of specialist and collection offices.

	Counter callers	Telephone callers
Mid February to mid March 1992	388,273	1,980,322
Mid February to mid March 1993	342,917	2,079,299
Mid February to mid March 1994	352,043	2,354,400

The earlier timing of the Budget has allowed all the consequential adjustments to employee codings to be made at the start of the year. In the past there would have been a recoding exercise following the Budget in March, and queries would have arisen after that.

As in previous years, however, there has been a decrease in the aggregate number of counter and telephone callers in the reporting period to mid-March this year.

SCOTLAND

Tourism

Mr. Kynoch: To ask the Secretary of State for Scotland what steps he intends to take to strengthen the composition of the Scottish tourism co-ordinating group; and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. Friend announced on 29 June 1993 that, as part of the tourism review, the Scottish tourism co-ordinating group would be responsible, under my chairmanship, for supervising the preparation by the Scottish tourist board of a national tourism strategy for Scotland.

I have concluded that it will be desirable, if widespread commitment to the national tourism strategy is to be secured, to strengthen the group with a wider range of tourist interests. I am glad to announce that the following members have agreed to serve:

	Serving members
Scottish Tourist Board	Chairman and Chief Executive[1]
Scottish Enterprise	Chairman and Chief Executive[1]
Highlands and Islands Enterprise	Chairman and Chief Executive[1]
British Tourist Authority	Chief Executive[1]
COSLA	President
Scottish Confederation of Tourism	Chairman
Scottish Natural Heritage	Chairman
The Scottish Arts Council	Chairman
The Scottish Sports Council	Chairman
The Scottish Museums Council	Chairman
Historic Scotland	Director and Chief Executive
Scottish Office Industry Department	Head of Highlands, Tourism and Co-ordination Division[1]

[1] Existing members of the group.

The remit of the group will be to devise a national tourism strategy, to review that strategy annually, to ensure that it is implemented, to improve Scotland's tourism product, and to ensure effective co-ordination between Scottish tourist interests.

The first meeting of the expanded group will be on 20 May.

Aggravated Trespass

Mr. McFall: To ask the Secretary of State for Scotland what representations he has received in respect of the aggravated trespass clause in the Criminal Justice and Public Order Bill with regard to Scotland; and if he will place these submissions and his replies in the Library.

Lord James Douglas-Hamilton *[holding answer 31 March 1994]:* My right hon. Friend has received representations to the effect that the provisions of the clause will be used to obstruct lawful outdoor activity in Scotland, such as hill walking. There has also been some support for the clause.

Replies to those who have expressed concern about the clause have made it clear that its purpose is to ensure that those engaging in lawful activities, whoever and whatever they may be, are provided with protection from trespassers who intend to intimidate them or otherwise intend to obstruct or disrupt those activities.

The material in question is a matter for my right hon. Friend and those who have submitted the representations. It would therefore be inappropriate for arrangements to be made for it to be placed in the Library.

TRADE AND INDUSTRY

Jaguar XJS

Mr. Gordon Prentice: To ask the President of the Board of Trade when he was first made aware of the possibility that Ford was considering moving from the United Kingdom to Portugal the assembly of the next generation Jaguar XJS.

Mr. Heseltine: My Department was first informed in July 1993 that Ford was considering Portugal as a possible location for the manufacture of the Jaguar X100, which is the successor to the XJS sports car.

CRAFT Programme

Mr. Cousins: To ask the President of the Board of Trade which companies and technology centres are participating in the Co-operative Research Action for Technology programme for small and medium-sized enterprises under the framework programme for research and development; and what proportion of this programme has been spent in Great Britain.

Mr. McLoughlin: This information is not readily available in the form requested. Each CRAFT project must have participants from two or more Community countries and at the moment the United Kingdom accounts for 10 to 11 per cent. of the 640 participants in projects so far awarded grant; 15 United Kingdom-based organisations are engaged in research and development under the programme.

STRIDE Programme

Mr. Cousins: To ask the President of the Board of Trade if he will list the projects supported by the EU Science and Technology for Regional Innovation and Development in Europe programme.

Mr. Heseltine: A list of successful applicants under the STRIDE initiative has been placed in the Libraries of both Houses.

Technology and Innovation

Mr. Cousins: To ask the President of the Board of Trade if he will place in the Library the list of the projects supported by *(a)* the advanced technology programme and *(b)* the support for innovation programme since the inception of the projects.

Mr. McLoughlin: The information requested could be provided only at disproportionate cost.

Steel Industry

Mr. Fatchett: To ask the President of the Board of Trade if he will make a statement on the recent decision by the European Commission to delay the restructuring of the steel industry.

Mr. Heseltine *[holding answer 13 April 1994]:* I know of no such decision. Restructuring of the EC steel industry is essentially a matter for the companies concerned. The most important contribution which the Commission can make lies in the rigorous application of the European Coal and Steel Community state aid rules, including in particular implementation of the improved monitoring procedures agreed at the 17 December Industry Council.

Post Offices

Mr. Harry Greenway: To ask the President of the Board of Trade how many post offices and sub-post offices there are; what were the figures 20 years ago; what is their estimated profit in each case; and if he will make a statement.

Mr. McLoughlin *[holding answer 13 April 1994]:* I understand from the Post Office that the numbers of branch post offices and sub-post offices were as follows:

Number of offices	*February 1994*	*March 1974*
Branch offices	850	1,607
Sub-post offices	18,968	22,276

In 1992-93, Post Office Counters Ltd., which is the subsidiary of the Post Office responsible for post offices, made a profit on ordinary activities before taxation of £24·9 million. In 1973-74, the Post Office was a very different organisation, covering telecommunications and Girobank services, as well as the constituent parts of the existing business. The accounts were not structured in a way which allows the profitability of what is now Post Office Counters Ltd. to be distinguished from other parts of the operation.

Metal Recycling

Mr. Burden: To ask the President of the Board of Trade if he will seek the assessment of the British Bankers Association of the effect on the credit-worthiness and asset base of the metal recycling industry of waste management licensing.

Mr. McLoughlin *[holding answer 12 April 1994]:* Under the Government's deregulation initiative there is a requirement for compliance costs to be assessed prior to the implementation of any new regulations, with special account taken of the impact on small businesses. In doing this the Government do, of course, take account of any views put forward by industry. I understand, however, that the British Bankers Association has not, as yet, produced an assessment of the possible effect of waste management licensing on asset bases. If and when it does so, the Government would be interested to receive a copy.

ENVIRONMENT

Local Authority Powers

Mr. Straw: To ask the Secretary of State for the Environment if he will list all the functions of local authorities which provide them with a power or right of entry, search or seizure into or of any property.

Mr. Gummer: There is a large number of such powers, including those listed in the table:

Acts of Parliament

- Dangerous Dogs Act 1991 (c.65)
- Dangerous Wild Animals Act 1976 (c.38)
- Public Health Act 1961 (c.64)
- Building Act 1984 (c.97)
- Public Health (Control of Disease) Act 1984 (c.22)
- Control of Pollution Act 1974 (c.40)
- Public Health Act 1936 (c.49)
- Clean Air Act 1993 (c.11)
- Planning (Hazardous Substances) Act 1990 (c.10)
- Water Industry Act 1991 (c.56)
- Mines and Quarries (Tips) Act 1969 (c.10)
- Compulsory Purchase Act 1965 (c.56)
- Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9)
- Town and Country Planning Act 1990 (c.8)
- Consumer Credit Act 1974 (c.39)
- Trade Descriptions Act 1968 (c.29)
- Consumer Protection Act 1987 (c.43)
- Cinemas Act 1985 (c.13)
- Local Government (Miscellaneous Provisions) Act 1982
- Explosives Act 1875 (c.17)
- London County Council (General Powers) Act 1900 (c.cclviii)
- Greater London Council (General Powers) Act 1973 (c.xxx)

Statutory Instruments include:

- The Tourism (Sleeping Accommodation Price Display) Order 1977/1877
- The Fresh Meat (Hygiene and Inspection) Regulations 1992/2037
- The Non-automatic Weighing Instruments (EEC Requirements) Regulations 1993/1579
- The Movement of Animals (Restrictions) Order 1990/760
- The Pleuro-Pneumonia Order 1928 (SR & O 1928 No. 205)
- The Cattle Plague Order 1928 (SR & O 1928 No. 206)
- The Poultry Meat (Hygiene) Regulations 1976/1209
- The Rabies (Control) Order 1974/2212

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what computer systems his Department has brought in, for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Gummer: The information is set out in the table. All systems are still in use.

Year, System and Function	*Cost £ million*
1990-91	
Administration of European Regional Development Fund grants.	0·3
1990-91	
Her Majesty's Inspectorate of Pollution (HMIP) Corporate Information system—to support the regulatory and office administration functions of HMIP.	1·3
1991-92	
Property Holdings Integrated Accounting System—to monitor and record Property Holdings costs and charges.	0·1
1991-92	

Year, System and Function	Cost £ million
To support the regulatory and office administration functions of HMIP.	3·4
1991-92	
Administration of Derelict Land Grants.	1·2
1992-93	
To support the regulatory and office administration functions of HMIP.	3·4
1993-94	
To support the procurement of IT and other office machinery.	0·2
1993-94	
Security and Facilities Executive Common Accounting System.	0·1
1993-94	
Radioactive Incident Monitoring Network—to monitor levels of radioactivity throughout the United Kingdom.	12·0
1993-94	
To support the regulatory and office administration functions of HMIP.	2·2

Limehouse Tunnel Road Link

Ms Gordon: To ask the Secretary of State for the Environment, pursuant to his answer concerning the Limehouse tunnel road link on 23 March, *Official Report*, columns *277-78*, what were the reasons for the demolition of 164 units of the St. Vincent estate not related to construction of the tunnel, stating the number of units related to each purpose; what is the approximate breakdown of the £45 million costs of rehousing 314 households and the cost of demolition of the 256 dwellings demolished; and what is the approximate percentage and acreage of the area now used for *(a)* tunnel purposes, *(b)* other current purposes and *(c)* future residential, commercial, or retail and other uses.

Mr. Baldry: The reasons for the demolition of the 164 units not directly related to the construction of the Limehouse link, were as follows:

26 dwellings (St. Christopher House) received Dangerous Structure Notices served during construction.

28 dwellings (Jamaica House) were demolished for the new bus only diversion/Limehouse Causeway junction improvement.

110 dwellings (Cayman, St. Vincent, St. Lucia, Nevis and Bermuda Houses) were unsuitable in terms of design, condition and location for refurbishment as family accommodation.

The breakdown of the £45 million cost of rehousing the 314 households at the St. Vincent estate is as follows:

	£ million
Rehoused with housing associations in the borough	29·8
Rehoused in existing borough stock	6·5
Assisted to buy own property	1·9
Moved to out of borough housing association stock	4·4
Other (disturbance/administrative/security	2·3
Demolition costs (164 units)	0·24
Total	45·14

Note: The demolition costs of the remaining 92 units form part of the overall tunnel construction costs and are not available separately.

The approximate percentages and acreage of the areas used for the following purposes are:

	Acres	Percentage
(a) Tunnel purposes:		
Limehouse Link works	1·11	22
(b) Other current purposes:		
Bus diversion/junction improvements	0·13	57
(c) Future residential/commercial/ retail and other uses:		
Youth club	0·43	8
Residential/open space/ commercial	2·72	54
Site roads	0·63	
Total	5·02	

Sellafield

Mr. Llew Smith: To ask the Secretary of State for the Environment if he will make a statement on the leak of acid at the thermal oxide reprocessing plant at Sellafield on 29 March; what investigations have been undertaken by Her Majesty's inspectorate of pollution; and what risk was posed to the Sellafield work force from the accident.

Mr. Atkins: The spillage of nitric acid, a standard industrial chemical, occurred in a room housing tanks supplying chemical reagents for use in THORP operations.

The operator informed Her Majesty's inspectorate of pollution about the spillage and initiated an investigation into its cause. The HMIP site inspector attended the plant on the same day and was briefed about the circumstances and the precautionary actions taken. HMIP is awaiting the results of the operator's investigation before deciding if any further action needs to be taken.

The Health and Safety Executive is also investigating the incident and will include an assessment of any potential risk to Sellafield employees.

Housing Investment

Ms Armstrong: To ask the Secretary of State for the Environment what was the housing investment programme allocation for each local authority in each year since 1978-79.

Sir George Young: Information on housing investment programme allocations since 1978-79 for each local authority in England is available in the Library of the House.

Rent Registration Service

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment what was the total sum of rents referred to the rent registration service for the last year for which figures are available.

Sir George Young *[holding answer 12 April 1994]:* In 1992-93 about 275,000 fair rent cases were referred to the rent officer service, amounting to a total rental value of some £566 million.

FOREIGN AND COMMONWEALTH AFFAIRS

Hong Kong

Sir Thomas Arnold: To ask the Secretary of State for Foreign and Commonwealth Affairs how many right hon. and hon. Members of the House of Commons and the

House of Lords have visited Hong Kong at the invitation of the Governor of Hong Kong during the current Parliament.

Mr. Goodlad: Sixty-five, 53 of whom are right hon. and hon. Members of the House of Commons and 12 of whom are Members of the House of Lords.

Malaysia

Mr. Alex Carlile: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Government of Malaysia concerning the implications for human rights of the banning in Malaysia of the film "Schindler's List"; and if he will make a statement.

Mr. Goodlad: The Malaysian Government lifted its ban on the film "Schindler's List" on 30 March in accordance with normal guidelines governing the screening of all local and foreign films.

Indonesia (Arms Sales)

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the Government's policy on the sale of arms to Indonesia.

Mr. Goodlad: Our policy on arms sales to Indonesia is based on the principle that all sovereign states enjoy the right, under article 51 of the United Nations charter, to defend themselves. This is a right we claim for ourselves and it would be inconsistent and discriminatory to deny it to others. All applications for export licences are, none the less, subject to strict controls and scrutinised on a case-by-case basis. For example, if we believe a prospective purchase is likely to be used for repressive purposes against a civilian population, the application is rejected.

Antarctica

Mr. Wallace: To ask the Secretary of State for Foreign and Commonwealth Affairs what prosecutions have taken place in United Kingdom courts in respect of offences committed in Antarctica, under section 5 of the Antarctic Treaty Act 1967.

Mr. Heathcoat-Amory: There have been no prosecutions under section 5 of the Antarctic Treaty Act 1967 since it entered into force.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the United Nations Operation in Somalia —UNOSOM—about the need to support efforts to maintain peace in Somaliland; and what response he has had.

Mr. Lennox-Boyd: In our regular contacts with the United Nations we have strongly supported efforts aimed at bringing peace and stability to all regions of Somalia. UNOSOM's mandate is to assist the Somalis in their efforts in seeking a peaceful solution to the tragic civil war. UNOSOM has given practical and financial assistance to these efforts.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about further disarmament in Somaliland; and what action the United Kingdom Government are taking to support this.

Mr. Lennox-Boyd: There have been no confirmed reports of further voluntary disarmament in north west Somalia. The demobilisation proposal currently being prepared by the local authorities in Northwest Somalia with assistance from the United Nations development programme includes provisions for disarmament. The recent declaration in Nairobi agreed by the 15 factions called for the implementation of voluntary disarmament in Somalia. We fully support this declaration.

Liberia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what fighting is currently occurring in Liberia; who are the participants; and how this is affecting the peace process.

Mr. Lennox-Boyd: We understand that the Liberian Peace Council has been fighting against National Patriotic Front of Liberia forces in the south-east of the country. In March there were reports of fighting between the Lofa Defence Force and the United Liberation Movement of Liberia for Democracy in the north-east. None the less the three signatory parties to the Cotonou agreement appear to be continuing their efforts to implement the agreement.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if the UN has asked ECOMOG—the Economic Community of West African States military observer group—to intervene to stop the current warfare in Liberia.

Mr. Lennox-Boyd: The Economic Community of West African States sent its military observer group to Liberia in 1990, for precisely this purpose. The UN military observer mission and ECOMOG are working to implement the Cotonou agreement and bring about an end to conflict in Liberia. The UN is not, however, in a position to give any specific direction to ECOMOG.

Burundi

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what requests have been made by the Government of Burundi for an international intervention force because of the security situation in the country.

Mr. Lennox-Boyd: Following the assassination of President Ndadaye in October 1993, the Burundi authorities requested the intervention of an international force. This led to the establishment of the Organisation of African Unity observer mission which has now begun to arrive in Burundi. As far as we are aware no further requests have been made since the tragic death of President Ntyaramira on 6 April.

TRANSPORT

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for Transport what computer systems his Department has brought in, for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Norris: The tables provide details of the main systems brought in over the last three years.

In addition, smaller systems based on personal computers and small networks have been introduced to support a very wide range of administrative functions such as asset management, project management/costing, management information, text processing.

Business Area and System name/function	*Year*	*Whole system cost (£x000)*	*Still in use? Yes/No*
Driving Standards Agency			
1. Additions to driver test booking system.	1992-94	738·1	Yes
2. Additions to approved driving instructor register.	1992-94	452·8	Yes
3. IFCOS (Integrated Financial Control System) DSA Developments.	1992-94	138·2	Yes
Driver Vehicle Licensing Agency			
1. Medics System. Computerisation of the Drivers medical system.	1990-91	870·0	Yes
2. Human Resource Management System. Personnel and Absence management functions.	1991-92	200·0	Yes
3. Medics Vision. Enhancement of the medics system into an Image document handling system.	1992-93	877·0	Yes
4. Vehicles OCR System. Optical character recognition of completed Vehicle Relicensing Reminder forms (VII's).	1993-94	650·0	Yes
Vehicle Inspectorate			
1. Customer Accounts. Extension to the HGV/PCV system to allow prepayment for vehicle tests or any other VI service.	1991-92	340·0	Yes
2. Roadworthiness. Records details of vehicle roadworthiness enforcement checks at both roadside and Operators premises.	1992-93	352·0	Yes
3. Slot Bookings. Extension to the Test Booking system.	1992-93	210·0	Yes
Transport Research Laboratory			
1. MIS (Management Information System).	1991	471·0	Yes
2. Prime Computer Upgrade/Scientific Computing.	1991	88·3	Yes
3. Networks to provide Distributed Computing for TRL.	1992	456·0	Yes
Vehicle Certification Agency. No systems procured within the stated criteria.			
DOT (Centre)			
Central Services Directorate			
1. Core Business System. System to provide full economic costings of Accommodation and Office Divisions projects.	1993-94	107·0	Yes
2. Records Management Computer System.	1992-94	537·2	Yes
3. A.M.I.S. Accommodation Management Information System.	1992-94	123·0	Yes
4. Local Area Network in Hastings to provide Office Systems.	1992-93	250·0	Yes
Highways, Safety and Traffic Directorate (The Highways Agency with effect from 4/94			
4. Upgrades. Upgrade to existing systems.	1990	1,000·0	Yes
5. Purchase of Production Machine. New computer for HSTCC to provide extra capacity.	1991	1,900·0	Yes
6. Integrated Highways Maintenance System 1 (IHMS 1) Management of bid for funds and technical approval of maintenance schemes.	1991	575·0	Yes
7. Upgrades. Upgrades to existing systems.	1992	1,015·0	Yes
8. Skid. Provide facilities for planning, processing and analysing survey data.	1992	513·0	Yes
9. Highspeed Road Monitor. System for analysing Highspeed Road Monitor (HRM) survey data.	1992	320·0	Yes
10. Upgrades. Upgrades to existing systems.	1993	345·0	Yes
11. Provision of Local Area Networks in six locations to provide Office Systems.	1993-94	570·0	Yes
Office of Privatisation and Rail Franchising			
1. Local Area Networks including Mail Gateway links to outside companies.	1993-94	124·1	Yes

Consultants

Mr. Matthew Taylor: To ask the Secretary of State for Transport what information technology consultants his Department has employed in each of the last five years; for what purpose; and at what total cost.

Mr. Norris: Since January 1992, the Department of Transport and its agencies have awarded commissions to 62 information technology consultancy companies. The tasks involved range from strategic analysis to system review and system maintenance. The cost of the commissions in this period is about £10 million. Earlier information is not readily available.

Canning Town Flyover

Mr. Spearing: To ask the Secretary of State for Transport (1) what assessment he has made as to whether traffic flows by the alternative lower Lea crossing would be adequate to deal with current and future demands on the Canning Town four-lane flyover;

(2) how the proposed works in respect of the scheme to widen the Canning Town flyover from four lanes to six will reduce existing congestion and delay;

(3) when he expects the Canning Town flyover with *(a)* two and *(b)* three lanes in each direction will produce significant delays to traffic; and over what periods of the day.

Mr. Norris: The questions relate to operational matters of the Highways Agency and I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Nigel Spearing, dated 14 April 1994:

Steven Norris, the Minister for Transport in London has asked me to write to you about the three questions on the proposed improvement of the A13 from Ironbridge to Canning Town which you tabled for answer in the House by the Secretary of State for Transport.

You asked when delays could be expected and how the proposed trunk road improvements would reduce existing congestion and delay. With the present four lanes, delays are expected to be significant for westbound traffic in the morning peak period from the year 2000 onwards. With the capacity increased to six lanes, three in each direction, the proposed improved capacity at the Canning Town flyover would match that of the A13 elsewhere and would remove the present constriction on the flow of traffic. Therefore, no significant delays would be expected at this location in the foreseeable future.

You also asked whether the capacity of the alternative Lower Lea Crossing would be adequate to deal with the current and future demands on the Canning Town four lane flyover. The purpose of the lower crossing was to accommodate traffic between the development areas of the Royal Docks and the Isle of Dogs. Once these areas are fully developed there would be very little, if any, reserve capacity for use by trunk road traffic as an alternative route.

I believe this is the information you want, but please let me know if there is anything further you require.

Rail Privatisation

Mr. Wilson: To ask the Secretary of State for Transport if he will list the salaries and principal conditions from 1 April of *(a)* the chairman of British Rail, *(b)* the chairman of Railtrack, *(c)* the Rail Regulator and *(d)* the Franchising Director.

Mr. Freeman: The salaries and principal conditions are in the table. Salaries are at 1993-94 rates, to be reviewed with effect from 1 April 1994.

Name	*Salary £*	*Time commitment and expiry of appointment*
(a) Sir Bob Reid	131,663	Three days per week —31 March 1995
(b) Robert B. Horton	121,800	Three days per week —31 March 1997
(c) John Swift, QC	125,000	Full time—30 November 1998
(d) Roger Salmon	100,000	Four days per week —7 November 1998

Mr. Bayley: To ask the Secretary of State for Transport whether the Government intend to privatise Railtrack within the next three years.

Mr. Freeman: The Government's aim is to transfer all parts of the railway, including Railtrack, to the private sector. Railtrack has been established as a Government-owned company which will adopt the commercial approach expected of successful private sector businesses. This will facilitate its privatisation, although it is too soon to say when that will be.

Mr. Lester: To ask the Secretary of State for Transport when he will be consulting the British Rail pension trustees and other interested parties on the Government's detailed proposals for railway pensions after privatisation.

Mr. Freeman: Drafts of the initial pensions orders, the proposed trust deed and rules of the joint railway industry pension scheme, and associated documents were sent to the trustees and other interested parties on 31 March. Comments are requested by 25 April. Copies of these documents have been placed in the Libraries of both Houses.

Railway Employees (Substance Abuse)

Mr. Wilson: To ask the Secretary of State for Transport how many employees in *(a)* London Underground and *(b)* British Rail have been (i) tested for drugs or alcohol, (ii) failed such a test, (iii) been prosecuted following such a test and (iv) been convicted following prosecution under the Transport and Works Act 1992.

Mr. Freeman: During the period 7 December 1992 to 28 February 1994 the British Transport police acting under the Transport and Works Act 1992, carried out the following tests:

	London Underground	*British Rail*
Total number of tests administered	57	181
Total number of positive tests	12	33
Total number of tests refused or failed	8	7
Total number of prosecutions in progress or completed	16	30
Total number of convictions to 28 February 1994[1]	1	15

[1] These figures relate to convictions currently registered on the BTP force computer system.

Isle of Wight

Mr. Barry Field: To ask the Secretary of State for Transport (1) what plans he has to provide signing to the Isle of Wight;

(2) if he will provide signing to the Isle of Wight from the M27.

Mr. Key: After careful consideration I have asked the Highways Agency to provide a sign on the eastbound approach to the M27 junction 3 and one on the westbound approach to M27 junction 12. These will sign the Isle of Wight as a major destination and provide travellers with clear directions.

EDUCATION

Books and Equipment

Mr. Byers: To ask the Secretary of State for Education how much was spent by each local education authority outside London on books and equipment in 1992-93 prices in *(a)* 1979-80 and *(b)* 1992-93.

Mr. Robin Squire: The information is given in the table.

Total expenditure on books and equipment by Outside London LEAs, in 1992-93 prices

LEA	*1979-80 (£000)*	*1992-93 (£000)*
Birmingham	12,813	17,895
Coventry	6,291	[1]5,116
Dudley	2,094	3,027

LEA	1979-80 (£000)	1992-93 (£000)
Sandwell	4,056	2,738
Solihull	1,899	3,505
Walsall	3,177	4,730
Wolverhampton	5,007	2,975
Knowsley	2,058	2,832
Liverpool	8,623	4,921
St. Helens	1,745	[1]3,094
Sefton	3,068	4,316
Wirral	3,706	5,122
Bolton	3,385	[1]3,666
Bury	1,958	[1]2,593
Manchester	12,238	7,904
Oldham	2,511	3,891
Rochdale	2,394	2,221
Salford	2,994	1,316
Stockport	2,928	5,586
Tameside	2,405	3,120
Trafford	2,112	[1]2,884
Wigan	3,738	5,723
Barnsley	2,476	4,645
Doncaster	4,011	143
Rotherham	2,453	3,999
Sheffield	9,369	7,397
Bradford	5,354	8,422
Calderdale	1,915	2,886
Kirklees	5,678	9,193
Leeds	9,236	9,499
Wakefield	3,137	[1]4,428
Gateshead	2,359	2,797
Newcastle upon Tyne	5,464	3,588
North Tyneside	1,973	[1]2,590
South Tyneside	2,820	2,656
Sunderland	5,812	5,422
Isles of Scilly	12	5
Avon	10,140	17,988
Bedfordshire	7,316	12,347
Berkshire	7,949	17,118
Buckinghamshire	6,236	11,552
Cambridgeshire	7,250	11,153
Cheshire	9,345	12,276
Cleveland	7,111	[1]10,691
Cornwall	4,949	8,311
Cumbria	5,002	6,574
Derbyshire	8,907	12,914
Devon	10,954	18,741
Dorset	5,957	9,024
Durham	5,283	8,660
East Sussex	10,103	10,087
Essex	5,403	20,296
Gloucestershire	5,318	7,952
Hampshire	16,538	26,957
Hereford and Worcester	7,163	10,782
Hertfordshire	15,666	7,030
Humberside	10,619	21,141
Isle of Wight	1,629	2,117
Kent	17,317	7,088
Lancashire	15,343	[1]25,623
Leicestershire	12,910	25,876
Lincolnshire	5,124	9,593
Norfolk	8,474	8,153
North Yorkshire	7,064	15,476
Northamptonshire	6,205	11,000
Northumberland	3,552	4,113
Nottinghamshire	13,315	15,973
Oxfordshire	8,080	11,602
Shropshire	3,848	1,110
Somerset	4,340	8,400
Staffordshire	14,434	17,330
Suffolk	6,115	20,396
Surrey	7,714	9,884
Warwickshire	4,532	14,351
West Sussex	6,721	12,693
Wiltshire	5,657	11,709

[1] Indicates a provisional figure for 1992-93.

General National Vocational Qualifications

Mr. Rooker: To ask the Secretary of State for Education what plans he has to divide provision of various levels of general national vocational qualifications between the further and higher education sectors.

Mr. Boswell *[holding answer 12 April 1994]*: General national vocational qualifications are currently available up to advanced level—broadly equivalent to GCE advanced level—and are not therefore regarded as higher education. Higher education institutions are, however, free to offer them and to seek funding from the Further Education Funding Council. The National Council for Vocational Qualifications proposes shortly, at the request of the Government to consult on the possibility of introducing GNVQs at levels above advanced level.

Mr. Rooker: To ask the Secretary of State for Education if it is his intention that general national vocational qualifications at all levels shall be available in each travel-to-work area via the further education sector.

Mr. Boswell *[holding answer 12 April 1994]*: The Government intend that all 16-year-olds should have the option of studying for GNVQs—at foundation, intermediate or advanced level—in their locality. More than 80,000 students in over 1,400 schools and colleges are already taking GNVQ courses. We intend that the number should continue to increase rapidly, consistent with securing quality and rigour.

Further Education

Mr. Rooker: To ask the Secretary of State for Education if he will bring forward proposals to allow students aged 16 to 18 years to be able to attend a further education college of their choice without incurring financial penalties from their local authority.

Mr. Boswell *[holding answer 12 April 1994]*: It is a condition of grant to the Further Education Funding Council that colleges in the further education sector should not charge tuition fees to home and EC full-time students aged 16-18. Assistance with the costs of part-time study, and with other expenses, is a matter for local education authorities, which are free to decide their own discretionary awards policies in the light of local needs and circumstances, their priorities and the resources available to them.

Temporary Employment

Mr. Rooker: To ask the Secretary of State for Education what are the reasons for ceasing to list separately those going into temporary employment in table 16 of his latest departmental report Cm 2510 regarding destinations of full-time and sandwich graduates on first degree courses.

Mr. Boswell *[holding answer 12 April 1994]*: The information on graduates in temporary or short-term employment, subsumed within table 16 of the departmental report Cm 2510 for reasons of simplicity and brevity, is shown in the table.

Destination of full-time and sandwich graduates[1] on first degree courses, England

Percentage

Academic year	*1987-88*	*1988-89*	*1989-90*	*1990-91*	*1991-92*
Employment	60	58	52	45	42
Temporary employment[2]	4	5	6	6	7
Overseas employment[3]	3	3	3	3	3
Further education/training[4]	19	19	20	22	23
Overseas graduates leaving United Kingdom	5	5	5	7	7
Not available for employment	4	5	6	5	5
Believed unemployed	6	5	8	12	13
Total whose destination was known (thousands)	85	85	90	96	104
Not known (thousands)	13	15	15	16	16
Total (thousands)	99	101	106	112	121

[1] Destination in the December following graduation. Excludes Open university students.
[2] Students reporting entering employment which will last for three months or less and due to end during the first three months of the calendar year following graduation.
[3] Home students.
[4] Includes teacher training.
[5] Includes not available because of having a fixed offer or acceptance of a place on another course, involved in portfolio preparation, taking time out, pregnancy/maternity/paternity, age past retirement, health and death.
Sources: DFE survey exam results and first destination Universities' statistical record.

Comparable data for graduates from Great Britain institutions were published in March 1993 in tables 4 to 7 of Statistical Bulletin 7/93, a copy of which has been placed in the Library, and figures for those graduating in academic year 1991-92 consistent with table 16 will be available shortly.

The destination surveys conducted by the "Universities Statistical Record" and the Department are intended to collect the first destination of graduates at or around the end of the calendar year in which they graduate. In many cases those graduates reporting their first destination as short-term employment continue in employment at the end of that period.

Higher Education

Mr. Rooker: To ask the Secretary of State for Education if he will list the numbers and percentages of students in higher education undertaking two-year diploma courses and three and four-year first degree courses in each of past 10 years.

Mr. Boswell *[holding answer 12 April 1994]:* The information requested for the academic years 1988-89 to 1992-93 is shown in the table. I shall write to the hon. Member when the information for the earlier years has been collated.

Full-time and sandwich higher education students in England enrolled on two year diploma and three and four year first degree courses 1988-89 to 1992-93

(Figures in brackets are percentage of all students) *(000s)*

	1988-89		*1989-90*		*1990-91*		*1991-92*		*1992-93*	
Two-year diplomas	20·6	(12)	21·2	(11)	25·0	(11)	30·0	(12)	36·1	(12)
Three-year degrees	82·8	(48)	93·1	(48)	104·2	(48)	120·6	(47)	141·9	(48)
Four-year degrees	38·6	(22)	46·1	(24)	51·6	(24)	61·7	(24)	70·2	(24)

Mr. Rooker: To ask the Secretary of State for Education what percentage of full-time undergraduates in English higher education institutions are on four-year courses.

Mr. Boswell *[holding answer 12 April 1994]:* In the academic year 1992-93, 24 per cent. of all full-time undergraduates, including sandwich students, in English higher education institutions were enrolled on four-year courses.

Mr. Rooker: To ask the Secretary of State for Education if he will set out the numbers of students per academic member of staff in higher education in the latest six years for which he has information, stating any assumptions made in providing the information.

Mr. Boswell *[holding answer 12 April 1994]:* Information for the most recently available five years is given in the table. Comparable data for the sixth year is not immediately available and will take some time to collate. I will write to the hon. Member shortly and place a copy in the Library.

	1987-88	*1988-89*	*1989-90*	*1990-91*	*1991-92*
Universities (Great Britain)	10·3	10·7	11·3	11·9	13·3
PCFC institutions	—	—	—	15·3	17·1
LEA institutions[1]	12·0	11·3	11·8	8·2	9·1

[1] Includes institutions that transferred to the PCFC in 1989 for all years up to and including 1989-90.
Sources: DFE surveys Further Education Student Record, Form 618G and Annual Monitoring Survey, Universities' Statistical Record, PCFC surveys PARISS and Staff Record.

Assumptions made in the calculations include:

(i) one full-time equivalent represents one full-time student or member of staff;
(ii) part-time students and members of staff have been converted pro-rata to full-time equivalents;
(iii) university staff with some teaching coimmitment are included, whatever their source of funding and;
(iv) universities are on a Great Britain basis, other institutions on an England only basis.

Student Grants

Mr. Rooker: To ask the Secretary of State for Education what estimate he has made of the cost of restoring student grants to their 1989 levels in real terms, assuming current student numbers in higher education were maintained; and what percentage rise this represents.

Mr. Boswell *[holding answer 12 April 1994]:* My right hon. Friend has made no such estimate. To do so would require, in addition to assuming current student numbers, further assumptions about changes in his current policy on student support.

Discretionary Awards

Mr. Rooker: To ask the Secretary of State for Education what information he has regarding local authorities which have ceased to offer any discretionary awards to students in further education.

Mr. Boswell *[holding answer 12 April 1994]:* The latest returns by local education authorities to the Department indicate that in 1992-93 the following six authorities made no further education discretionary awards: Haringey, Harrow, Isles of Scilly, Newham, Sunderland, Westminster. Six authorities have yet to make returns on their discretionary awards expenditure. The recently published Gulbenkian report stated that nine LEAs, not named in the report, planned to make no new discretionary awards in 1993-94.

Mr. Rooker: To ask the Secretary of State for Education what information he has regarding local authorities refusing to consider granting discretionary awards to students in further education due to the college's being located outside the local authority area where the student lives.

Mr. Boswell *[holding answer 15 April 1994]:* Local education authorities are free to decide their own discretionary awards policies in the light of local needs and circumstances, their priorities, and the resources available to them. My right hon. Friend has no power to intervene and does not seek information on their policies on a regular basis.

Business and Technician Education Council Courses

Mr. Rooker: To ask the Secretary of State for Education what proportion of staff teaching BTEC courses in *(a)* secondary schools and *(b)* further education colleges are known to have industrial experience.

Mr. Boswell *[holding answer 12 April 1994]:* This information is not collected centrally.

Further and Higher Education Statistics

Mr. Rooker: To ask the Secretary of State for Education what procedures exist for secondary schools catering for 11 to 16-year-olds to be systematically informed of the performance of former pupils in entering further and higher education; and if he will make a statement on his assessment of the desirability for parents of this information being made available when they are considering the choice of a secondary school.

Mr. Robin Squire *[holding answer 12 April 1994]:* There are no procedures for secondary schools to be informed of the performance of former pupils in further and higher education. However, all colleges in the further education sector are required to provide local secondary schools with a breakdown of their results.

GCSE Examinations

Mr. Rooker: To ask the Secretary of State for Education what information he has on the proportion of year 11 pupils in secondary schools who are not entered for any GCSE examinations; and what information he has available to distinguish between *(a)* small and large schools, *(b)* urban and rural schools, *(c)* schools in deprived and affluent areas and *(d)* schools with low, average and high unit costs.

Mr. Robin Squire *[holding answer 12 April 1994]:* The proportion of pupils aged 15 in maintained schools excluding special schools in England at the beginning of the 1992-93 academic year who were not entered for any GCSE examination by the summer of 1993 is estimated to be 3·9 per cent. Information by size of 15-year-old age group in school is given in the table. Analyses by population density, by type of area or by unit costs are not readily available.

15-year-old pupils in maintained schools 1992-93

	Number not attempting any GCSE	*Total number of 15-year-old pupils*	*Percentage not attempting any GCSE*	*Number of schools*
Less than 60 pupils	164	4,386	3·7	96
60-89	1,244	25,375	4·9	330
90-119	3,303	75,273	4·4	714
120-159	3,542	88,396	4·0	654
150-179	3,981	104,042	3·8	633
180-209	2,640	73,477	3·6	381
210-239	1,425	43,677	3·3	195
240 and over	1,867	52,550	3·6	187
Total	18,166	467,176	3·9	3,190

Accredited Engineering Degree

Mr. Rooker: To ask the Secretary of State for Education if he will list the higher education institutions which will be offering the accredited engineering degree in 1994-95 for which students will qualify for the £500 bursary.

Mr. Boswell *[holding answer 12 April 1994]:* Most United Kingdom higher education institutions offer accredited engineering degree courses. I will obtain and send to the hon. Member a copy of the latest Engineering Council list of accredited engineering degrees. Every United Kingdom student with AAB at A-level or its equivalent starting one of these degrees in autumn 1994 will be eligible for the bursary.

AGRICULTURE, FISHERIES AND FOOD

Cars

Mr. Spellar: To ask the Minister of Agriculture, Fisheries and Food how many cars were purchased by her Department in each of the last five years; and how many of those were of British manufacture.

Mr. Jack: The numbers of vehicles, including cars, purchased by my Department are as follows:

Year	*Number*
1989	86
1990	81
1991	74
1992	43
1993	65

The policy is for the Department to buy the models necessary for the purpose intended where this provides the most cost-effective option. All purchases are made through central call-off contracts set up for that purpose.

There are no centrally kept records according to manufacturer.

Bovine Immunodeficiency Virus

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food if she will authorise further investigation into the severity of the bovine immunodeficiency virus in cows at the Blything farm in Kelsall; and if she will make a statement.

Mr. Soames: Veterinary officials from this Department have already put considerable efforts into detailed investigations at the farm in Kelsall where cattle with serological evidence of exposure to bovine immunodeficiency-like virus have been identified. We are continuing with these investigations.

Dairy Surpluses

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food if she will make it her policy to allow dairy farmers who have exceeded their production quota to donate their surplus milk to third-world aid agencies; and if she will make a statement.

Mr. Jack: The European Commission has confirmed that under the present EC regulations, using surplus milk for food aid purposes would have to count against producers' quota allocations. I have, however, asked officials to review the matter in consultation with the Commission.

EMPLOYMENT

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for Employment what computer systems his Department has brought in, for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Michael Forsyth: Information in the form requested could be provided only at disproportionate cost.

Consultants

Mr. Matthew Taylor: To ask the Secretary of State for Employment what information technology consultants his Department has employed, for what purpose and at what total cost for each of the last five years.

Mr. Michael Forsyth: Information in the form requested could be provided only at disproportionate cost.

European Social Fund

Mr. Worthington: To ask the Secretary of State for Employment what ESF funding is allocated to support youth training and training-for-work schemes; and what percentage of the cost of these schemes, or their forerunners, has been met by the European social fund in each of the past 10 years.

Mr. Michael Forsyth: Information in the form requested is not available.

Mr. Tony Lloyd: To ask the Secretary of State for Employment how much money his Department has received from the European social fund in each year since 1990; and to what that money has been allocated.

Mr. Michael Forsyth: Figures for money from the European social fund handled by the Department over the years in question are as follows:

	£ million
1990	296·18
1991	367·75
1992	377·57
1993	624·01

The figures for 1990, 1991 and 1992 relate to final amounts paid to applicant bodies, whereas figures for 1993 relate to amounts originally approved, since final claims for the programmes in question have not yet been submitted. Figures for Community initiatives between 1991 and 1993 are included in the 1993 figures.

Over the period, the ESF has supported a wide range of vocational training schemes and employment measures run by a variety of bodies, including voluntary organisations, further and higher education colleges, Government Departments, local authorities, training and enterprise councils and local enterprise companies and industry training organisations.

Dame Elaine Kellett-Bowman: To ask the Secretary of State for Employment what recent changes there have been in the policy of the European Community Commission towards the provision of money for the United Kingdom under objective 3 of the social fund for training for the unemployed; and if he will make a statement.

Mr. Michael Forsyth: In July last year the regulations governing the EC structural funds, including the European social fund, were revised. As a result, help for the long-term unemployed and young people are combined under objective 3, together with new priorities for others at risk of permanent exclusion from the labour market and promotion of equal opportunities for men and women.

The Government submitted to the European Commission in early November 1993 a plan for objective 3 spending in Great Britain over the period 1994-99; a copy of this has been placed in the Library. We await a decision from the Commission on the plan.

Departmental Office Space, Ipswich

Mr. Cann: To ask the Secretary of State for Employment how many square feet of office space his Department leases, rents or owns inside the boundary of the borough of Ipswich; and what was the equivalent area in June 1979.

Mr. Michael Forsyth: The total area of office space leased, rented or owned by the Employment Department group is 32,175 sq ft.

The equivalent figure for June 1979 was 29,367 sq ft.

Unemployment Measures

Mr. Alex Carlile: To ask the Secretary of State for Employment if he will consider introducing a spectrum of unemployment measures similar to the U1-U7 classifications adopted by the United States Bureau of Labour Statistics; and if he will make a statement.

Miss Widdecombe: The information required to compile the U1-U7 measures is available from the labour force survey database which is publicly released each quarter. Any United Kingdom decision to publish such measures in their own right will be taken only in consultation with the relevant international organisations, and following consideration of the recent decision by the United States Bureau of Labour Statistics to suspend publication of all but one of these measures pending their review.

Working Hours

Mr. Alex Carlile: To ask the Secretary of State for Employment what were the total number of hours worked in the economy for each of the last five years; and if he will make a statement.

Mr. Michael Forsyth: I refer the hon. Member to the answer given to the hon. Member for Great Grimsby (Mr. Mitchell) on 31 March 1994 at column *928*.

Training and Enterprise Councils

Mr. Tony Lloyd: To ask the Secretary of State for Employment what were the objectives of the research commissioned by his Department from KPMG Peat Marwick regarding training and enterprise councils; what were the conclusions of that report; and if he will place a copy in the Library.

Miss Widdecombe: KPMG Peat Marwick was commissioned in June 1992 to explore the advantages, disadvantages and practical implications of moving to a higher level of output-related payments to training and enterprise councils for youth training and employment training.

The consultants concluded that it was not feasible to move entirely to output-related payments without major changes to the systems when operating.

New funding arrangements for YT and training for work are now being tested in a smaller number of TECs in England.

A copy of the report from KPMG will be placed in the Library.

Youth Training

Mr. Tony Lloyd: To ask the Secretary of State for Employment what was the total expenditure by his Department on youth training in each of the last four years; and what is the expected outturn for 1994-95 in cash terms and in 1993-94 prices.

Miss Widdecombe: The information requested is given in the table. With fewer people in the age group concerned and more staying on in full-time education, we are now spending more per head on youth training than previously.

Actual expenditure 1990-91 to 1993-94 and expected outturn for 1994-95

	£ million
1990-91	823·4
1991-92	746·3
1992-93	617·0
1993-94	640·2
1994-95	[1]676·5
1994-95	[2]650·5

[1] At cash prices.
[2] At 1993-94 prices.

Notes:
1989-90 relates to youth training scheme.
1990-91 onwards relates to youth training and credits.
Figures for 1990-91 are for Great Britain.
Figures for 1991-92 are for England and Wales.
Figures for all other years are for England only.
Figures for 1993-94 are provisional.
Planned provision for 1994-95.

Training Expenditure

Mr. Tony Lloyd: To ask the Secretary of State for Employment what was the total expenditure by his Department for employment training and employment action and then training for work in each of the last four years; and what is the expected outturn for 1994-95 in cash terms and 1993-94 prices.

Miss Widdecombe: The information requested is as follows:

Actual expenditure 1990-91 to 1993-94 and expected outturn for 1994-95

£ million	Employment training	Employment action	Training for work	Total
1990-91	1,072·4	—	—	1,072·4
1991-92	737·4	16·3	—	753·7
1992-93	629·5	137·3	—	766·8
1993-94	—	—	709·9	709·9
1994-95	—	—	—	—
Cash	—	—	693·3	693·3
Real terms	—	—	666·7	666·7

Notes:
1. Excludes administration/running costs.
2. Figures for 1990-91 are for Great Britain.
3. Figures for 1991-92 are for England and Wales.
4. Figures for all other years are for England only.
5. Figures for 1993-94 are provisional.

Training for work and its predecessors are one of a range of options open to unemployed people. The Employment Department group offered a record total of 1·5 million opportunities in 1993-94 to help unemployed people back into work.

European Structural Fund

Dame Elaine Kellett-Bowman: To ask the Secretary of State for Employment whether Her Majesty's Government are submitting proposals for European Community structural fund money under both objective 3 to assist those out of work and objective 4 to assist those who know they will lose their present jobs in the future.

Mr. Michael Forsyth: I refer my hon. Friend to the reply given to my hon. Friend the Member for Hertfordshire, North (Mr. Heald) on 25 January 1994 at column *223*.

Labour Statistics

Mr. Prescott: To ask the Secretary of State for Employment what is his Department's estimate of the effects on the monthly claimant count of *(a)* the switch from sickness and invalidity benefits to an incapacity benefit in April 1995 and *(b)* the switch from unemployment benefit and income support to a job seeker's allowance in April 1996.

Mr. Michael Forsyth: *[holding answer 14 April 1994]*: The introduction of the new incapacity benefit is expected to increase the basic count progressively in 1995-96, 1996-97 and 1997-98. It is too early to quantify this effect reliably but preliminary estimates, based on the Department of Social Security's published assumptions on the numbers of people who will be found capable of work under the new arrangements for incapacity benefit, suggest that it could reach 200,000 by 1997-98.

The introduction of job seekers' allowance in April 1996 is likely to have a small downward effect on the count. Again, it is too early to give a reliable assessment of numbers, but preliminary estimates suggest that the effect could be around 30,000.

Further study is needed to assess the feasibility of maintaining the consistent, seasonally adjusted monthly claimant count series.

Works Councils Directive

Mr. Rooker: To ask the Secretary of State for Employment what is his estimate of the number of companies and employees in the United Kingdom who will be covered by the proposed European Union directive on works councils.

Mr. Michael Forsyth *[holding answer 12 April 1994]*: The proposed directive will not apply to any companies or employees in the United Kingdom. Research suggests that some 90 UK-owned companies have employees above the proposed threshold levels in the other 11 member states and will therefore be affected by a directive of the Eleven just as they are affected by the domestic law of those countries.

DEFENCE

International Military Services Ltd.

Mr. Cousins: To ask the Secretary of State for Defence in which years before 1990-91 contingent liabilities, whether statutory or non-statutory, in respect of International Military Services Ltd. appear in the Consolidated Fund accounts.

Mr. Aitken: Information on contingent liabilities in respect of International Military Services Ltd. prior to 1990-91 can be found in the Consolidated Fund accounts under the heading "Other Contingent Liabilities—Ordnance and Military Services Act 1984".

Iraq

Mr. Cousins: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Blaenau, Gwent (Mr. Smith) on 25 March, *Official Report*, columns *471-72*, what were the sources, scope and content of the information from which it was concluded Iraq could manufacture biological weapons.

Mr. Hanley: It is not our normal practice to comment on such matters.

Chemical and Biological Weapons

Mr. Cousins: To ask the Secretary of State for Defence what special laundering and working facilities are available to the armed forces in the event of their being subject to chemical or biological weapons attack.

Mr. Hanley: In addition to individual protection equipment for defence against nuclear, biological or

chemical attack, the armed forces possess, and continue to develop, collective protection equipment. This is deployed to protect medical facilities, aircrew and headquarters, as well as providing rest and recuperation for service personnel in an environment free from agent contamination. Her Majesty's ships and most armoured fighting vehicles have integral filtration-based collective protection systems.

Contaminated clothing, including NBC protective clothing, is not intended to be laundered: it is either decontaminated by the wearer, or replaced.

Strategic and Sub-strategic Strikes

Mr. Cohen: To ask the Secretary of State for Defence what is the difference between a strategic strike and a sub-strategic nuclear threat to the United Kingdom.

Mr. Hanley: Our assessment of the intent and nature of any such threat would depend on the particular circumstances at the time.

Mines

Dr. David Clark: To ask the Secretary of State for Defence what consideration he has given to reviewing the use of mines and its relationship to developments in international law; and if he will make a statement.

Mr. Hanley: Protocol II of the UN weaponry convention contains strict rules governing the use of land mines. A review conference on the convention has been called for 1995, the main aim of which will be to consider strengthening protocol II. We intend to play a full part in the review conference and are already participating in the preparatory work leading up to it.

Mr. Whittingdale: To ask the Secretary of State for Defence when he expects to receive a report on the recent loss and subsequent recovery of anti-personnel mines from Shoeburyness; and if he will make a statement.

Mr. Aitken: A committee of inquiry has been convened by the establishment to investigate the circumstances surrounding the loss of these mines. I expect to have a report shortly.

Ninety of these mines remain missing and are expected to be widely scattered by now. They pose minimal risk to the public as they are without their detonators. Trials have shown that they would not detonate if exposed to heat or pressure. The emergency services are well aware of the situation.

Ministerial Directions

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 22 March, *Official Report*, column *175*, about advice of accounting officers, what additional costs will be incurred over the next three years as a result of his decision to close part only of RNSD Copenacre.

Mr. Hanley: The costs that will be incurred over the next three years as a result of the decision to close part only of RNSD Copenacre will be lower than those estimated under the full closure option.

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 22 March, *Official Report*, column *175*, about advice of accounting officers, what will be the general effects on the size and shape of the United Kingdom's shipbuilding industry of his decision to award the order for the second auxiliary oiler replenishment vessel on a single tender basis.

Mr. Aitken: The contract for the second auxiliary oiler replenishment ship, RFA Fort George, was placed with Swan Hunter on 18 December 1987. The ship was accepted from that company in March 1993. It is not possible to estimate what general effects this decision had on the size and shape of the United Kingdom shipbuilding industry.

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 22 March, *Official Report*, column *174*, what was the approximate date on which he decided to place an order for image intensifiers with English Electric Values; and what was the total value of the order, and the impact of his decision on *(a)* the operational capabilities of the armed forces and *(b)* the size and shape of the British defence industry.

Mr. Aitken: The decision to place an order for image intensifiers with English Electric Values was made in March 1992; the value of the order was less than £10 million. The decision had no impact on the operational capabilities of the armed forces and was essential in maintaining an United Kingdom source of specialised image intensifier tubes.

Cost Study Teams

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 23 March, *Official Report*, column *337*, if he will give the titles of the progress reports produced by the defence costs study teams he has seen to date.

Mr. Aitken: The reports received were either final or interim reports for studies listed in answer to my hon. Friend the Member for Erewash (Mrs. Knight) on 15 February at column *750*.

Russia

Dr. David Clark: To ask the Secretary of State for Defence what information he has concerning a breach of security at a Russian intercontinental ballistic missile site at Barnaul in the Russian Republic on 10 March.

Mr. Hanley: We are aware that there was a breakdown in discipline leading to a shooting incident at the Barnaul nuclear missile site in Siberia on 10 March. We do not believe that this incident posed any significant security risk to the installation, nor was there any likelihood of a nuclear incident resulting from the occurrence.

Performance Pay

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 22 March, *Official Report*, column *173*, regarding performance pay in the armed forces, what is the name of the management consultants appointed by the Air Force Pay Review Board; and when they are due to complete their work.

Mr. Hanley: The choice of consultants to assist the AFPRB is its consideration of performance pay, and the terms of their appointment, are entirely the responsibility of the AFPRB.

NORTHERN IRELAND

Public Bodies

Mr. Kilfoyle: To ask the Secretary of State for Northern Ireland who are the members currently appointed to the Northern Ireland Consumer Committee for Electricity.

Mr. Tim Smith: Appointments to this committee are made by the Director General of Electricity Supply for Northern Ireland and I have asked him to write to the hon. Member giving details of current membership.

Written Answers to Questions

Monday 18 April 1994

LORD CHANCELLOR'S DEPARTMENT

Court Services Agency

Mr. Meacher: To ask the Parliamentary Secretary, Lord Chancellor's Department if he has finalised his plans for the Court Services Agency; what consideration has been given therein to the current responsibilities of *(a)* tribunals, *(b)* social security commissioners, *(c)* Judge Advocate General's offices, *(d)* Official Solicitor, *(e)* Court Funds Office, *(f)* Lord Chancellor's visitors and *(g)* the Northern Ireland Court Service; and if he will make a statement.

Mr. John M. Taylor: Plans for the creation of a Court Service Agency are yet to be finalised. Such plans will not, however, affect the responsibilities of those bodies and officeholders which the hon. Member has mentioned.

Minor Disputes

Mrs. Roche: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans his Department has to ensure that minor disputes can be resolved in court or at arbitration at less cost and greater speed than at present.

Mr. John M. Taylor: Since the publication of the civil justice review in 1988, my Department has been engaged in an ongoing programme targeted at reducing cost, delay and complexity in all forms of civil litigation.

The small claims procedure in the county court aims to provide the benefits of arbitration to litigants with minor disputes. Various changes have been made to this procedure in recent years in order to increase its speed and accessibility. In 1993 106,000 cases were heard as arbitrations in the county court, more than twice as many as in 1990.

My Department has recently consulted on proposals that small unliquidated claims should also be heard in this more informal forum, and we are currently evaluting the results of this consultation.

Inns of Court School of Law (Admission Procedures)

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to ask the Lord Chancellor's advisory committee on legal education and conduct to conduct an investigation into the admissions procedures for the Inns of Court school of law for the academic year 1994-95.

Mr. John M. Taylor: The Lord Chancellor's advisory committee on legal education and conduct is currently conducting a wide-ranging review into all aspects of legal education. It is due to complete this review at the end of 1995. The Lord Chancellor has no plans to request the Lord Chancellor's advisory committee on legal education and conduct to examine the specific procedures of the Inns of Court school of law in isolation.

Immovable Property Transactions Report

Mr. Nicholas Winterton: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to the answer of 12 April, *Official Report*, column *100*, what response his Department made when approached in connection with the report to the European Commission on information and protection of transactions concerning immovable property purchased by consumers.

Mr. John M. Taylor: I assume that the question refers to an answer given by the President of the Board of Trade on 12 April. The Lord Chancellor's Department was approached in the context of a study of the existing position in the United Kingdom. The Department offered to assist, but the offer was not followed up by those preparing the report.

HOME DEPARTMENT

Parish Constables

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department how many pilot projects have been undertaken using parish constables; and what resources his Department has contributed in each case.

Mr. Charles Wardle: There are 46 parish constable schemes in operation. They are listed in table A.

Parish constable schemes are the responsibility of chief officers and are funded in the same way as other policing activities. Additional resources allocated by the Home Department to police forces involved in the development of schemes for the supply of essential communications equipment are shown in table B.

Table A

There are 46 parish constable schemes in operation, of which 39 are parish special constable schemes and seven are parish warden schemes. Further details are given in the table.

Thirty nine parish special constable schemes were fully operational at 31 March 1994, including some arrangements which predated the launch of the initiative but which have now been adapted to fit the recommended criteria. The schemes are:

Cambridgeshire
- Bottisham

Derbyshire
- Chapel en le Frith
- Little Eaton
- Duffield
- Draycott
- Breaston
- Ironville
- Aldercar and Langley
- Chinley
- Hartshorn
- Overseal
- Hilton

Devon and Cornwall
- Lewannick

Dorset
- Winterbourne Strickland
- Yetminster

Durham
- Langley and Burnhope

Essex
- Hockley
- Southminster

Hampshire
Silchester
Tadley
Overton
Baughurst
Kingsclere
Bramley
Sherfield-on-Lodden

Kent
Capel, Tudeley, and Five Oak Green
Pembury
Frittenden
New parish special constable recruits are being trained within the communities to which they will eventually be dedicated in:
Goudhurst
Paddock Wood
Cranbrook
Hawkhurst

North Yorkshire
Sleights

Northumbria
Corbridge

Nottinghamshire
Kirkby
Beckingham

South Yorkshire
Hooton-Pagnall and Clayton
Thurcroft
Aston-cum-Aughton
Bramley and Ravenfield
Maltby

Suffolk
Elmswell

Warwickshire
Curdworth

PARISH WARDEN SCHEMES
Parish warden schemes fully operational at the end of March 1994 were:

Dorset
Schemes run and funded by the county council:
Broadwindsor
Stalbridge
Holt

Leicestershire
Scheme run and funded by the local parish council:
Glenfield—Five neighbourhood watch street wardens

West Mercia
(schemes which predate the launch of the parish constable initiative).

Schemes run and funded by the police:
Eardisley
Woobley
Pembridge

33 schemes were still in development at 31 March 1994, ie with ongoing negotiations with communities or recruitment drives for volunteers:
Bedfordshire—2, parish special constable
Cambridgeshire—1, parish special constable
Cleveland—4, parish special constable
Derbyshire—4, parish special constable
Leicestershire—1, parish special constable
Norfolk—5, parish special constable
Northamptonshire—1, parish special constable
Northumbria—1, parish special constable
Nottinghamshire—6, parish special constable
Staffordshire—3, parish warden
Surrey—5, parish special constable

Table B

	£
Cambridgeshire	1,420·00
Cleveland	410,00
Derbyshire	3,180·00
Dorset	400,00
Essex	330·00
Kent	7,840·00
Norfolk	2,330·00
Northamptonshire	2,050·00
Nottinghamshire	560·00
Surrey	2,040·00
Warwickshire	280·00
North Yorkshire	350·00
South Yorkshire	690·00
TOTAL	21,880·00

Criminal Injury Compensation

Mr. Mackinlay: To ask the Secretary of State for the Home Department what representations he has received from the Royal Ulster Constabulary Police Federation about proposals to alter the arrangements for criminal injury compensation; and if he will make a statement.

Mr. Maclean: We have not received any representations from the Police Federation for Northern Ireland. The new arrangements for awarding criminal injuries compensation in Great Britain came into effect on 1 April 1994. Separate arrangements continue to apply in Northern Ireland.

Unemployment and Crime

Mr. Michael: To ask the Secretary of State for the Home Department (1) if he will publish the results of the recent study on the link between unemployment and crime, conducted by the crime policy division of his Department;

(2) if he will place in the Library a copy of the document on the link between unemployment and crime, prepared by the crime policy division of his Department.

Mr. Maclean: There is no such study or document.

Public Meetings and Demonstrations

Mrs. Roche: To ask the Secretary of State for the Home Department how many bans on public meetings and demonstrations were issued in *(a)* 1979, *(b)* 1985 and *(c)* the last year for which figures are available.

Mr. Charles Wardle: There is no power to ban public meetings. The power under the Public Order Acts of 1936 and 1986 to prohibit public processions was not used in 1979, and was used five times in 1985 and twice in 1993.

Emergency Services Equipment, Durham

Ms Armstrong: To ask the Secretary of State for the Home Department what were the revenue and capital expenditure of the Durham fire brigade on mobile communications equipment and command and control systems in each financial year since 1991-92; and what plans exist for 1994-95.

Mr. Charles Wardle: Expenditure on mobile communications equipment and command and control systems is a matter for individual authorities and detailed information is not held centrally.

Ms Armstrong: To ask the Secretary of State for the Home Department what were the revenue and capital expenditure of the Durham police constabulary on mobile communications equipment and command and control systems in each financial year since 1991-92; and what plans exist for 1994-95.

Mr. Charles Wardle: Revenue and capital expenditure by Durham Constabulary on mobile communications equipment and command and control systems since 1991-92, and current plans for 1994-95, are shown in the table.

Revenue and capital expenditure by Durham Constabulary on mobile communications equipment and command and control systems

	1991-92	*1992-93*	*1993-94*	*1994-95 (plans)*
Revenue (£)	235,470	278,240	277,420	258,600
Capital (£)	5,000	36,100	105,000	181,000

Parliamentary Boundary Commission Inquiry, Essex

Mr. Burns: To ask the Secretary of State for the Home Department when he expects the results of the Essex parliamentary boundary commission inquiry to be published.

Mr. Peter Lloyd: I understand that the Boundary Commission for England will be making a decision on the inquiry report towards the end of June, after which the outcome will be published.

Aintree Spring Race Meeting

Mr. Tony Banks: To ask the Secretary of State for the Home Department what were the costs passed on to Aintree Racecourse Ltd. by Merseyside police for policing the 1994 Aintree spring race meeting.

Mr. Charles Wardle: Merseyside police estimate that the total charge to be passed on for this year's event will be about £100,000.

Cancer-inducing Drugs

Mr. Flynn: To ask the Secretary of State for the Home Department which drugs used to treat human patients are known to cause cancer in animals; and if he will make a statement.

Mr. Charles Wardle: Many products used to treat human cancer and other life-threatening conditions are capable of causing cancer in animals; they are used because the benefits they offer to sufferers are judged to outweigh any risks there may be. The detailed information requested could be provided only at disproportionate cost.

Criminal Trials (Televising)

Mrs. Roche: To ask the Secretary of State for the Home Department what plans he has for the televising of criminal trials in England and Wales.

Mr. Maclean: We have no such plans.

Radio Communications

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department (1) what is the estimated cost of replacing the radio communications equipment for the whole of the Metropolitan police district;

(2) if he will estimate the length of time that will be required by the Metropolitan police to plan, install and implement a trunked radio system.

Mr. Charles Wardle: I understand that the Metropolitan police are evaluating tenders for the replacement of personal radio systems for divisional, specialist and public order use. The timescale for implementation will be a matter of negotiation prior to contract but the indications are that the work will take between four and five years to complete.

So long as the Metropolitan police are in negotiation with potential suppliers, details of cost estimates are commercially sensitive.

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department what are the dates for the implementation of the public safety radio communications project.

Mr. Charles Wardle: We plan that the public safety radio communications project, if approved, would be implemented from 1998. To that end, the Home Office is currently undertaking a detailed assessment of the feasibility and costs of various options. Implementation will depend on a number of factors including the availability of frequencies and technology.

TRADE AND INDUSTRY

EU Distance Selling Directive

Mr. Bayley: To ask the President of the Board of Trade if he will make a statement on the European Union distance selling directive in relation to tourism.

Mr. McLoughlin: The Government have made it clear that it will not agree to this directive while it contains provisions which would prevent payment in advance for goods and services. We are also pressing for the complete exclusion of services with reservation from the scope of the directive. The Greek presidency has responded to these concerns by tabling compromise proposals which go some way to addressing them, and these are under discussion in Brussels. It is too early to say whether these proposals might form a basis for agreement.

GATT

Mr. Burns: To ask the President of the Board of Trade what plans he has to publish a report on the expected benefits of the general agreement on tariffs and trade for British industry and commerce within each sector of the economy in the format of that produced in New Zealand; and if he will make a statement.

Mr. Needham: The Government intend to publish a White Paper setting out the results of the GATT round. My Department is analysing the results of the round in order to identify more fully the potential opportunities for different industrial and commercial sectors.

Competitive Manufacturing

Mr. Cousins: To ask the President of the Board of Trade if he will place the prospectus, guidance notes and application forms for his programme for competitive manufacturing in the Library.

Mr. Salmsbury: The recently published DTI annual report gives information on the many schemes operated by the department to help improve the competitiveness of United Kingdom industry. A copy of this report has been placed in the Library of the House.

Iraq

Mr. Flynn: To ask the President of the Board of Trade what requests were received by the British Government from Iraqi companies or Government agencies for biological agents between 1979 and 1991; and if he will list the companies or Government agencies.

Mr. Needham: Records are not kept in a form which would enable me to answer this question. Export controls on certain specific biological agents were not introduced until 31 December 1992.

Mr. Flynn: To ask the President of the Board of Trade what quantities of *(a)* Ustilago nuda Rostrup, *(b)* Histoplasma capsulatum var. farciminosum, *(c)* Bacillus Anthracis, *(d)* Bacillus Subtilis Cohn, *(e)* Clostridium tetani, *(f)* Clostridium botulinum Type E, *(g)* Clostridium perfringens, *(h)* bacillus megaterium, *(i)* Clostridium botulinum Type A, *(j)* Brucella abortus Biotype 3, *(k)* Brucella abortus Biotype 9, (1) Brucella melitensis Biotype 1, *(m)* Brucella-melitensis Biotype 3, *(n)* Clostridium botulinum Type F, *(o)* Saccharomyces cerevesia, *(p)* Escherichia coli, *(q)* Bacillus cereus, *(r)* Staphylococcus epidermis, *(s)* Bacillus pumilus, *(t)* Cauliflower Mosaic Caulimovirus, *(u)* Plasmid in Agrobacterium Tumefaciens, *(v)* Bacillus ceres, *(w)* Francisella tularensis var. tularensis Olsufiev, *(x)* Salmonella choleraesuis subsp. choleraesuis Serptype typhi, (y) Klebsiella pneumoniae subsp. pneumoniae, (z) Hulambda 4x-8, clone (HPRT) chromosome, (aa) Hulambda 14-8, clone (HPRT) chromosome, (bb) Hulumbda 15, clone (HPRT) chromosome, *(cc)* PHPT31, clone (HPRT) chromosome and *(dd)* plambda 500, clone pseudogene (HPRT) chromosome were exported from Britain to Iraq between 1979 and 1991.

Mr. Needham: Records are not kept in a form which would enable me to answer this question. Export controls on certain specific biological agents were not introduced until 31 December 1992.

Consultants

Mr. Milburn: To ask the President of the Board of Trade, pursuant to his answer of 24 March, *Official Report*, columns *428-9*, if he will list the firms of consultants employed by his Department and the number of contracts they have undertaken in each of the last five years.

Mr. Eggar: The information requested cannot be provided other than at disproportionate cost.

Mr. Matthew Taylor: To ask the President of the Board of Trade what information technology consultants his Department has employed; for what purpose; and at what total cost for each of the last five years.

Mr. Eggar: The Department has employed a wide range of information technology consultants and contractors from many sources over the last five years, for the purposes of assisting the development of IT strategies, and all aspects of their implementation, including support for project management, project support, systems analysis, computer programming, system testing, and IT security. Expenditure on such resources for the last five years, for which information is held centrally, and excludes agencies, is as follows:

Year	*£K*
1989-90	2,015
1990-91	3,492
1991-92	5,072
1992-93	6,909
1993-94	5,247

British Coal Superannuation Scheme

Ms Rachel Squire: To ask the President of the Board of Trade whether the present arrangement in the British Coal staff superannuation scheme of allowing staff to retire at 50 years of age will continue for present employees; whether the Government will continue to meet the cost from 50 years to 60 years; and on which vote the cost will be borne.

Mr. Eggar: The arrangements under which members of the British Coal staff superannuation scheme can qualify for pensions at 50 is a matter for the corporation and the scheme trustees. The related obligation on British Coal to make "additional contributions" in respect of early and enhanced pensions will continue to be honoured and to attract Government financial support. The cost to Government is borne on vote 5 within the Department's expenditure.

Computer Systems

Mr. Matthew Taylor: To ask the President of the Board of Trade what computer systems his Department have brought in, for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Eggar: The Department has made increasing use of computer systems, enhanced existing systems, and introduced many new systems over the last five years to assist most aspects of my Department's work. This includes: financial and management information systems; database systems recording incidents of insolvency, patents, designs, trademarks, DTI sponsorship of United Kingdom companies, export licences, home accidents; econometric and statistical systems recording information on production sector companies, overseas trade, the insurance industry, energy sources and resources; modelling systems for pay forecasting and energy demands; and office automation and communications systems.

Micro-computer systems have a life expectancy of three years or more, and larger systems five years or more. Very few of the computer systems introduced over the last five years are no longer in use. Central capital expenditure on new and enhanced computer systems for the last five years is as follows:

Year	£k
1989-90	7,744
1990-91	8,496
1991-92	6,693
1992-93	9,308
1993-94	11,858

These figures exclude expenditure on behalf of agencies, except the Insolvency Service in 1992-93 and 1993-94.

Immovable Property

Mr. Nicholas Winterton: To ask the President of the Board of Trade, pursuant to his answer of 12 April, *Official Report*, column *100*, what information he has concerning the date on which the European Commission intends to publish the report on information and protection of transactions concerning immovable property purchased by consumers; and what information he has as to why the Commission has not as yet published that report.

Mr. Heseltine: The Commission has no plans to publish the report now or in the future. It commissions many reports, not all of which are published. The Commission has not made public its reasons for not publishing this report.

Mr. Nicholas Winterton: To ask the President of the Board of Trade, pursuant to his answer of 12 April, *Official Report*, column *100*, what response was given by the Office of Fair Trading to the approach made in connection with the report to the European Commission on information and protection of transactions concerning immovable property purchased by consumers.

Mr. Heseltine: This is a matter for the Director General of Fair Trading. I have informed the director general of the question and I understand that he will be writing to the hon. Member.

Matrix Churchill Trial

Mr. Worthington: To ask the President of the Board of Trade which Ministers in his Department were approached to sign public interest immunity certificates in connection with the Matrix Churchill trial and declined to do so.

Mr. Heseltine: On 29 September 1992, shortly before the Matrix Churchill trial, further DTI documents were discovered which fell within a class for which PII is usually claimed. In the absence of both myself and my hon. Friend the Minister for Trade, the then Parliamentary Under-Secretary of State for Consumer Affairs and Small Firms, Baroness Denton, was approached to sign a third DTI PII certificate in this case, following the two that I had signed earlier. She felt that the issue should await the Minister for Trade's return to the office the next day. On 30 September the Minister for Trade was approached to sign the certificate but was unable, in the time available to him, to give the matter the due attention that it demanded. The documents were subsequently mentioned to the court by prosecuting counsel and released to the defence in the light of the decision of the court to order the disclosure of other DTI documents.

Mobile Phones (GPs)

Mr. Blunkett: To ask the President of the Board of Trade what discussions he has had with representatives of the telecommunications industry to establish a subsidised phone rate for calls made to general practitioners' mobile phones when on call; and if he will make a statement on plans for such a rate.

Mr. McLoughlin *[holding answer 15 April 1994]:* The use of mobile phones by general practitioners when on call can provide a valuable benefit to patients, by improving response times and quality of service. The price of phone services is a matter for the individual telecommunications companies who provide them. I have received no requests to discuss with these companies the subsidisation of their services.

Pergau Dam

Mr. Tom Clarke: To ask the President of the Board of Trade if he will list all payments by the Export Credits Guarantee Department in relation to the Pergau project, giving the dates on which they were made and the amounts of the payments in each case; and if he will give similar information for the planned schedule of future disbursements.

Mr. Needham: Payments made by ECGD in relation to the Pergau project have been entirely related to the cost of providing interest rate support. Up to 20 December 1993 such costs amounted to £29·202 million of which the ODA ATP budget contributed £24·367 million.

Contributions are received from ODA in June and December in each year and, for ease of comparison, ECGD's costs, whether paid or accrued, have been reported to 20 December in the relevant financial year.

Future interest support costs will be affected by the rate at which the balance of the loan is drawn down and, to a limited extent, by the future course of interest rates. The table shows the estimated cost by financial year, including the contribution made from ODA ATP funds.

£ millions

Financial year	Amounts paid or to be paid	
	By ECGD	of which contributed by ODA
Amounts Paid		
1991-92	2·235	1·882
1992-93	9·294	7·835
1993-94	17·673	14·650
Estimated Payments		
1994-95	27·080	25·310
1995-96	31·284	26·940
1996-97	31·384	26·950
1997-98	30·406	26·980
1998-99	26·729	22·926
1999-2000	23·042	19·749
2000-01	19·411	16·538
2001-02	15·668	13·396
2002-03	9·833	10·218
2003-04	6·871	7·039
2004-05	3·726	3·880
2005-06	0·674	0·740
Total	255·310	225·033

Overseas Investment

Mr. Pawsey: To ask the President of the Board of Trade, pursuant to his answer of 29 March, *Official Report*, column *650*, what was the level of United Kingdom overseas investment in *(a)* the far east, *(b)* Europe and *(c)* north America in 1979 and 1993.

Mr. Nelson: I have been asked to reply.

The available information for the nearest adjacent years for which estimates of overseas district investment have been made is as follows:

Direct investment assets abroad[1] (at book values)

		£ million
	1978[2]	*1992*
Far East (Asia, other than Middle East)	1,773	11,530
Western Europe	6,145	42,967
North America	6,496	61,130

Source: Central Statistical Office, Business Monitor MO4 and First Release.

[1] Investment in overseas branches, subsidiaries and associates of United Kingdom enterprises.

[2] Excludes insurance companies.

ENVIRONMENT

Tidal Movement, Torbay

Mr. Steen: To ask the Secretary of State for the Environment what assessment he has made of the level of tidal movements in Torbay; and if he will now categorise the bay as less sensitive under the urban waste water directive.

Mr. Atkins: The Secretary of State asked the National Rivers Authority to make recommendations as to those areas which might be identified as high natural dispersion areas—less sensitive areas under the urban waste water treatment directive—in England and Wales. The authority has made its recommendations on the basis of agreed criteria and, in so doing, it has been for it to make whatever assessments of tidal movements may be relevant.

The Secretary of State will announce the areas to be identified as high natural dispersion areas shortly.

Cambridgeshire County Council

Mr. Robert Banks: To ask the Secretary of State for the Environment when he was notified of the findings of the local government ombudsman in respect of Cambridgeshire county council concerning the case brought by Mr. E. B. C. Osmotherly; and what action he will take to ensure that the recommendations are implemented.

Mr. Baldry: Our attention has been drawn to this case on several occasions by the complainant's former and present Members of Parliament. I understand that the county council has declined to act upon the recommendations of the local government ombudsman, who is now in correspondence with the council about the terms of a statement which he will require to be published locally. My right hon. Friend has no powers to ensure that recommendations made by a local government ombudsman should be implemented.

Ofwat Regional Committees

Mr. Gunnell: To ask the Secretary of State for the Environment what was the previous water authority or company experience of each of the 1994 appointees to the regional customer services committees of Ofwat.

Mr. Atkins: The Water Industry Act 1991 requires the Director General of Water Services, in appointing persons to be members of customer service committees, to have regard to the desirability of the persons appointed being persons who have experience of, and have shown capacity in, some matter relevant to—(i) the function of a water or sewerage undertaker; or (ii) the carrying out of those functions in relation to any area by a company which the director has allocated, or is proposing to allocate, to that committee; and the desirability of—(i) the committee including one or more persons with experience of work among, and the special needs of, disabled persons; and (ii) persons appointed including disabled persons.

Copies of the Ofwat news releases announcing the new appointments made in 1994, including a short biography of the appointees, are in the Library.

Mr. Gunnell: To ask the Secretary of State for the Environment if he will list the current membership of each of the regional customer services committees of Ofwat, indicating which of those members were newly appointed in 1994.

Mr. Atkins: The chairmen and members of Ofwat's 10 customer service committees—CSCs—are listed in the director general's annual reports, copies of which are in the Library; the next report is expected to be published in June. I have today placed in the Library, a list of CSC members, excluding the chairmen, as at 31 March 1994. In 1994, so far, there has been one new appointment, that of Mr. Subhash Thakrar to Ofwat's Thames CSC. In addition, two new chairmen have been appointed in 1994, Mr. Eric Wilson to the Yorkshire CSC, and Dr. Roger Corbett to the Eastern CSC. Copies of the relevant Ofwat news releases relating to these appointments are also in the Library.

Council Tax

Mr. Lewis: To ask the Secretary of State for the Environment what interim relief of council tax is available to households transferring to higher rated districts due to the implementation of local boundary commission recommendations.

Mr. Baldry: We shall be considering, together with the local authority associations, whether we should provide transitional help to protect countil tax payers where a new authority inherits commitments that otherwise could not be met without increasing council taxes.

Waste (Definition)

Mr. Burden: To ask the Secretary of State for the Environment what plans he has to delay the implementation of waste management licensing of the metal recycling industry pending the agreement of a common European definition of waste; and if he will make a statement.

Mr. Sykes: To ask the Secretary of State for the Environment when he expects the European Commission to issue a common European definition of waste.

Mr. Atkins *[holding answer 12 April 1994]:* A common European definition of waste has been agreed and is contained in article 1 of directive 91/156/EEC which was adopted by the Council of Ministers on 18 March 1991. I announced on 13 April, *Official Report*, column *176*, that the Waste Management Licensing Regulations 1994 had been laid before Parliament and will come into force on 1 May 1994. Implementation of the waste management licensing provisions of part II of the Environmental Protection Act 1990 will also commence on 1 May 1994. However, the application of these provisions to activities involving scrap metal will not commence until 1 October 1994. This will allow the scrap metal industry further time to consider the implications of the new system and to make any representations. The scrap metal industry will remain subject to the licensing provisions of part I of the Control of Pollution Act 1974 until 1 October 1994.

The 1994 regulations transpose into national legislation the definition of waste in article 1 of directive 91/156/EEC. The new definition will come into force on 1 May 1994 for the purposes of both part II of the 1990 Act and the extant provisions of part I of the 1974 Act.

Secure Training Places

Mr. Ashton: To ask the Secretary of State for the Environment whether it will be possible for appeals to be made against planning decisions for the five new secure training centres being created by the Home Office if they are placed on the existing site of a disused Home Office detention centre.

Mr. Baldry *[holding answer 15 April 1994]:* Development by the Crown does not at present require planning permission. But Government Departments follow the procedures contained in part IV of Department of the Environment circular 18/84 which provides for them to consult local planning authorities before proceeding with development, including material changes of use, which would otherwise require planning permission. Where the local planning authority objects to the development proposal or where there is any unresolved disagreement, the developing Department, if it wishes to proceed with the development, will notify the Secretary of State for the Environment, who will determine whether the development should go ahead. In all such cases the local planning authority, the developing Department, and other interested parties are given an opportunity to express their views. As with decisions on all planning applications, there is no third party right of appeal.

There may be cases where consultation would not be required, for example, because the development proposed does not entail a material change of use. In such cases, Departments have agreed to notify the local planning authority of development proposals which are likely to be of special concern to the authority or to the public. This gives the local planning authority an opportunity to decide whether to advertise it so as to give the public a chance to comment and to discuss with the developing Department ways in which the proposal might be amended to overcome any objections.

TREASURY

Maastricht Treaty

Mr. Allen: To ask the Chancellor of the Exchequer when fines will be imposed on the United Kingdom under article 104c of the Maastricht treaty for being excessively in debt; and if he will make a statement.

Mr. Nelson: The possible imposition of fines on member states for failing consistently to comply with Council recommendations to tackle excessive deficits does not apply until the beginning of stage 3 of economic and monetary union. The protocol to the treaty relating to the United Kingdom makes it clear that this possibility can apply to the United Kingdom only if and when it enters stage 3. Under the European Communities (Amendment) Act 1993, the United Kingdom cannot move to stage 3 without approval by an Act of Parliament.

Balance of Payments

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the extent to which the new reporting and collection system of the trade returns underestimates the balance of payments deficit; what are the reasons for this; and if he will issue a statement on the necessary provisions to the figures published since the new systems began.

Mr. Nelson: I have little to add to the replies I gave to my hon. Friends the Members for Hazel Grove (Sir T. Arnold) on 21 March at column *21*, and for Chelmsford (Mr. Burns) on 8 February at column *121*.

The investigations into the Intrastat system are proceeding well. Customs and Excise and the Central Statistical Office aim to publish a full report in the summer at around the same time as data from the 1994 edition of the Pink Book on the United Kingdom balance of payments is released. As announced in its first release on the estimates of the balance of United Kingdom visible trade for January 1994, published on 14 April 1994, the Central Statistical Office aims to include any preliminary adjustments shown to be necessary with the estimates for trade in February 1994 that are scheduled for publication on 12 May 1994.

Savings (Income)

Mr. Gunnell: To ask the Chancellor of the Exchequer what was the bank rate in April 1988; what annual income was received from savings of £250; and what are the equivalent figures for April 1994.

Mr. Nelson: In April 1988, the base rate was 8 per cent. It now stands at 5¼ per cent. The annual income from savings depends on the financial product in which the savings are invested.

DUCHY OF LANCASTER

Psoriasis

Mr. Parry: To ask the Chancellor of the Duchy of Lancaster how much is spent by the Medical Research Council on research into the treatment of psoriasis; what was the cost five years ago; and if he will make a statement.

Mr. Waldegrave: In the financial year 1992-93, the Medical Research Council's expenditure on research in the

field of psoriasis was £409,000 and in the financial year 1988-89 total expenditure in this field amounted to £538,000.

The council also supports a substantial portfolio of research on skin, data from which may be of direct relevance to our understanding of diseases such as psoriasis. In the financial year 1992-93 the council's expenditure on skin research was £4,874,000.

The council is always willing to consider new applications for research in the area of psoriasis and other skin disorders; such proposals would be peer-reviewed in competition with all other applications for MRC support.

Press Releases

Mr. Bayley: To ask the Chancellor of the Duchy of Lancaster whether he will ensure that copies of Government press releases are always made available to hon. Members at the same time as they are placed in the Parliamentary Press Gallery.

Mr. Waldegrave: Most Government news releases which are placed in the Press Gallery are transmitted electronically at the time of release to POLIS—the House information system—where they may be accessed by any Member.

Access to Government Information

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster what is the definition to be adopted by Her Majesty's Government of "vexatious" as used in paragraph 9 of the code of practice on access to Government information; what criteria will be used to judge whether or not a request for information is vexatious; and if he will give an explanation for the change in wording of paragraph 15(b) on statutory and other restrictions on information disclosure in regard to Parliament compared to paragraph xv of the draft code.

Mr. Waldegrave: "Vexatious" as used in the code of practice bears its natural and ordinary meaning. Whether or not a particular request is "vexatious" is a matter which needs to be established on a case-by-case basis. The Parliamentary Commissioner for Administration would be able to investigate complaints that Departments had applied this or any other exemption unreasonably. On the final part of his question, I refer the hon. Member to the answer which I gave him on 12 April at column *26*.

PRIME MINISTER

Allivane

Mr. Flynn: To ask the Prime Minister what papers or communications are retained at 10 Downing street in regard to the role of Allivane in providing shells and other military equipment to Iraq and Iran.

The Prime Minister: Copies of correspondence received by my office since November 1990, and to which I or my office have replied, have been retained, as is customary. No records exist prior to April 1989.

Advisers

Mr. McMaster: To ask the Prime Minister if he will list the name and Department of each special adviser employed in the service of himself, members of the Cabinet, Ministers of State, and Parliamentary Under-Secretaries of State; if he will give their educational and vocational qualification, salaries and duties; and if he will make a statement.

Mr. Hutton: To ask the Prime Minister, pursuant to his answer of 12 April, *Official Report*, columns *30-31*, if he will identify those political advisers who are not employed on civil service grades of pay, the Departments in which they work and the salaries that they receive.

The Prime Minister: There are currently 38 special advisers attached to Ministers. Details of their names and Departments are as follows:

Name	*Department*
K. Adams	Environment
A. Allen	Trade and Industry
P. Barnes	Social Security
C. Blunt	Defence
T. Burke	Environment
J. Caine	Northern Ireland Office
D. Cameron	Home Office
Dr. E. Cottrell	Agriculture, Fisheries and Food
Dr. W. Eltis	Trade and Industry
M. Fraser	Foreign and Commonwealth Office
J. Gray	Environment
C. Grantham	Education
D. Green	Prime Minister's Office
Mrs. S. Hogg	Prime Minister's Office
Ms S. Hole	Chief Whip's Office
A. Kemp	Trade and Industry
Mrs. T. Keswick	Treasury
Mrs. E. Laing	Transport
D. Lochsis	National Heritage
G. MacKay	Scottish Office
M. MacLay	Foreign and Commonwealth Office
R. Marsh	Health
Ms S. McEwen	House of Lords
M. McManus	Employment
P. Moman	Privy Council Office
Dr. J. Nicholson	Office of Public Service and Science
L. O'Connor	Environment
Sir I. Pearce	Transport
Lord Poole	Prime Minister's Office
Ms K. Ramsay	Prime Minister's Office
P. Rock	Home Office
D. Ruffley	Treasury
D. Rutley	Office of Public Service and Science
Lady Strathnaver	Trade and Industry
N. True	Prime Minister's Office
Miss A. Warburton	Prime Minister's Office
H. Williams	Welsh Office
A. Young	Scottish Office

The duties of special advisers are a matter for the appointing Minister. Details of their qualifications are not held centrally.

Salaries for special advisers are negotiated individually in relation to their previous earnings, and are confidential. They are, however, normally paid on a special advisers' salary spine of 30 points, ranging from £19,121 to £59,957. Appointments are non-pensionable, and the salary spine reflects this. Of the 38 advisers currently employed, six are paid outside the normal salary spine—three political and three experts. One other, expert adviser, is paid on a civil service scale.

Mr. Hutton: To ask the Prime Minister, pursuant to his answer of 12 April, *Official Report*, column *31*, if he will specify the salaries paid to political advisers in each Department since 1988, expressed in 1993-94 prices.

The Prime Minister: The salaries of individual advisers are confidential. Information available on the number of advisers in each department in each year since 1988 and the number of advisers on each point of the pay spine in each year since 1988 is in the tables. The salary figures shown against each point in the spine are those current since August 1992.

Table 1

Department	Number of Advisers						
	1 September 1988	*6 April 1989*	*30 July 1990*	*16 September 1991*	*1 April 1992*	*20 October 1993*	*1 April 1994*
Ministry of Agriculture, Fisheries and Food	1	1	1	1	1	1	1
Cabinet Office (including Prime Ministers Office, Chief Whips Office, and Chancellor of the Duchy of Lancaster's Office)	9	10	10	7	9	8	9
Ministry of Defence	1	1	1	1	1	1	1
Department of Education	1	1	1	2	2	1	1
Department of Employment	1	1	1	1	1	1	1
Department of the Environment	2	2	3	7	6	2	4
Foreign and Commonwealth Office	2	2	2	2	2	2	2
Department of Health[1]	3	3	1	3	3	1	1
Home Office	1	2	2	2	2	2	2
House of Lords	—	—	—	—	—	1	1
Department of National Heritage	—	—	—	—	—	1	1
Northern Ireland Office	—	—	—	—	1	1	1
Scottish Office	1	1	2	1	2	2	2
Department of Social Security[1]	—	—	1	1	1	1	1
Department of Trade and Industry	2	2	1	2	2	1	4
Department of Transport	1	1	2	1	1	1	2
Her Majesty's Treasury	3	3	3	3	4	2	2
Department of Energy	1	1	1	1	1	—	—
Privy Council Office	1	1	1	1	1	—	1
The Lord Privy's Seals Office	—	—	—	—	1	—	—
Welsh Office	—	—	—	—	—	—	1

[1] Formerly DHSS

Table 2

Scale point	Current salary £ per annum	Number paid this amount						
		1 September 1988[1]	*6 April 1989*[2]	*30 July 1990*[3]	*16 September 1991*[4]	*1 April 1992*[4]	*20 October 1993*[4]	*1 April 1994*[4]
30 (pp)	59,957	—	—	1	—		1	1
29 (pp)	57,650	—	—	—	1	1	—	—
28	55,433	1	2	1	2	1	4	5
27	54,136	1	1	1	1	1	—	—
26	52,845	—	1	—	—	—	1	1
25	51,193	—	—	—	1	1	—	1
24	49,541	2	1	3	1	1	1	4
23	47,284	—	1	3	2	4	1	1
22	45,527	1	2	1	1	—	1	1
21	43,778	3	2	2	2	1	1	4
20	41,947	1	1	2	2	1	—	—
19	40,100	1	2	1	1	2	—	1
18	38,254	1	4	2	1	3	1	—
17	36,415	1	1	—	—	—	—	—
16	34,222	1	1	—	—	—	—	—
15	32,827	3	2	—	3	2	1	1
14	31,718	2	—	—	—	1	1	1
13	30,613	—	—	—	1	—	1	1
12	29,453	—	—	—	1	1	—	—
11	28,394	1	—	2	1	—	1	1
10	27,523	—	—	—	—	—	1	1
9	26,303	—	—	—	1	—	1	1
8	25,374	—	1	1	—	1	2	2
7	24,548	—	—	2	2	2	—	—
6	23,734	—	—	—	—	1	1	—
5	22,902	2	1	2	3	5	2	3
4	21,683	—	1	—	1	1	—	—
3	20,941	—	—	1	—	—	—	—

Scale point	Current salary £ per annum	Number paid this amount: 1 September 1988[1]	6 April 1989[2]	30 July 1990[3]	16 September 1991[4]	1 April 1992[4]	20 October 1993[4]	1 April 1994[3]
2	20,308	1	1	—	—	—	1	1
1	19,121	1	—	1	1	3	—	—

[1] Three special advisers were not paid on the normal salary spine points.
[2] Two special advisers were not paid on the normal salary spine points and five others were either on secondment or unpaid.
[3] Two special advisers were not paid on the normal salary spine point and five others were either on secondment, unpaid or on a part-time daily rate.
[4] Two special advisers were not paid on the normal salary spine points and four others were either on secondment, unpaid or on a part-time daily rate.

Belize

Sir Thomas Arnold: To ask the Prime Minister what response he has made to representations from the Government of Belize following the decision of the Greek presidency to eject Belize from observer status at the recent EC meeting in Athens with the San José Ten; and if he will make a statement.

The Prime Minister: We have protested to the presidency and made clear to others our dissatisfaction at the mishandling of arrangements regarding Belizean attendance at the San José meeting. We shall continue to make clear, both to partners and in the region, that Belize as a stable, responsible democracy deserves inclusion in the San José process.

Parliamentary Questions

Mr. McMaster: To ask the Prime Minister how many parliamentary questions to his Department have not been answered because of disproportionate costs or because the information requested was not held centrally over the last five years; how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

The Prime Minister: I have answered more than 2,000 questions, of which under 2 per cent. from a number of different hon. Members have not been answered because of disproportionate costs or because the information requested was not held centrally. As computer and operational systems continue to improve, doubtless there will be increased potential for this percentage to decline.

Scott Inquiry

Mr. Robin Cook: To ask the Prime Minister if he will place in the Library all correspondence between the Cabinet Secretary and Lord Justice Scott further to his letter of 17 March 1993.

The Prime Minister: The Cabinet Secretary has not had further correspondence with Lord Justice Scott concerning the issues raised in the former's letter of 17 March 1993.

Mr. Robin Cook: To ask the Prime Minister whether all papers promised by Ministers or departmental officials to the Scott inquiry, pursuant to oral evidence by Ministers or officials have now been delivered to Lord Justice Scott.

The Prime Minister: Following recent hearings certain material remains to be provided to Lord Justice Scott, but will be sent as soon as possible. Further hearings will take place in May and the provision of material to Lord Justice Scott will continue for some time.

European Union (Qualified Majority Voting)

Mr. Spearing: To ask the Prime Minister, pursuant his oral statement of 29 March, *Official Report*, columns 797-99 if he will state the treaty or other basis on which the Court of Justice of the European Community would be able to rule that, assuming accession to the Community of all applicant states—any decision reached by at least 68 votes—the Commission would be required to take any necessary initiatives stating the date and place when the document giving the basis for such a ruling was agreed.

The Prime Minister: The obligation, in the Council decision on qualified majority voting, on the Commission and the presidency to take any initiative necessary to reach a solution adopted by at least 68 votes is justifiable in the European Court of Justice. The text of the Council decision has already been deposited in the Library of the House.

Mr. Spearing: To ask the Prime Minister, pursuant to his oral statement of 29 March, *Official Report*, columns 797-98, concerning extension of a proposal blocking minority of 27 votes in an enlarged European Community Council of Ministers, if he will state, precisely, the nature of the qualifications now agreed, where they are available in written form, and published, and by whom they are authenticated.

The Prime Minister: The text of the Council decision on qualified majority voting has already been deposited in the Library of the House.

Labour-controlled Local Authorities

Mr. Foulkes: To ask the Prime Minister, pursuant to his answer to the hon. Member for Cunninghame, South (Mr. Donohoe) of 12 April, *Official Report*, column *17*, if he will list the Labour-controlled local authorities he referred to where there is corruption.

The Prime Minister: District auditors' reports and the outcome of criminal proceedings have revealed instances of malpractice and corruption in a number of Labour councils.

Civil Servants

Mr. Hutton: To ask the Prime Minister how many permanent secretaries, deputy secretaries and under secretaries left the civil service and subsequently took up appointments in the private sector since 1979; what was the average interval between leaving the service and taking up appointment in the private sector; and if he will make a statement.

The Prime Minister *[holding answer 12 April 1994]:* Precise numbers could be obtained only at disproportionate

cost. However, examination of a substantial sample of applications for approval to take appointments by civil servants in grades 1, 1A, 2 and 3 since 1984 shows an average interval of 3-4 months between leaving the service and proposed date of taking up a first private sector appointment. Not all appointments are necessarily taken up. Applications to take up second and subsequent appointments after leaving are not included in the average.

Disabled People

Mr. McMaster: To ask the Prime Minister if he will make a statement on the need for comprehensive anti-discrimination legislation for disabled people.

The Prime Minister *[holding answer 15 April 1994]:* On a number of occasions, I have not only made clear my support for the principle of seeking to eliminate discrimination against people with disabilities, but also my reservations on the detailed practicalities of the present approach to comprehensive legislation. None the less, I shall of course want to see and consider the results of the deliberations of the Standing Committee on the Civil Rights (Disabled Persons) Bill.

HOUSE OF COMMONS

EC Legislation

45. **Mr. Jenkin:** To ask the Lord President of the Council what plans he has to improve the scrutiny of the activities and legislation of the European Community.

Mr. Newton: The scrutiny arrangements generally work well and need no fundamental change. They are, however, under constant review, and will continue to be developed as necessary.

Prime Minister's Question Time

Mr. Jim Cunningham: To ask the Lord President of the Council what plans he has to ensure that Prime Minister's Question Time is used only for scrutiny of the actions of the Government.

Mr. Newton: Subject to Madam Speaker's views as to what is or is not in order, it is up to the hon. Members who ask questions to determine what questions they ask.

New Reichstag Building

Mr. Allen: To ask the Lord President of the Council if he will obtain *(a)* for his office and *(b)* for the Library, a copy of the plans for the new Reichstag; and if he will make a statement.

Mr. Newton: I have no plans to do so.

Sanctions Policy

Mr. Dalyell: To ask the Lord President of the Council if he will move to set up a Select Committee to consider the effect of sanctions policy against countries such as Iraq, Libya and North Korea.

Mr. Newton: I have no plans to do so. The hon. Member may wish to suggest the topic to the relevant Select Committee.

Parliamentary Estate (Costs)

33. **Mr. Rooney:** To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission what was the cost in 1993-94 of space in the parliamentary estate other than for the offices of hon. Members, their staff and staff of the House and those used for meetings and debates.

Mr. Beith: All but some 1 per cent. of the total area of the parliamentary estate is used for facilities for Members and staff. On a very rough apportionment, the annual cost to this House of the remaining space would be some £220,000, together with any costs of rent and rates for the outbuildings.

Strangers' Gallery

39. **Mr. Bayley:** To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission what financial provision has been made for increasing the seating capacity of the Strangers' Gallery.

Mr. Beith: None.

Accommodation (Commercial Organisations)

Mr. Hoyle: To ask the Chairman of the Finance and Services Committee, pursuant to his answer of 28 March, *Official Report*, column *505*, when the last review took place of financial arrangements for commercial organisations with accommodation in the Palace of Westminster.

Mr. Channon: A review of the agreement with Thomas Cook was completed by the Administration Committee in March.

LORD PRESIDENT OF THE COUNCIL

Official Duties

40. **Mr. Mackinlay:** To ask the Lord President of the Council if he will make a statement on his duties as Lord President of the Council.

Mr. Newton: As Lord President, I am responsible for the work of the Privy Council Office, and for overseeing the functions of the Privy Council itself. In this connection, I present the Council business to Her Majesty.

I also act for the Queen as Visitor of a number of universities and colleges.

Appointments

Ms Lynne: To ask the Lord President of the Council what public consultations he undertakes before appointments are made by the Privy Council.

Mr. Newton: As indicated in my written answer to the hon. Member on 3 March, *Official Report*, column *868*, consultation in respect of Privy Council appointments is conducted with the organisations concerned and with relevant Government Departments.

SOCIAL SECURITY

Departmental Office Space (Ipswich)

Mr. Cann: To ask the Secretary of State for Social Security how many square feet of office space his Department leases, rents or owns inside the boundary of the borough of Ipswich; and what was the equivalent area in June 1979.

Mr. Burt: The full range of information is not available from 1979. However, from the information which is available, it is estimated that during the last 10 years the Department's occupancy covered a total of 32,722 sq. ft. spread over three sites:

—Eastgate House, Carr street—8,608 sq. ft.
—Warnford House, Coleman street—21,538 sq. ft.
—Princess House, Princess street—2,586 sq. ft.

At present the Department occupies 42,892 sq. ft. in one building within the borough—St. Felix house, Silent street. The property is leasehold and the Department is the sole tenant.

Child Support Agency

Mr. Meacher: To ask the Secretary of State for Social Security what arrangements he has made for a review of the security of civil servants working in the Child Support Agency; if he will sanction extra resources for managers to implement measures which will help to allay staff fears over their safety, with particular reference to stringent procedures for dealing with incoming mail and the provision of escorts for field visits; and what he proposes in respect of the compulsory wearing of name badges and staff identifying themselves over the telephone or in correspondence as required by the citizens charter.

Mr. Burt: Measures to ensure the safety of Child Support Agency staff are the responsibility of Ros Hepplewhite, the chief executive, who has ensured that comprehensive and professional security is provided for all the staff. There are strict procedures for the safe handling of incoming mail including the use of X-ray machines. Procedures are also in place to minimise the risk to visiting officers which include accompanied visiting where there is concern for personal safety.

The agency has a policy of giving names and wearing name badges as a matter of course. This is in the interest of providing good customer service to clients. It is recognised, however, that some staff may feel concerned about giving their names and those fears are treated sympathetically.

These areas are very sensitive and the chief executive and I are keeping them under close review.

Market Testing

Mr. Meacher: To ask the Secretary of State for Social Security if he will detail all the contracts on which his calculation of £136 million savings in the civil service market-testing programme is based; what was the value of each contract; what was the saving in each case; and what were the main items by which the savings were secured in each major case.

Mr. Hague: The £136 million detailed in the question is the value of savings achieved by the Government's market testing programme. As at 31 March 1994 this Department had awarded 55 contracts with a total value of £62·5 million which have achieved efficiency savings averaging some 32 per cent. Details of individual contract values and savings are commercial in confidence information and cannot be provided.

Occupational Deafness

Dr. Godman: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Streatham (Mr. Hill), 30 March, *Official Report*, column *787*, if he will list the occupational activities for which occupational deafness can be prescribed as a disease, in relation to which disablement benefit is payable; and if he will make a statement.

Mr. Scott: Occupational deafness is prescribed for disablement benefit purposes in relation to the following occupational activities:

1. The use of powered, but not hand powered, grinding tools on cast metal other than weld metal or on billets or blooms in the metal producing industry, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used;
2. The use of pneumatic percussive tools on metal, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used;
3. The use of pneumatic percussive tools for drilling rock in quarries or underground or in mining coal, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used;
4. Work wholly or mainly in the immediate vicinity of plant (excluding power press plant) engaged in the forging (including drop stamping) of metal by means of closed or open dies or drop hammers;
5. Work in textile manufacturing where the work is undertaken wholly or mainly in rooms or sheds in which there are machines engaged in weaving man-made or natural (including mineral) fibres or in the high speed false twisting of fibres;
6. The use of, or work wholly or mainly in the immediate vicinity of, machines engaged in cutting, shaping or cleaning metal nails;
7. The use of, or work wholly or mainly in the immediate vicinity of, plasma spray guns engaged in the deposition of metal;
8. The use of, or work wholly or mainly in the immediate vicinity of, any of the following machines engaged in the working of wood or material composed partly of wood, that is to say; multi cutter moulding machines, planing machines, automatic or semi-automatic lathes, multiple cross-cut machines, automatic shaping machines, double-end tenoning machines, vertical spindle moulding machines (including high speed routing machines), edge banding machines, bandsawing machines with a blade width of not less than 75 millimetres and circular sawing machines in the operation of which the blade is moved towards the material being cut;
9. The use of chain saws in forestry.

I refer the hon. Member to my reply to my hon. Friend, the Member for Erewash (Mrs. Knight) on 24 February at column *368*, which sets out the further occupational activities to be added from October 1994.

FOREIGN AND COMMONWEALTH AFFAIRS

Nuclear Non-proliferation

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what matters in regard to the control of nuclear proliferation he plans to raise at the Foreign Affairs Council on 18 to 19 April.

Mr. Douglas Hogg: Nuclear non-proliferation does not feature on the agenda of this meeting.

Sweden

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy towards the provisions in the accession document submitted by Sweden to the Council of the European Union on publication by civil servants of Government documents.

Mr. Heathcoat-Amory: Sweden made a declaration in the Final Act attached to the treaty of accession welcoming the development now taking place in the European Union towards greater openness and transparency. The declaration noted that open government is a fundamental part of Sweden's constitutional, political and cultural heritage. The Union made a declaration in response noting the Swedish declaration and adding that the member states of the European Union take it for granted that as a member Sweden will fully comply with Community law in this respect. The United Kingdom fully supports this declaration by the Union.

Belize

Mr. Spellar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the treatment of the representative of Belize at the recent conference between the European Union and central American countries.

Mr. Heathcoat-Amory: We have protested to the presidency and made clear to others our dissatisfaction at the mishandling of arrangements regarding Belizean attendance at the San José meeting. We shall continue to make clear both to member states and to countries in the region, that Belize as a stable, responsible democracy deserves inclusion in the San José process.

Mr. Spellar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding territorial claims by Guatemala over Belize.

Mr. Heathcoat-Amory: Guatemala recognised Belize as a sovereign and independent state in 1991. We will continue to encourage both countries to work for a full settlement of their territorial dispute.

Sir Thomas Arnold: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of the EC on the territorial integrity of Belize.

Mr. Heathcoat-Amory: The European Community welcomed Guatemalan recognition of Belize in 1991 and its reaffirmation by the new Guatemalan Government in 1993. The European Community also urged Belize and Guatemala to continue to work for a full settlement of their territorial dispute.

North Korea

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent meetings he or his officials at the United Nations have had with *(a)* the United States of America, *(b)* Russian and *(c)* Chinese ministers or officials in regard to the present situation in North Korea's nuclear programme.

Mr. Douglas Hogg: North Korea's nuclear programme is frequently a subject of discussion between us and the Governments of those states most directly concerned. The United Nations Security Council last considered the matter of North Korea's compliance with its IAEA safeguards agreement during the final week of March. Following discussions on this issue between all members of the Security Council, the President of the Security Council issued a statement on 31 March calling on North Korea to comply fully with its safeguards agreement.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what extra resources the OPS unit of UNDP in Somaliland has recently received to help it in its work of disarming and rehabilitating militia in Somaliland.

Mr. Douglas Hogg: The national demobilisation committee project proposal, prepared with the assistance of the UNDP/OPS contracted team of Zimbabweans, is due to be presented to donors on 22 April 94. Decisions on funding are expected to be taken in the light of that presentation.

Inhumane Weapons Convention

Mr. Andrew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals Her Majesty's Government have put forward with a view to introducing monitoring and enforcement mechanisms in the forthcoming updating of the United Nations 1980 inhumane weapons convention.

Mr. Douglas Hogg: None. The United Kingdom is still considering the issues involved in the review conference.

Tigers

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what resources are currently being made available by his Department for tiger conservation schemes; and if he will make a statement.

Mr. Lennox-Boyd: We are most concerned about the plight of the tiger and are working through CITES to encourage consumer countries to stamp out the illegal trade in tiger parts. For this reason, we contributed towards the cost of the CITES high level delegation to the region. We welcome the development of the global tiger forum last month in India and will continue to participate actively in international efforts to save the tiger.

Macdeonia

Dr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the European Court of Justice to offer an opinion on the referral submitted by the European Commission concerning the decision of the Government of Greece to impose an embargo against the former Yugoslav Republic of Macedonia; and if he will make a statement.

Mr. Douglas Hogg: There is as yet no indication when the European Court of Justice might offer a ruling. We have made clear our support for the Commission's decision to refer Greece's action to the European Court of Justice. We hope that this will lead to an early lifting of Greece's measures.

Immovable Property

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 12 April, *Official Report*, column *101*, on the report on information and protection of transactions concerning immovable property purchased by consumers, if he will now make it his policy to bring forward proposals to ensure that member Governments of the European Community are entitled *(a)* to see and *(b)* to publish for consultation all reports commissioned by the European Commission.

Mr. Heathcoat-Amory: No. The publication of reports commissioned by the European Commission is a matter for the Commission itself. However, the majority of these reports are likely to be available under the agreement on public access to documents held by the Council and Commission.

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 12 April, *Official Report*, column *99*, on information and protection of transactions concerning immovable property purchased by consumers, if he will make it his policy to bring forward proposals to ensure that in future the European Commission informs the United Kingdom Government of all the reports which it commissions.

Mr. Heathcoat-Amory: No. The European Commission commissions large numbers of reports annually to assist it in its work. These reports are the property of the Commission, which itself decides whether or not they should be published. However, under the code of conduct on access to Council and Commission documents, we would expect the public to have access to the majority of such reports.

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 12 April, *Official Report*, column *100*, on the report on information and protection of transactions concerning immovable property purchased by consumers, if he will now make it his policy to require the European Commission to make known to the United Kingdom Government the cost of this and of all future such reports which it commissions.

Mr. Heathcoat-Amory: No. The cost of reports commissioned by the European Commission is a matter for the Commission itself. However the Commission must ensure that all its expenditure is consistent with the treaties and Community legislation, including requirements for sound financial management. It is also subject to examination by the Court of Auditors as to the legality and regularity of transactions.

EDUCATION

Local Education Authorities

Mr. Walden: To ask the Secretary of State for Education what the difference is between devolvement and delegation of local education authorities' moneys.

Mr. Forth: In the context of local management of schools, funds are customarily said to be delegated where they form part of the unhypothecated budget shares allocated to schools by formula, and devolved where they are made available to schools subject to conditions, specified by the local education authority, as to the purposes for which they may or may not be used.

History

Mrs. Roche: To ask the Secretary of State for Education if he will make a statement on the future of the core status of the United Nations following the pending review of the history programme of study within the national curriculum.

Mr. Robin Squire: My right hon. Friend is currently considering advice from the School Curriculum and Assessment Authority on slimming down the national curriculum. At this stage I cannot comment on the possible place of the United Nations within a revised history curriculum. The Secretary of State's proposals will be published in May and will be followed by a public consultation exercise.

Grant-maintained Schools

Mr. Tony Banks: To ask the Secretary of State for Education if he will make a statement on the circumstances in which grant-maintained schools previously required to provide rooms for election meetings are now able to refuse.

Mr. Robin Squire: There has been no change in the statutory requirements governing the provision of rooms at schools for election meetings.

School Discipline

Mr. Morley: To ask the Secretary of State for Education how many children were *(a)* suspended and *(b)* expelled from school in (i) Humberside and (ii) England in each year since 1984.

Mr. Forth: Figures for each of the last 10 years are not available. Information on permanent exclusions from maintained schools in England was collected by the Department over a two-year period, starting with the summer term 1990, under the national exclusions reporting system—NERS. In England, 2,910 permanent exclusions were reported in year one and 3,833 in year two. It is not possible to provide an area breakdown of the figures because of assurances given as to confidentiality.

Nursery Education

Ms Harman: To ask the Secretary of State for Education what is his latest estimate of the number of children under five years of age in *(a)* nursery schools and *(b)* nursery classes in primary schools.

Mr. Robin Squire: In 1993, 53,000 children aged under five attended maintained nursery schools in England, either full or part time, and a further 287,000 children attended nursery classes in maintained primary schools.

Mr. Spearing: To ask the Secretary of State for Education what steps he has taken and what methods he has used in calculating his published figures concerning children under school age attending reception classes, nursery classes in primary schools, nursery schools and registered playgroups to avoid double counting of those

children who, within the chosen period of any returns of single time census are attending, or have attended, more than one category of provision.

Mr. Robin Squire: Information on pupils in schools is collected each January from schools. A pupil should be on the register of only one school at any one point in time. Information on children attending playgroups is not held centrally. Figures quoted about playgroup attendance are those supplied by the Pre-school Playgroups Association, to which about 80 per cent. of playgroups are affiliated. It is of course possible that a child attends both a play group and some form of schooling in the same year.

Preparation for Parenthood

Mr. Sims: To ask the Secretary of State for Education what plans he has to include preparation for parenthood in the revised national curriculum; and if he will make a statement.

Mr. Forth: My right hon. Friend has no such plans. Section 1 of the Education Reform Act 1988 requires the provision of a curriculum which prepares pupils for the opportunities, responsibilities and experiences of adult life. In fulfilment of that, schools often include preparation for parenthood within their programmes of personal, social and health education in the wider curriculum.

School Age

Miss Lestor: To ask the Secretary of State for Education what is Government policy as to the age at which a child must commence school; and if he will make a statement.

Mr. Robin Squire: Under the Education Acts the statutory duties relating to compulsory education apply from the start of the school term following a pupil's fifth birthday. Local education authorities and schools may make provision for children before that age, but are not obliged to do so.

Law Students

Mr. Boateng: To ask the Secretary of State for Education what plans he has to undertake a fundamental review of the availability of public assistance for the payment of the fees of law students taking either the legal practice course or Bar finals.

Mr. Boswell: My right hon. Friend has no such plans at present.

Higher Education Funding

Mr. Rooker: To ask the Secretary of State for Education what proposals he has to further broaden the funding base of higher education from industry.

Mr. Boswell *[holding answer 12 April 1994]:* British universities received some £1·25 billion from private sources in 1991-92—just over a quarter of their total income. Private income, which includes income from industry for a range of services, has grown by some 70 per cent in real terms since 1985. In addition to income, institutions had outstanding borrowings of some £830 million from the private sector in 1992 for capital developments.

We welcome this broadening of the funding base, which is a key means by which universities can strengthen their independence. We are seeking to increase private finance for higher education in line with the private finance initiative.

EMPLOYMENT

Campaigns

Mr. Matthew Taylor: To ask the Secretary of State for Employment, pursuant to his answer of 14 February, *Official Report*, column *643-44*, how many requests were received for entry packs for the 1993 national training awards; how many inquiries were received about career development loans; how many publications relating to "Just the Job" new measures were taken up; and what proportion of the total number produced this represented.

Miss Widdecombe: The national training awards office received 9,795 requests for entry packs for the 1993 competition; 36,390 inquiries were received about career development loans during their 1993-94 advertising campaign; 70,000 copies of the "Just the Job" were issued during the 1993-94 press advertisting campaign, representing 4·25 per cent. of the total produced.

Fishermen

Mr. Austin Mitchell: To ask the Secretary of State for Employment what help is being given by fishing vessel owners in each port to assist this Department in identifying fishermen employed in the industry for redundancy; what access is being given by them to records on each; and what charges are being made.

Miss Widdecombe: Information has been obtained from a number of sources including the fishing vessel owners' records held in various ports. Vessel owners' associations have made their records available for inspection by departmental officials. No charge is being made for this service.

WALES

Pupil Costs

Mr. Llwyd: To ask the Secretary of State for Wales what was the unit cost per pupil for each Welsh local education authority for 1992-93 for *(a)* nursery primary pupils and *(b)* secondary pupils.

Sir Wyn Roberts: Provisional data on the net expenditure per pupil in maintained schools in each local education authority area in Wales for 1992-93 are given in the table.

	[1]Nursery/Primary £ per pupil	[1]Secondary £ per pupil
Clwyd	1,486	2,243
Dyfed	1,807	2,164
Gwent	1,479	2,226
Gwynedd	1,664	2,423
Mid Glamorgan	1,476	2,300
Powys	1,911	2,088
South Glamorgan	1,494	2,144
West Glamorgan	1,794	2,403

[1] Local education authority and grant-maintained schools. Includes recharged expenditure on school catering and certain central services.

Non-departmental Bodies

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish a list of all the non-departmental bodies in Wales that can be referred to the Parliamentary Commissioner for Administration.

Mr. Redwood: The following bodies in Wales are within the jurisdiction of the Parliamentary Commissioner for Administration:

Agricultural Wages Committees
Cardiff Bay Development Corporation
Countryside Council for Wales
Development Board for Rural Wales (except housing functions)
Housing for Wales
Office of HM Chief Inspector of Schools in Wales
Sports Council for Wales
Wales Tourist Board
Welsh Language Board
Welsh Office

The commissioner may investigate actions taken on behalf of a Government Department or other authority within his jurisdiction.

Braille Ballot Papers

Mr. McMaster: To ask the Secretary of State for Wales if he will introduce legislation to provide Braille ballot papers at polling stations; and if he will make a statement.

Mr. Redwood: This is a matter for my right hon. and learned Friend the Secretary of State for the Home Department.

Forestry Commission Land Sales

Mr. Ron Davies: To ask the Secretary of State for Wales if he will list all Forestry Commission land sold in Mid Glamorgan since 1 January 1991, giving the hectarage and the price paid per hectare; and what information he has on the current use of that land.

Mr. Redwood: The areas of forest land which have been sold by the Forestry Commission in Mid Glamorgan since 1 January 1991 are shown in the table. The price paid per hectare is given where the purchaser has agreed that such information can be made public. The Forestry Commission does not maintain records of the subsequent use of the woodlands it sells; however, woodland cannot normally be converted to another use without planning permission.

Name of Property	*Area (hectares)*	*Price (£) Per hectare*
Aberbargoed tip	21·00	22,400
Blaengarw (old tip)	67·80	600
Coed Cefn Rhychdir	23·00	[1]
Cors y Sarnau	15·70	[1]
Focheiw to Deri (main sewer improvement)	0·30	1,700
Llanbradach (colliery road)	0·01	50,000
Parc Cefn Machen (part)	0·10	[1]
Treherbert (land at)	4·00	[1]
Twyn Ifan Madoc	18·50	[1]

[1] Not public information.

Design Council

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what representations he has received on the closure of the Design Council in Wales; and what plans he has to ensure that industry in Wales continues to receive a design service.

Mr. Redwood: Various views have been expressed on the value of the Design Council in Wales. In recognition of the important role of good design, I am currently considering possible support measures.

Further Education

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the Development Agency for Further Education as he expects it to affect further education in Wales.

Sir Wyn Roberts: I have no knowledge of a development agency for further education. However, a new body is to be established in place of the further education unit and further education staff college which between them carried out much important work in developing the FE sector in England and Wales.

I expect the new, as yet unnamed, body to complement the work of the Further Education Funding Council for Wales and provide the advice, support and other services that colleges and interested organisations will need.

Deeside Industrial Park

Mr. Barry Jones: To ask the Secretary of State for Wales if he will list the measures he is taking to improve access to and from the Deeside industrial park, Deeside, Clwyd, with the objective of increasing productivity, ending lorry queues and improving road safety; and if he will make a statement.

Sir Wyn Roberts: The capacity of the Deeside industrial park junction is to be increased as part of proposals to improve the A550 trunk road between the River Dee and Woodbank junction.

School Buses

Mr. Barry Jones: To ask the Secretary of State for Wales (1) if he proposes to give additional moneys to local education authorities in Wales to enable them to fit seat belts in school minibuses; and if he will make a statement;

(2) what consultation he has had with local education authorities in Wales concerning the need to fit seat belts in minibuses used to transport school children.

Sir Wyn Roberts: The Government are anxious to do all that we can to limit minibus and coach accidents and to mitigate their effect. We are currently reviewing the whole technical and cost implications of seat belts in these vehicles, including the "three for two" concession in home-to-school transport.

Overgrazing

Mr. Martlew: To ask the Secretary of State for Wales what involvement the Countryside Council for Wales has had in operating the measures introduced to prevent overgrazing under the hill livestock compensatory allowance scheme; and if he will make a statement.

Mr. Redwood: The Countryside Council for Wales and other environmental and farming interests were consulted about the introduction of these measures. The operational responsibility rests with my officials assisted by Agricultural Development Advisory Service specialists.

Lambs

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make it his policy to introduce weather aid to compensate farmers in parts of Wales affected by exceptional losses of lambs resulting from extreme weather during the 1994 lambing season; and if he will make a statement.

Mr. Redwood: I sympathise with sheep farmers who have suffered higher than usual losses of lambs this season, but it is not the Government's policy to provide compensation for the day-to-day business risks usually associated with livestock production.

Arable Farmers

Mr. Alex Carlile: To ask the Secretary of State for Wales what assessment he has made of the effect on arable farmers in Wales of the division of Wales into less-favoured area/non-less-favoured area sectors for the purposes of grant payment; and if he will make a statement.

Mr. Redwood: No producer will receive less this year than last, subject to any changes in the green rate in force on 1 July 1994 and provided that the total area on which payments are made remains constant. Specialist cereal growers, most of whom are in the non-less-favoured area sector, will benefit from higher payments.

Traffic Congestion

Mr. Barry Jones: To ask the Secretary of State for Wales if he will list the measures he has planned to eliminate traffic jams from Sealand, through Garden city, Queensferry, Shotton and Connahs quay to Kelsterton on the A550 and A494; and if he will make a statement.

Sir Wyn Roberts: The communities referred to are along roads which are the responsibility of Clwyd county council, which is planning to build the third Dee crossing. This is expected to alleviate traffic along those routes. My right hon. Friend plans to upgrade the Deeside industrial park junction on the A550 which will complement the county council's proposals.

Boundary Commission

Mr. Richards: To ask the Secretary of State for Wales if he will make a statement about the membership of the Local Government Boundary Commission for Wales.

Mr. Redwood: I have appointed Professor Eric Sunderland as chairman of the commission from 1 April. Professor Sunderland replaces Lady Crawshay, who has chaired the commission since 1979.

I have also re-appointed Mr. Richard Hall Williams as deputy chairman and appointed Mr. Lloyd FitzHugh in succession to Mr. Ray Lacey.

OVERSEAS DEVELOPMENT ADMINISTRATION

Pergau Dam

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what is the total expected cost to the United Kingdom Exchequer of support for the Pergau dam project;

(2) what the total cost of the Pergau dam project to the United Kingdom Exchequer has been to date;

(3) if he will set out the planned schedule of all future disbursements for the Pergau dam project from the Overseas Development Administration, with the planned dates and amounts in each case.

Mr. Lennox-Boyd: I refer the hon. Member to the answer given today by my hon. Friend the Minister for Trade at column *360*. In addition to the total estimate of interest rate support costs to the Exchequer for the Pergau project of £255·310 million, a further £1·035 million in total is expected to be spent on technical, financial and environmental monitoring of the implementation of the project. The total estimated cost to the Exchequer of the project is therefore £256·345 million.

The total cost of the project to the Exchequer to date is £29·621 million. This covers actual expenditure between the financial years 1991-92—1993-94 on ECGD and ODA interest rate support costs of £29·202 million and ODA expenditure on technical, financial and environmental monitoring of £0·419 million.

The current planned schedule for estimated future disbursements from ODA for (A) interest rate support costs contributed by ODA and (B) technical, financial and environmental monitoring costs of the implementation of the project is as set out in the table. The payments under (A) are made in June and December in each financial year; the payments under (B) for monitoring implementation of the project are made as work proceeds, without any pre-planned disbursement dates.

£ million

	(A)	*(B)*
1994-95	25·310	0·240
1995-96	26·940	0·240
1996-97	26·950	0·136
1997-98	26·980	—
1998-99	22·926	—
1999-2000	19·749	—
2000-01	16·538	—
2001-02	13·396	—
2002-03	10·218	—
2003-04	7·039	—
2004-05	3·880	—
2005-06	0·740	—

Bosnia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the current calculations about the food needs of Bosnia; and what is the current rate of supply.

Mr. Lennox-Boyd: UNHCR currently estimates a requirement of 45,000 metric tons per month of food for Bosnia Herzegovina. Prior to the airlift being temporarily suspended on 11 April the delivery rate—for March—was 82 per cent.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his current assessment of the need for medical supplies in Bosnia and the adequacy of that supply.

Mr. Lennox-Boyd: Until a permanent cessation of hostilities is agreed, it will not be possible to provide medical supplies sufficient to meet all the needs throughout Bosnia. The United Nations agencies have appealed for US$1·76 million in emergency aid and health supplies for April which we understand is fully covered by donor pledges.

Market Testing

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the cost to be incurred for each exercise in market testing in progress or planned within the Overseas Development Administration; and what is his projection for the saving to be made.

Mr. Lennox-Boyd: Under the "Competing for Quality" initiative, quality improvements are as important as financial savings. We do not make presumptions about levels of savings in advance of the test.

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what market tests have been completed; what market tests are in progress; and what market tests are planned for the Overseas Development Administration;

(2) what was the cost of each exercise in market testing completed to date within the Overseas Development Administration; and how much money was saved as a result of the exercise.

Mr. Lennox-Boyd: The requested information is recorded in the "Citizen's Charter Second Report 1994" published in March, Cm. 2540.

NATIONAL HERITAGE

Independent Television

2. **Mr. Alison:** To ask the Secretary of State for National Heritage what is his policy on independent television; and if he will make a statement.

Mr. Brooke: We aim to increase diversity and choice for viewers and to promote competition in the provision of services.

Media Ownership

17. **Mr. Soley:** To ask the Secretary of State for National Heritage when he now expects to issue his conclusions on the review into media ownership and cross-ownership.

Mr. Brooke: I would like this review to be completed as rapidly as possible. Officials will make recommendations to Ministers this summer, but the timing of an announcement about the outcome will depend on a number of factors, including the nature of those recommendations and any legislative implications.

BBC Charter

19. **Mr. Clifton-Brown:** To ask the Secretary of State for National Heritage what plans he has to redistribute existing BBC local radio wavebands to the commercial sector.

Mr. Brooke: Our policy is to encourage the broadcasters to reduce the broadcasting of the same programmes on AM and FM frequencies. AM frequencies used by the BBC for local radio will be released to the Radio Authority, if they are needed for the development of independent local radio.

23. **Ms Eagle:** To ask the Secretary of State for National Heritage when he next plans to meet the chairman of the BBC governors to discuss the renewal of the BBC charter.

Mr. Brooke: I shall be meeting the BBC chairman next month.

Mrs. Roche: To ask the Secretary of State for National Heritage if he will place in the Library a copy of all submissions made on the renewal of the BBC charter.

Mr. Brooke: No. We received more than 6,000 responses to the consultation document. I encouraged organisations to publish their responses, and many did so, but some organisations asked for their replies to be kept private. Last July, I placed in the Library a report analysing the replies from the public and a list of the organisations which responded.

Brass Bands

20. **Mr. Skinner:** To ask the Secretary of State for National Heritage what assistance his Department can give to coalfield brass bands.

Mr. Sproat: I refer the hon. Member to the oral answer that I gave to the hon. Member for Hemsworth (Mr. Enright) earlier today.

Film Industry

21. **Mr. O'Hara:** To ask the Secretary of State for National Heritage how many feature films were produced in the United Kingdom in the last year for which figures are available; and if he will make a statement.

Mr. Brooke: Industry sources indicate that in 1993, 39 feature films were produced in the United Kingdom and a further 28 films were shot abroad with the participation of United Kingdom production companies. The total of 67 films represents a significant increase over the previous year, during which 47 films were produced with United Kingdom involvement.

Foreign Visitors

22. **Mr. David Evans:** To ask the Secretary of State for National Heritage what assessment he has made as to the factors which attract foreigners to Great Britain.

Mr. Sproat: The statutory tourist boards produce regular surveys which show that Britain has a wide range of attractions for foreign visitors. Among the most important of these are a number of areas supported by my Department: the built heritage, museums and galleries, and the arts.

Art Galleries

24. **Dr. Goodson-Wickes:** To ask the Secretary of State for National Heritage what recent consultations he has had about the availability of works of art in galleries for public display.

Mr. Sproat: In general, the display of works of art to the public in museums and galleries is a matter for individual institutions.

Tourist Sector Jobs

25. **Mr. Waterson:** To ask the Secretary of State for National Heritage what is his appraisal of the opportunities for job creation in the tourist sector; and if he will make a statement.

Mr. Sproat: Employment in the tourism sector has shown steady expansion since the early 1980s and by June 1993 was just under 1·5 million, representing 7 per cent. of all employees in employment in Great Britain. The prospects for future growth in tourism employment opportunities remain good. The British Tourist Authority BTA—forecasts growth in overseas visits and expenditure over the next five years, and this is expected to be accompanied by growth in domestic tourism. The impact of such expenditure is spread widely throughout the economy as it includes spending on accommodation, eating out, shopping, travel within the United Kingdom and on services and entertainment. Many nominally non-tourism businesses derive a substantial part of their trade from tourists. Indeed, BTA estimates that, for every one direct job in the tourist industry, half an indirect job is created elsewhere in the economy.

Mirror Group Newspapers

Mr. Bill Michie: To ask the Secretary of State for National Heritage what consultations he had with the President of the Board of Trade over the acquisition of Newspaper Publishing by Mirror Group Newspapers.

Mr. Brooke: My Department's views on this matter were sought by the Department of Trade and Industry, and given to it in terms approved by me.

Bronze Age Hill Sites

Mr. Dalyell: To ask the Secretary of State for National Heritage what is his policy in providing the services of custodians at bronze age hill sites.

Mr. Brooke: Sites which are my responsibility are entrusted to the care of English Heritage. Decisions on the deployment of custodians are for that body.

Museums and Galleries (Attendance)

Mr. Faulds: To ask the Secretary of State for National Heritage whether he will now publish the actual, as distinct from the forecast, attendance figures for the financial year ended 31 March reported by the national museums and galleries in England for which he is responsible, broken down into the individual institutions but including their outstations, with the definitive, as distinct from the provisional, figures in each case of the percentage increase or decrease on the attendance figures for the financial year 1992-93.

Mr. Sproat: I refer to the answer that I gave to the hon. Member on 14 February at column *578*.

European Football Championship

Mr. Pendry: To ask the Secretary of State for National Heritage what discussions he has had with the Football Association with a view to giving Government assistance to that body to provide for a European football championship competition in Great Britain in 1996.

Mr. Brooke: My Department is actively assisting the Football Association—FA—in the arrangements for the 1996 European championship through its representation on the FA's central organising committee for the event. I have been involved in promoting the event and I was delighted to attend the qualifying draw for the championship in Manchester on 22 January when I had the opportunity to discuss matters with the chairman of the FA.

NORTHERN IRELAND

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for Northern Ireland what computer systems his Department have brought in for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Sir John Wheeler: Details of all computer systems brought in by the Northern Ireland Office and the Northern Ireland Departments during the last five years could be obtained only at disproportionate cost. However, network computer systems, in excess of the EC threshold, have been brought in as follows:

System – (Hardware)	*Function*	*Still in use*
Integrated Purchasing System – (AST)	Computerised Purchasing	Yes
Human Resource Management System – (MDL)	Integrated Personnel, Superannuation and Payroll System	Yes
Two Mainframes – (ICL)	To provide a contingency service for Computer Bureau	Yes
VALCOM – (ICL)	Computer System for the Valuation and Lands Office	Yes
Network and System Management Project – (DEC)	To manage the Department of Finance and Personnel's computer system	Yes

System – (Hardware)	Function	Still in use
Accounting System – (ICL)	Computerised Accounting for Department of Environment's (DOE) Road Service	Yes
Laboratory Information Management System (HMS) – (Siemens Nixdorf)	To manage laboratory information for DOE – Water Service	Yes
Management Accounting and Information System – (ICL)	Management Accounting and Information System for DOE – Works Service	Yes
Animal Health System – (UNISYS)	To provide up to date and accurate information for use in eradication of Tuberculosis and Brucellosis in cattle	Yes
Biometrics VAX 6320 – (DEC)	To provide statistical and graphical facilities for scientists	Yes
Back-up System for VAX 6320 – (DEC)	To allow back-up of user data overnight in unattended mode, allowing the VAX to remain operational during working hours	Yes
Plant and Vehicle Fleet Management – (ICL)	Computerised records for Plant and Vehicle Management	Yes
Strategic Communications Network – (Linked LANS and Routers)	Communications Network for Roads Service	Yes
Monitoring of Road Traffic Accidents – (UNIX)	To monitor Road Traffic Accidents	Not yet in use
Capital Works Programme Management System – (DEC)	To manage the Capital Works Programme	Yes
Design and Drafting System – (Sun)	Computer Aided Design and Drafting System for DOE's Water Service	Yes
Design and Drafting System Network	To manage the Computer Aided Design and Drafting System for DOE Works Service	Yes
Grants and Subsidies – (Sequent servers and various peripherals)	The administration of the EC Capital Grant and Livestock Subsidy Scheme that existed in April 1992 including applications, claims and payments processing	Yes
Office Systems – (MIPs and IBM servers with various PCs and peripherals)	To provide office system (electronic mail, word-processing, spreadsheet etc.) facilities to senior staff in DANI	Yes
Integrated Administration and Control System (IACS) – (Sequent servers and various peripherals)	Administration of existing EC Capital Grants and Livestock Subsidy Scheme as amended by CAP reforms introduced in 1992-93. Additional functions to support the Integrated Administration and Control System	Yes
Animal Health System Contingency – (UNISYS)	To provide a suitable coputerised back-up system for the Animal Health System	Yes
DFO Systems – (Networked PCs)	To provide PCs for an integrated management information and accounting system for the Department of Agriculture (DANI) Forest Service	Yes
DANI Accounting System – (FM solution)	To develop a computerised cash accounting system using the Oracle Financials Package	Yes

System – (Hardware)	Function	Still in use
Income Support – (FM solution)	The administration of claims for and payments of relevant social security benefits to Northern Ireland claimants	Yes
Pensions – (FM solution)		Yes
Unemployment Benefit – (FM solution)		Yes
Disability Living Allowance – (FM solution)		Yes
Family Credit and Disability Working Allowance – (FM solution)		Yes
Social Fund – (FM solution)		Yes
Incapacity Benefits – (FM solutions)		Yes
Child Support – (FM solution)	The administration of the assessment and collection of child maintenance in Northern Ireland and parts of Great Britain	Yes
Office Automation (various servers)	To provide office automation facilities for staff in the Department of Economic Development	Yes
Network infrastructure (various servers and routers)	To provide a network for departmental office system in DED	Yes
Electoral Register System[1]	To replace existing mainframe based electoral register system and provide improved management information	Yes
Payroll/Personnel System[1]	Processing of pay and personnel functions for prison officers	Yes

[1] The hardware cannot be named for security reasons.

	Total cost (£)
1989-90	12,472,501
1990-91	3,069,217
1991-92	3,447,691
1992-93	9,301,305
1993-94	5,153,074

Electricity Share Offer

Mr. Matthew Taylor: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 18 February, *Official Report*, column *1034*, how many applications were received in response to the Northern Ireland Electricity share offer.

Mr. Tim Smith: Four hundred and ninety thousand applications were received in the public offer for sale of shares in Northern Ireland Electricity plc. The offer was 3·9 times oversubscribed.

Social Fund

Mr. McGrady: To ask the Secretary of State for Northern Ireland what steps he will adopt to ensure that applications in respect of the social fund will be expedited.

Mr. Tim Smith: Responsibility for the subject in question has been delegated to the Social Security Agency under its chief executive, Mr. Alec Wylie. I have asked him to arrange for a reply to be given.

Letter from Mr. A. Wylie to Mr. Eddie McGrady, dated 18 April 1994:

I have been asked to reply to your recent Parliamentary Question about what steps will be taken to ensure that applications in respect of the Social Fund will be expedited.

During the 1993/94 year a new Social Fund computer system was introduced to all social security offices throughout Northern Ireland. The introduction of this system will help to ensure that Social Fund applications are processed promptly and accurately and therefore provide an efficient service to customers.

Work is also continuing to improve the design of Social Fund application forms. It is aimed at helping customers to supply all the information needed to allow informed decisions to be made on applications. This should reduce the number of instances where Social Fund officers have to contact customers for further information and will expedite the process leading to decisions.

I hope you find this information helpful.

Roads

Mr. McGrady: To ask the Secretary of State for Northern Ireland what plans he has to address rising volumes and traffic delays in terms of major and minor roads infrastructure provision in each roads division in Northern Ireland; and if he will make a statement.

Mr. Tim Smith: The capital works programmes of Department of the Environment Roads Service have been developed to address the ever-increasing demands on the road network. During the 1994-95 financial year it is planned to spend some £29 million on major and minor road works in Northern Ireland. Individual schemes are prioritised within the funds available.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what has been the capital expenditure on minor roads provision in each of the roads divisions from 1 April 1981 to 31 March 1984.

Mr. Tim Smith: Expenditure on minor roads schemes —that is, mainly those costing less than £200,000—in each division of DOE Roads Service for the period in question has been as follows:

Expenditure in £000s

Financial year	*Ballymena*	*Belfast*	*Coleraine*	*Craigavon*	*Downpatrick*	*Omagh*	*Total*
1981-82	1,058	1,731	1,706	935	1,158	1,823	8,411
1982-83	826	1,582	1,009	878	635	625	5,555
1983-84	1,182	1,827	1,336	1,047	917	928	7,237
1984-85	1,257	1,293	1,232	1,211	1,072	1,182	7,247
1985-86	1,108	1,045	1,237	1,351	1,367	1,164	7,272
1986-87	1,090	1,706	1,689	1,358	1,537	1,061	8,441
1987-88	1,341	1,480	1,271	1,174	1,401	1,382	8,049
1988-89	1,078	1,399	1,147	1,057	1,307	1,306	7,294
1989-90	1,372	1,656	1,450	1,422	1,338	1,555	8,793
1990-91	1,441	1,878	1,449	1,791	1,552	1,653	9,764
1991-92	1,292	1,510	1,285	1,430	1,282	1,284	8,083
1992-93	1,273	2,022	1,629	1,636	1,630	1,638	9,828
1993-94[1]	2,252	2,633	2,662	2,677	2,379	2,598	15,201

[1] Provisional figure.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what has been the capital expenditure on major roads provision in each of the roads divisions from 1 April 1981 to 31 March 1994.

Mr. Tim Smith: Expenditure on major roads schemes —that is, mainly those costing over £200,000—in each division of Department of the Environment Roads Service for the period in question has been as follows:

Expenditure in £000s

Financial year	*[1]HQ*	*Ballymena*	*Belfast*	*Coleraine*	*Craigavon*	*Downpatrick*	*Omagh*	*Total*
1981-82	6,683	1,348	8,763	1,835	1,959	2,495	796	23,879
1982-83	8,872	834	8,814	991	817	1,084	953	22,365
1983-84	6,152	1,118	4,634	1,687	1,845	1,097	491	17,024
1984-85	2,836	783	3,901	1,446	1,426	535	1,145	12,072
1985-86	612	906	3,154	757	1,434	985	1,568	9,416
1986-87	418	1,014	3,268	1,505	1,804	1,092	879	9,980
1987-88	690	1,071	3,169	1,821	1,784	890	793	10,218
1988-89	1,755	3,063	1,999	986	1,844	1,827	694	12,168
1989-90	100	1,895	6,510	1,298	1,233	2,217	3,144	16,397
1990-91	35	1,518	4,991	1,091	1,313	2,782	3,379	15,109
1991-92	—	2,308	8,430	1,813	2,807	2,982	1,600	19,940
1992-93	—	706	7,759	1,634	377	1,744	1,646	13,866
[2]1993-94	—	1,859	12,713	1,619	1,369	1,026	320	18,906

[1] Relates to schemes handled centrally.
[2] Provisional figures.

Criminal Evidence (Northern Ireland) Order 1988

Mr. Michael: To ask the Secretary of State for Northern Ireland (1) what statistical or empirical research his Department is undertaking or has commissioned into the impact of the abolition of the right to silence under the provisions of the Criminal Evidence (Northern Ireland) Order 1988; the date on which the work commenced; and when he expects the findings will be *(a)* completed and *(b)* made public;

(2) if he will identify the statistical or empirical research on the impact of the abolition of the right to silence under the provisions of the Criminal Evidence (Northern Ireland) Order 1988, published or unpublished; and if he will place a copy of the relevant documents in the Library;

(3) if he will list any statistical or empirical research on the workings of the relevant provisions of the Criminal Evidence (Northern Ireland) Order 1988, published or unpublished; and if he will place a copy of the relevent documents in the Library;

(4) what evidence he has as to the effect of the abolition of the right to silence in Northern Ireland under the Criminal Evidence (Northern Ireland) Order 1988.

Sir John Wheeler: In 19990, the Northern Ireland Office carried out a statistical analysis of data gathered on a small sample of supsects interviewed by police. The research is, however, of limited value because of the absence of any pre-1988 data with which to compare it. A summary of the research findings has been made available to members of the Standing Committee on the Criminal Justice and Public Order Bill; and a copy will now be placed in the House of Commons Library.

Further research is being commissioned by the Northern Ireland Office. This research should provide a fuller legal analysis of the operation and effect of articles 3, 4, 5 and 6 of the Criminal Evidence (Northern Ireland) Order 1988. It is hoped to complete this by March 1995.

Northern Ireland International Airport

Mr. Mackinlay: To ask the Secretary of State for Northern Ireland when consultations took place between the Northern Ireland Office and operators of the Northern Ireland international airport, and the representative organisation of the employees in respect of the future pension arrangements; and whether it was conducted by means of *(a)* a meeting, *(b)* correspondence or *(c)* both.

Mr. Tim Smith: In response to concerns expressed about the future pension arrangements for employees at Belfast international airport, the Department of the Environment for Northern Ireland wrote to the Northern Ireland committee of the Irish Congress of Trade Unions and the Amalgamated Transport and General Workers Union on 11 August 1993.

Mr. Mackinlay: To ask the Secretary of State for Northern Ireland if he, or a Minister from his Department, will meet the Northern Ireland Airports Police Association to discuss the future policing of the airport following the passing of the recent order relating to the airport's future management.

Mr. Tim Smith: My predecessor met representatives of the Belfast Airport Police Association on 7 September 1993. At that meeting and in subsequent correspondence, he discussed in detail the arrangements for the future policing of Belfast international airport. If the association has any queries additional to those already discussed, I will be happy to provide an explanation.

Mr. Mackinlay: To ask the Secretary of State for Northern Ireland if he will make a statement on the implications of privatisation for the powers of constables in the Northern Ireland airports police.

Mr. Tim Smith: On privatisation of Belfast international airport there will be no change to the existing powers of airport constables.

Mr. Mackinlay: To ask the Secretary of State for Northern Ireland if he has studied the circumstances surrounding the need for Parliament to pass the British Transport Police (Jurisdiction) Act 1994 following the management and commercial reorganisation of British Rail, with a view to ascertaining if there will be a need for any comparable legislation in relation to the Northern Ireland Airports Police following the management and commercial reorganisation at the Belfast international airport.

Mr. Tim Smith: The proposed privatisation of Belfast international airport will not involve any changes to the jurisdiction of the airport constabulary. The Transport Police (Jurisdiction) Act 1994 has no implications for the statutory provision for airport policing in Northern Ireland.

Mr. Mackinlay: To ask the Secretary of State for Northern Ireland if the existing pension conditions arrangements for employees at Northern Ireland international airport will be maintained following the coming into force of the order that set up a separate company to operate the airport in anticipation of its privatisation.

Mr. Tim Smith: When the assets of Northern Ireland Airports Limited are transferred to the successor company, the pension rights of airport employees will be preserved by way of a deed.

Mr. Mackinlay: To ask the Secretary of State for Northern Ireland if pension arrangements for employees of the Northern Ireland international airport will be protected following privatisation.

Mr. Tim Smith: It would be inappropriate and contrary to estsblished policy to give assurance concerning the continued assumption after the sale of the successor company of pension fund obligations by any new owner of Belfast international airport.

Criminal Injury Compensation

Mr. Mackinlay: To ask the Secretary of State for Northern Ireland what representations he has received from the Royal Ulster Constabulary Police Federation about proposals to alter arrangements for criminal injury compensation; and if he will make a statement.

Sir John Wheeler: The chairman of the Police Federation for Northern Ireland wrote to my right hon. and learned Friend the Secretary of State on 17 November 1992 about this matter. A reply was issued on 18 December 1992.

Unlogged Fish Catches

Mr. David Porter: To ask the Secretary of State for Northern Ireland what steps he is taking to stop the landing of unlogged fish around the coast; and if he will make a statement.

Mr. Ancram: The activities of the fishing industry are monitored both at sea and on shore by the fisheries inspectorate of the Department of Agriculture for Northern Ireland. Information or reports suggesting the occurrence of unlogged landings are immediately investigated, and prosecutions taken as appropriate. Such landings undermine the efforts being made to conserve stocks and jeopardise livelihoods of fishermen and those dependent on the industry.

HEALTH

Health Information

Ms Primarolo: To ask the Secretary of State for Health what is the total annual budget, including staffing costs, of *(a)* the health information service and *(b)* the health literature line.

Mr. Sackville: For available information on the costs of the health information service I refer the hon. Member to the reply I gave the hon. Member for Sheffield, Brightside (Mr. Blunkett) on 8 March at columns *166-67*.

The cost of the health literature line for 1993-94 was £263,365.

Policy

Mr. Brandreth: To ask the Secretary of State for Health what are her plans for the work of the Department in 1994-95 and beyond.

Mrs. Virginia Bottomley: I have agreed a statement of the aims, goals and priorities for my Department for 1994-95 and subsequent years.

The statement covers the whole range of the Department's work relating to health and social services, European Community and other international issues, and internal management.

The statement includes our specific priorities for the national health service executive, which are taken forward in more detail in the NHS executive's business plan for 1994-95 approved by the NHS policy board.

Copies of both statements have been placed in the Library.

London Ambulance Service

Ms Armstrong: To ask the Secretary of State for Health what was the revenue and capital expenditure of the London ambulance service on mobile communication equipment and command and control systems in each financial year since 1991-92; and what plans exist for 1994-95.

Mr. Sackville: Figures provided by the London ambulance service are:

Year	Capital (note[1]) £000	Revenue (note[2]) £000
1991-92	982	667
1992-93	569	653
[3]1993-94	90	652

[1] Capital expenditure on computer aided despatch system (including mobile communications equipment).
[2] Revenue expenditure on maintenance of new and existing radio and communications equipment.
The plans for 1994-95 include upgrading the radio system; issuing hand portable radios and other computer and communications projects relating to ambulance control.
[3] Provisional.

NHS Reforms (London)

Ms Jowell: To ask the Secretary of State for Health how many copies of "NHS Changes in London: Answers to the Questions You've Been Asking", have been printed; how many have been distributed; what was the total cost; and from which budget the cost has been drawn.

Mr. Sackville: The number of copies printed was 3·5 million. A total of 3·28 million copies have been distributed to households within in the M25 area, and the rest have been made available to national health service trusts, health authorities, general practitioners, purchasers, family health services authorities, main libraries and citizens advice bureaux within the distribution area. The estimated total cost is £150,000, paid for from the Department's information division publicity budget.

Prescription Charges

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer of 21 March, *Official Report*, column 68, (1) in which reviews pernicious anaemia has been considered for inclusion on the list of medical conditions which confer prescription charge exemption; and what were the reasons for not including it on that list;

(2) when the list of medical conditions which confer prescription charge exemption has been reviewed; and what representations and discussions take place in the course of such a review.

Mr. Sackville: We regularly receive representations about extending the list of medical conditions which confer exemption from prescription charges to include other illnesses, including pernicious anaemia. The arrangements for exemption on medical grounds were last reviewed as part of the fundamental review of health expenditure in 1993. No options for change within what can be afforded were identified. Charge remission available under the national health service low income scheme and prescription prepayment certificates ensure that no one who is not exempt from prescription charges need be deterred from obtaining necessary medication for financial reasons.

Accident and Emergency Provision

Mrs. Roche: To ask the Secretary of State for Health what accident and emergency provision will be made for residents and workers in the capital at the minor injuries units when they have sustained major injuries and conditions.

Mr. Sackville: Where a major injury or condition has been sustained and an ambulance is called, the casualty would be conveyed to a full accident and emergency department. Should an attender at a minor injuries unit be assessed as having sustained injuries or a condition requiring attention beyond the scope of the service, they would be transferred without delay by ambulance to an accident and emergency department.

Mrs. Roche: To ask the Secretary of State for Health what accident and emergency provision will be made for residents and night shift workers in the capital after the minor injuries units have closed for the weekend.

Mr. Sackville: Some minor injuries units will remain open at weekends. Precise hours of opening are, and will be, arranged to reflect known previous attendance pattens at nearby accident and emergency departments. They will be kept under review. Accident and emergency departments will remain open on a seven-days-a-week basis for those with more severe injuries or conditions.

Breast Prostheses

Mr. Gunnell: To ask the Secretary of State for Health (1) what specific arrangements are made for a woman who has suffered a double mastectomy to receive prostheses on the NHS;

(2) which breast prostheses are available on national health service prescription;

(3) for which breast prostheses her Department will pay for a woman, on income support, who has suffered a double mastectomy.

Mr. Sackville: The arrangements for the supply of breast prostheses to women who have suffered a double mastectomy are no different from those which apply to women who have had a single mastectomy. Breast prostheses are available through the hospital service. They are not available on a general practitioner's prescription. Where they are prescribed by a hospital consultant they are supplied and fitted free of charge to the patient, regardless of income. Individual consultants are able to prescribe whatever types of prostheses best meet the needs of their patients, taking into account other priorities and the availability of resources. If a woman has a personal preference for a more expensive type of prosthesis than that supplied by the hospital, she is free to make her own arrangements and meet the whole cost.

Mr. Gunnell: To ask the Secretary of State for Health what consultations she has had with Mastectomy Advice Self-Help concerning the availability of prostheses.

Mr. Sackville: None.

NHS Trusts

Mr. Gunnell: To ask the Secretary of State for Health (1) by what amount the budget of the United Teaching Hospitals Trust has been increased for 1994-95 to reflect an acquired responsibility for the management of Wharfedale hospital;

(2) by what amount the budget of St. James's University Hospital NHS Trust has been increased for 1994-95 to reflect its acquired responsibility for the management of Seacroft hospital.

Mr. Sackville: I refer the hon. Member to the reply my right hon. Friend the Minister for Health gave him on 9 March at columns *304-05*.

Mr. Gunnell: To ask the Secretary of State for Health (1) how many staff working at Wharfedale hospital joined the payroll of United Leeds Teaching Hospitals Trust on 1 April;

(2) how many staff working at Seacroft hospital joined the payroll of St. James's University Hospital NHS Trust on 1 April.

Mr. Sackville: None. Staff at Seacroft and Wharfedale hospitals are employed by Leeds health authority.

Health Survey

Mr. Frank Field: To ask the Secretary of State for Health what instructions she gave when commissioning the 1992 health survey for England from the social surveys division of the Office of Population Censuses and Surveys; on the inclusion or exclusion of income and class in its analysis.

Mr. Sackville: In the report of the 1992 "Health Survey for England," copies of which are available in the Library, social class as well as other socio-economic indicators such as economic activity or employment status, housing tenure, marital status, ethnic group and household type is discussed in the text where significant findings have emerged. Data on income are not collected in the health survey. The information collected has to be limited because of the need to keep interviews to a reasonable length, concentrating on the main purpose for which the survey was set up.

A full data set for the 1992 survey for general access will be lodged with the Economic and Social Research Centre archive in due course.

Hip Replacement

Mr. Blunkett: To ask the Secretary of State for Health how many *(a)* hip replacement operations and *(b)* revision hip replacement operations have taken place in the last five years.

Mr. Sackville: The information is shown in the table.

Finished consultant episodes, NHS hospitals, England

Hip replacement operations[1]	*1989-90*	*[2]1990-91*
Total	50,790	50,725
Revisions	3,562	3,459

[1] Total Prosthetic Replacement of Hip Joint and Prosthetic Replacement of Head of Femur.
[2] Provisional.

Complaints

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 17 January, *Official Report*, column *392*, if she will now publish a table of written complaints by patients about *(a)* hospital and *(b)* community health services in each region in 1992-93.

Dr. Mawhinney: This information is due to be published soon in a booklet entitled "Written complaints by or on behalf of patients, England—financial year 1992-93" copies of which will be placed in the Library.

Hospitals, London

Mrs. Roche: To ask the Secretary of State for Health how many people there are to each doctor-nurse team in the capital; and how this will alter after the closure of accident and emergency facilities in London hospitals.

Mr. Sackville: In inner London in 1992, there were 480 people per hospital and general practice doctor, and 97 people per hospital and general practice nurse.

No accident and emergency facilities will close until alternative services are available. Therefore we would not expect any significant overall change in the ratio of medical and nursing staff per head of population as a result of changes in the pattern of casualty services.

NHS Reorganisation, London

Mr. Burns: To ask the Secretary of State for Health if she will make a statement on the effects of reorganisation of the NHS in London on mid-Essex health services.

Mr. Sackville: The changes we are making in London's health services will enable health authorities to contract for more cost-effective services. The specialty reviews provided advice to health authorities on the disposition of specialist services following changes in London. Health authorities in Essex are currently taking the specialty reviews into account, before forming purchasing plans for contracts with hospitals in mid-Essex.

Abortion

Ms Primarolo: To ask the Secretary of State for Health how many NHS hospitals and private units offer a medical abortion service with mifepristone; and what are the addresses of those that do offer this treatment.

Mr. Sackville: Information about national health service hospitals performing medical termination of pregnancy using Mifegyne—mifepristone—is only available from the abortion notification forms submitted to the chief medical officer under regulation 4 of the Abortion Regulations 1991. This information is subject to the restrictions set out in regulation 5 and cannot therefore be published.

A list of places in the private sector that have been approved under section 1(3) of the Abortion Act 1967, as amended, to provide medical termination of pregnancy will be placed in the Library.

Ms Primarolo: To ask the Secretary of State for Health what representations she has received in respect of the recent survey of abortion patients at the Pregnancy Advisory Service clinic carried out by the Pro-choice Alliance.

Mr. Sackville: None.

Ms Primarolo: To ask the Secretary of State for Health what steps she will take to reduce waiting times and improve access to national health service abortion services.

Mr. Sackville: Arrangements for purchasing abortion services under the national health service are the responsibility of individual district health authorities in the light of their assessment of local needs and priorities.

Managers (Relocation Costs)

Mr. Blunkett: To ask the Secretary of State for Health how much has been paid by *(a)* regional health authorities, *(b)* district health authorities, and *(c)* trusts for the relocation costs of newly employed managers; and what is the average amount paid to each manager, for each year since 1989.

Mr. Sackville: This information is not available centrally.

Mr. Blunkett: To ask the Secretary of State for Health what action she is taking to ensure that health authorities and trusts do not exceed their powers in the payment of relocation expenses for newly appointed managers.

Mr. Sackville: Relocation expenses for all staff, including managers, who work for health authorities and those working for national health service trusts on national terms and conditions of service are governed by section 26 of the General Whitley Council handbook, copies of which are available in the Library. The agreement, which took effect last year, allows employers to reimburse any reasonable costs incurred by an employee on relocating to a new area and does not lay down specific limits.

Under the National Health Service and Community Care Act 1990, trusts have the freedom to make their own terms and conditions of service. Trusts, however, have every incentive to keep costs to a minimum in this area thereby increasing the amount of resources available for patient care.

Rampton Hospital

Mr. Ashton: To ask the Secretary of State for Health what is her Department's policy in respect of Rampton hospital, Nottinghamshire, becoming a trust hospital in the near future; and if she will make a statement.

Mr. Bowis: No decision has been taken to extend trust status to Rampton hospital or the other special hospitals.

After-school and Holiday Places

Ms Harman: To ask the Secretary of State for Health if she will provide the latest estimates of *(a)* the number of after-school places for children aged over five years in Great Britain and *(b)* the number of holiday places for children aged over five years in Great Britain.

Mr. Bowis: Information collected centrally in England relates to out-of-school clubs and holiday schemes for those aged five to seven years provided by, registered with or known to local authorities. Latest available estimates for England are 11,900 places in the former and 47,500 in the latter at 31 March 1992.

Information about the number of out-of-school places and holiday places in Scotland and Wales is a matter for my right hon. Friends the Secretaries of State for Scotland and for Wales respectively.

Nurse/Patient Ratio

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 25 February, *Official Report*, column *514*, if she will provide comparable information on the qualified nurse/patient ratio on a regional basis.

Mr. Sackville *[holding answer 29 March 1994]:* The information will be placed in the Library.

SCOTLAND

Computers

Mr. Matthew Taylor: To ask the Secretary of State for Scotland what computer systems his Department has brought in for what function and at what cost for each of the last five years; and in each case, whether the computer system is still in use.

Mr. Lang: Because of the wide range of the Scottish Office's activities, this information could be obtained only at disproportionate cost.

Skill Shortages

Mr. Worthington: To ask the Secretary of State for Scotland what information he collects about specific skill shortages in the economy; if he will list them; and what action he is taking to counteract such shortages.

Mr. Stewart: My right hon. Friend does not collect information about skill shortages in the economy. It is an objective of Scottish Enterprise and Highlands and Islands Enterprise to improve the performance of new and existing businesses by increasing their commitment to plan and invest in training and development to meet business needs. Scottish Enterprise and Highlands and Islands Enterprise are also responsible for funding and co-ordinating the provision of training for young people and unemployed adults through local enterprise companies to meet the needs of the local labour markets.

IACS

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will publish a short supplementary booklet explaining integrated administration and control systems; and if he will send such a booklet out with the official form.

Sir Hector Monro: An explanatory booklet on IACS has been produced and sent to Scottish producers with the blank IACS forms for 1994.

Strathkelvin District Council

Mr. Galbraith: To ask the Secretary of State for Scotland what condiderations underlay the reduction in the general services capital allocation for Strathkelvin district between 1994-95 and 1996-97; and if he will make a statement.

Mr. Stewart: Local authority capital financial plans are considered afresh each year in light of the outcome of the Government's public expenditure survey generally. Capital allocations are determined having regard to the aggregate public expenditure resources available, the relative needs of individual authorities as expressed in their

financial plans, the ability of authorities to finance capital expenditure at their own hand, and past and projected spending levels and patterns.

In the case of Strathkelvin district council, it benefited from a general decision that no authority should take a reduction in its allocation for 1994-95 on its general services programme. The provisional allocations for 1995-96 and 1996-97 were, however, set at a level which reflects both the fact that aggregate resources being provisionally allocated from this programme are reduced and our view of the council's need for capital allocations to undertake capital expenditure given the level of resources available to it overall.

By their very nature the provisional allocations will fall to be reviewed. This will happen later in the year in response to the council's 1994 capital financial plan.

Consultancy Contracts

Mr. McMaster: To ask the Secretary of State for Scotland what was the total amount spent by his Department in the last five years for which figures are available on consultancy contracts; if he will list each consultancy firm, the subject of assignment and, if appropriate, the executive agency for whom the consultancy was carried out; which executive agencies and quangos responsible to or appointed by him are excluded from the information provided; and if he will make a statement.

Mr. Lang: I refer the hon. Member to my reply to the hon. Member for Oldham, West (Mr. Meacher) on 21 February at columns *51-52* and to the hon. Member for Greenock and Port Glasgow (Dr. Godman) on 16 March at columns *659-60*.

Members' Interests

Mr. McMaster: To ask the Secretary of State for Scotland what register his Department maintains of meetings between hon. Members and Ministers where the hon. Member concerned has a declared financial interest in the company or organisation which he is lobbying for, discussing or representing at any such meeting; if such register of meetings is available for public inspection; and if he will make a statement.

Mr. Lang: No register of this nature is maintained by my Department.

Public Appointments

Mr. McMaster: To ask the Secretary of State for Scotland what information is available on the names, addresses, salaries, honoraria or allowances, occupations, former occupations and known political affiliations of people appointed by him to outside bodies and quangos; and if he will make a statement.

Mr. Lang: Most of this information is not held centrally and could be obtained only at disproportionate cost. Information on political affiliation is neither sought nor recorded. The levels of any salary or fee paid to a member of a nationalised industry, non-departmental public body or NHS body sponsored by my Department is listed in the Cabinet Office publication "Public Bodies 1993", a copy of which is in the Library of the House.

Mr. McMaster: To ask the Secretary of State for Scotland if he will list each appointment for which he is responsible which falls for renewal between 30 April and 31 December, giving the name of the quango, executive agency or outside body, the title of the appointment, the name of the current postholder, the salary, honoraria or allowance, and the date of renewal.

Mr. Lang: This information is not held centrally and could be obtained only at disproportionate cost.

TRANSPORT

Rail Privatisation

Mrs. Roche: To ask the Secretary of State for Transport (1) what was the cost of reorganising the British Railways Board for rail privatisation; and if this includes the cost of new liveries for British Rail staff and trains;

(2) what was the cost of setting up Railtrack plc; and whether this includes the cost of new signs and logos.

Mr. Freeman: Reorganisation costs incurred by British Rail, including costs of setting up Railtrack, total £66 million up to 31 March 1994. The allocation of spending within British Rail and Railtrack is a matter for the businesses concerned. The Government are confident that these initial costs will be more than offset by the benefits resulting from privatisation.

Mr. Bayley: To ask the Secretary of State for Transport (1) whether the minimum service specification for each of the six shadow rail franchises will require the shadow franchisee to run as a minimum as many trains on each existing route as in the current British Rail timetable;

(2) whether the performance standards specified in the shadow franchise agreements for each of the six shadow rail franchises will be at least as demanding as those operated hitherto by British Rail.

Mr. Freeman: Paragraph 18 of the objectives, instructions and guidance issued to the Director of Passenger Rail Franchising on 22 March by my right hon. Friend the Secretary of State requires that for the initial letting of franchises, the specification of minimum service levels for railway passenger services is to be based on that being provided by British Rail immediately prior to franchising, taking into account the existence of, and justification for, seasonal variations in service schedules.

Paragraph 21 of the objectives, instructions and guidance states that when the Franchising Director specifies the quality of service to be provided by a franchisee, the performance standards he sets should have the effect of maintaining or improving standards.

Highways Agency

Mrs. Roche: To ask the Secretary of State for Transport what was the cost of setting up the new Highways Agency.

Mr. Key: Approximately £173,000, including the cost of the project team; the costs of producing the framework document, business plan and explanatory brochure about the work of the agency, and the cost of functions to mark the launch of the agency.

Road Safety

Mr. Day: To ask the Secretary of State for Transport whether there are regular meetings between the Government Departments of Transport, Education, Health

and the Home Office specifically to review and co-ordinate activities to enhance road safety; and if he will make a statement.

Mr. Key: There are frequent meetings between the Department of Transport and other Government Departments with an interest in road safety issues, including those mentioned in the question. Moreover, all the Departments mentioned are represented on the "Health of the Nation" accident prevention task force. I am satisfied that the current arrangements allow for adequate co-ordination within Government of activities to enhance road safety.

Driver and Vehicle Licensing Agency

Mr. Meacher: To ask the Secretary of State for Transport if he will inquire into the sale of marks market testing process at the DVLA; and to what extent the process was carried out in accordance with the Government's guidelines.

Mr. Key: I am satisfied that the process of letting the most recent contract for the sale of registration numbers work fully complied with civil service tendering procedures.

Mr. Meacher: To ask the Secretary of State for Transport what representations Capita made to him regarding the way the original market test for the sale of marks functions at the DVLA was carried out; and if he will make a statement.

Mr. Key: Concerns were expressed by Capita and others following the original tendering process in 1992 for the sale of vehicle registration numbers telesales contract. These centred on the basis upon which the in-house team was allowed to put forward proposals. The tendering exercise has been re-run using criteria based on the maximisation of revenue and the development of a cohesive marketing strategy. Tenderers were judged on their ability to maximise revenue from the sale of numbers, expertise in telesales and innovation and experience within the marketing field, as well as cost.

Mr. Meacher: To ask the Secretary of State for Transport whether the sale of marks market test contract at the DVLA was awarded on the basis of the applicability of the Transfer of Undertakings (Protection of Employment) Regulations 1981.

Mr. Key: No. It is the Department's view that the Transfer of Undertakings (Protection of Employment) Regulations 1981 do not apply in this case.

Mr. Meacher: To ask the Secretary of State for Transport (1) if he will place in the Library a copy of the Teledata contract bid for the sale of marks function at the DVLA;

(2) what were the reasons for not awarding the original contract for the sale of marks to the in-house team; what was the difference in money terms between the lowest bid and the successful bid; and by whom the lowest bid was submitted.

Mr. Key: Following a competitive tender exercise in 1992 in which the contract to operate the agency's telesales facility was offered to the market, it became apparent that the process adopted did not fully reflect tendering procedures as set out in "Competing for Quality", Cm 1730. The tender competition was accordingly re-run. Details of individual bids are commercial in confidence.

Mr. Meacher: To ask the Secretary of State for Transport (1) if he will list contracts awarded by his Department to Teledata Ltd. since 1987;

(2) whether Teledata Ltd. bid for the original sale of marks contract at the DVLA prior to the re-run of the recent market test.

Mr. Key: Teledata Ltd. won the contract to operate a telephone information service and a sale of vehicle registration numbers telesales facility in December 1989. The company did not tender in the exercise held in 1992. Under changed ownership it won the contract in the latest sale of registration numbers market test. No other contract has been let to this company by my Department.

Safety Levy

Mr. Sheerman: To ask the Secretary of State for Transport if he will consider introducing a £1 levy on all car insurance premiums to be directed to transport safety and transport education measures.

Mr. Key: We have no plans to introduce such a levy.

Cars

Mr. Nigel Evans: To ask the Secretary of State for Transport how many cars he estimates were on the roads in 1992-93.

Mr. Key: The numbers of cars licensed in Great Britain at the end of 1992 and 1993 respectively is as follows:

Great Britain cars

Year	*(1,000s)*
1992	20,681
1993	[1]20,988

[1] Provisional.

Beer

Mr. Sheerman: To ask the Secretary of State for Transport (1) when he last met the executive of the Brewers Society to discuss drink and driving;

(2) when he will next meet the Brewers Society to discuss the sale of beers with high alcohol content and their impact on driving ability.

Mr. Key: I met the director of the Brewers Society on 28 June 1993. I have no arrangements at present to meet the society again, but would be happy to do so if it wished.

Bicester Hunt (Trespass)

Mr. Morley: To ask the Secretary of State for Transport whether British Rail is to take any action to prosecute a trespass on railway lines by the Bicester hunt on 13 January.

Mr. Freeman: We are not aware of the incident referred to by the hon. Member. If he will write to the Department with details we shall see that the matter is investigated further.

Vehicle Excise Duty

Mr. Nigel Evans: To ask the Secretary of State for Transport what was the total income to the Treasury from the vehicle tax disc in 1992-93.

Mr. Key: Net vehicle excise duty, excluding refunds, for the 1992-93 financial year was £3,225 million.

Dangerous Substances

Mr. William O'Brien: To ask the Secretary of State for Transport if he will make a statement on the action the owners of tankers carrying dangerous substances must take in the event of an emergency to ensure that dealing with any spillage, or fire can be carried out with the utmost protection to personnel who have to attend to such an emergency.

Mr. Key: Under the Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992 the operator of a road tanker or of a vehicle with a tank container carrying a dangerous substance must ensure that its driver has received adequate information in writing about the identity of the substance, the quantity to be carried, the nature of the hazards created by the substance and the action to be taken in an emergency. The driver must keep that written information in the vehicle cab, so that it is readily available if needed by the emergency services.

Mr. William O'Brien: To ask the Secretary of State for Transport if he will press, through the European Fire Service Organisation, for the retention of some form of emergency action code, including hazchem, to be used throughout the EEC; and if he will make a statement.

Mr. Key: It is for the fire service inspectorate to press the case for an international emergency action code in the International Technical Committee for the Prevention and Extinguishing of Fires (CITF). I understand it will continue to do so.

Mr. William O'Brien: To ask the Secretary of State for Transport (1) if he will take steps to ensure that all road tankers carrying dangerous substances will continue to carry the necessary hazard warnings which identify the substance carried; and if he will make a statement;

(2) if he will make it his policy that the United Kingdom system of tanker marking, as distinct from the continental system, will be used at all times when dangerous substances are being carried on roads in the United Kingdom; and if he will make a statement.

Mr. Key: A draft EEC directive on the carriage of dangerous goods by road currently contains a provision which will allow British road tankers carrying dangerous substances in the United Kingdom to continue to display the existing United Kingdom hazard warning labels. Vehicles registered in other countries will however be allowed on our roads, as they always have been hitherto, if they display the hazard warning plates required by the European agreement concerning the international carriage of dangerous goods by road. The United Kingdom has so far been unable to persuade a majority of the countries party to the agreement to amend it so as to adopt the United Kingdom system.

AGRICULTURE, FISHERIES AND FOOD

Consultants

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what information technology consultants her Department has employed in each of the last five years; for what purpose; and at what total cost.

Mr. Jack: There follows a list giving details of information technology consultants employed by the Department in the three years 1991-94 and the tasks on which they were engaged. The associated costs are as follows:

	£ million
1991-92	4·0
1992-93	5·2
1993-94	8·3

Information for the earlier two years could be provided only at disproportionate cost.

Ministry of Agriculture, Fisheries and Food
List of information technology consultants employed in the period 1991-94

Consultant	*Task*
ACT Logsys	Support to market testing programme for IT services
ACT Business Systems	Software support for IT users
Admiral	Development of computer systems for CAP reform schemes
Admiral	Development of Work Recording project for Veterinary Field and Investigation Service
AIMS Systems	Technical advice on Structured Design Methodolgy
Aimtech Europe	Development of IT system for licence identifications and management
Ampersand	Development of computer systems for CAP Reform schemes
Ampersand	Plant Health and Seeds Inspectorate Project
Ampersand	Development of computer systems for Food Science Group
AMP Systems	Minister's Dairy System
AMTEC	Advice on quality management
AMTEC	Support to market testing programme for IT Services
Applied Information Systems	Advice on corporate data management
ASK Group	Development of computer systems for CAP Reform schemes
ASK Group	Development of Farm Survey System
Aslib Consultancy	Text Retrieval Study
Asterisk Systems	Development of computer systems for Food Science Group
Asterisk Systems	Development of computer systems for CAP reform schemes
BIS	Technical advice on Structured Design Methodology at the Central Veterinary Laboratory
Brandt Computers	Development of Resource Management Strategy
Bristol University	Development of computer system for National Food Survey
Brook Systems	Project Management of Sample Management System
Keith Butterfield Associates	Review of Staff Performance Appraisal system
Cambridge Ergonomics	Assistance with development of IT sub-strategy for Fisheries Group
CAPITA	Support to market testing programme of IT Services

Consultant	Task
CCTA	Development of IT Strategy for National Institute of Agricultural Botany and National Meat Hygiene Service
CCTA	IT Security Reviews
CCTA	Assistance with development of IT Sub-strategy for Fisheries Group
CCTA	Support for Business Analysis in Flood Defence Division
CCTA	Support to IT procurements
Chris Cole Associates	Advice on strategy for structured cabling
Coopers and Lybrand	Support to market testing programme for IT services
Coopers and Lybrand	Development of computer systems for CAP Reform schemes
Coopers and Lybrand	Support for development of small IT Systems
Corporate Computers	Advice on computer systems for National Food Survey
CSS Trident	Implementation of Resource Management Strategy
CSS Trident	Advice to Guildford Computer Bureau
Digital Equipment Corporation	Advice on configuration management
D. M. Shaw Associates	Advice on management of change
D. M. Shaw Associates	Development of standards for post implementation review of computer projects
D. M. Shaw Associates	Advice on quality management standards
DPP International	Implementation of Resource Management Strategy
Dubig Berry	Advice on project management techniques
Electronic Facilities Design	Audit of Sample Management System project
Electronic Facilities Design	Development of IT training strategy
Electronic Facilities Design	Study of office working practices including time recording
Ernst & Young	Development of Resource Management Strategy
Ernst & Young	Support to market testing programme for IT services
Exclusive Software	Conversion of programs to Ingres
Exclusive Software	Development of IT sub-strategy for Fisheries Group
Exeter University	Development of computer systems for ADAS
F I Group	Quality assurance of development of computer system for National Food Survey
F I Group	Data conversion for Agricultural Census
F I Group	Facilities management of Agricultural Census computer system
F I Group	Development of computer system for Overseas Trade Data
Forvus Ltd	Development of National Food Survey system
Foxware	Database pilot exercise
Gateway Systems	Advice on data communications cabling
R T Grundy Associates	Issue and evaluation of Tenders for Consultancy
Harwell Computers	Advice on IT system for licence identifications and management
Hayes-Davies	Advice on quality management, customer satisfaction surveys
Haynes Associates	Re-location of HQ to York project
Hoskyns	Development of computer system for Farm Woodlands scheme
Hoskyns	Assistance with Ingres database conversion project
Hoskyns	Advice on project management tools
Hunterskill	Implementation of Resource Management Strategy
Independent Training Solutions	Assistance with development of sub-strategy for Fisheries Group
Inference Ltd	Implementation of computer system for re-location expenses
Infologistix	Development of integrated library system
Ingres	Development of computer systems for CAP Reform schemes
Insight Consultancy	IT security reviews
ISM Consultants	Assistance with data communications strategy
Intersect	Development of IT maintenance strategy
International Software	Assistance with development of IT sub-strategy for Fisheries Group
John Guest Ltd	Advice on data management in the Fisheries Group
Kermon Associates	Technical assurance on implementation of office systems
Kermon Associates	IT security reviews
LBMS	Development of computer system for CAP Reform schemes
LBMS	Business analysis/feasibility studies/ system design
LBMS	Advice on standards
Logica	Development of computer systems for Food Science Group
Logica	Development of knowledge-based system in the Animal Health Group
Mansell Associates	Support for MAFF IT users
Megaware Consultants	Development of computer systems for Food Science Group
MSB International	Support for MAFF IT users
Metron	Advice to Guildford Computer Bureau
Midsummer Computing	Advice on geographical information systems
MMT Ltd	Development of computer system for Licensed Veterinary Inspections, Horticultural Inspection Recording
MMT Ltd	Advice on relational database management systems
MMT Ltd	Project management for National Food Survey system
MMT Ltd	Assistance with computer systems for Emergencies and Food Protection
Mouncey and Partners	Development of computer systems for emergencies planning, meast plant monitoring
Mouncey and Partners	Development of IT sub-strategy for Fisheries Group
Mouncey and Partners	Assistance with market testing programme of IT Services
Mouncey and Partners	Technical assurance on accommodation planning IT project
Mouncey and Partners	Assistance with computer systems for Emergencies and Food Protection
Mouncey and Partners	Assistance with Horticulture Price Reporting project
Mouncey and Partners	Publicity Branch Feasibility study
Mouncy and Partners	Feasibility study on milk quotas system
Mouncey and Partners	Development of Grants & Subsidies Management System
MSB International	Technical Support for Guildford Computer Bureau
MSG Business Systems	Assistance with development of IT sub-strategy for Fisheries Group
Neville Clarke	Assistance with development of IT sub-strategy for Fisheries Group
OFICE	Assistance with building cabling project
Opal Ltd	Conversion of office systems
Oracle	Development and implementation of Resource Management Strategy
Oracle	Support for IT systems at National Institute for Agricultural Botany
PA Consulting	IT sub-strategy studies

Consultant	Task
PA Consulting	Advice on project costing and management for ADAS
PA Consulting	Audit of computer systems for CAP Reform schemes
PA Consulting	Development of Animal Tracking Project for the Animal Health Group
PA Consulting	Advice on IT implications for Regional reorganisation
PA Consulting	ADAS Accounting Project
PA Consulting	Emergencies Sample Handling Study
PA Consulting	Development of Food Related Database Shells Project
PA Consulting	Development of IT Strategy for National Meat Hygiene Service
PACTUM Ltd	Ingres program development for the Horticulture Inspection Recording System
Perspective	Advice on quality audit
Premier Computing	Implementation of Office Systems
Price Waterhouse	Development of Resource Management Strategy
Price Waterhouse	Development of IT strategy for Central Science Laboratories
Prime Computer Systems	Advice on capacity planning
Projects Group	Implementation of Resource Management Strategy
Quanta Learning Systems	Development of IT training guides
Quanta Learning Systems	Development of computer system for CAP Reform schemes
Reading University	Advice on relation of statistical software
Reed Personnel	End user support
Ricardo Ltd	Advice on end user support documentation
SAC Ltd	Advice on end user support methods
Sapphire Ltd	Support for IT systems in the Veterinary Medicines Directorate
SEMA Group	Development of Farm Survey System
SEMA Group	Development of IT strategy for National Meat Hygiene Service
Sequent Computer Systems	Capacity planning
Sequent Computer Systems	Implementation of Resource Management System
Sequelogic	Implementation of Resource Management Strategy
Sherwoods Ltd	Development of computer system for CAP Reform schemes
Sherwoods Ltd	Development of a computer system for TB in Cattle
Shreveport Ltd	Development of IT strategy for National Meat Hygiene Strategy
Siemens Nixdorf	Assistance with data communications strategy
Siemens Nixdorf	Development of computer system for CAP Reform schemes
Siemens Nixdorf	Implementation of office systems (Project MAIDEN)
Software Innovations	Advice to Guildford Computer Bureau
Software Support	Support for Case Management System in Legal Branch
South-West Health Authority	Implementation of Resource Management Strategy
Softbridge Support Services	Development of computer system for Import Licence Identification and Management
Span Group	Advice to Guildford Computer Bureau
Span Group	Implementation of Resource Management Strategy
Surrey Training and Enterprise Council	Advice on Investors In People project
Touche Ross	IT security reviews
Touche Ross	Project management for the development of IT accounting system in National Institute for Agricultural Botany
Touche Ross	Development of IT strategy for personnel management
Touche Ross	Development of an IT strategy for National Meat Hygiene Service
TMS Computer Authors	Software support for MAFF users
Triad Ltd	Development of a computer system for TB in Cattle
Triad Ltd	Development of a computer system for CAP Reform schemes
Triad Ltd	Development of computer system for Import Licence Identification and Management
Triad Ltd	Development of an IT Strategy for National Meat Hygiene Service
Triad Ltd	Development of a computer system for administration of pesticides approval applications
Triad Ltd	Implementation of Resource Management Strategy
Zergo Ltd	Security review of data communications network

City Farms

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what was her Department's expenditure on city farms in *(a)* 1991, *(b)* 1992 and *(c)* at the latest available date.

Mrs. Gillian Shephard: None. Government funding is provided primarily by the Home Office.

Computer Systems

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what computer systems her Department have brought in, for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Jack: Expenditure on computer capital projects over the last five years is as follows:

	£ million
1989-90	7·6
1990-91	9·9
1991-92	9·2
1992-93	16·9
1993-94	15·6

The Department employs computer facilities for a wide variety of functions in support of its many business needs and I cannot provide full details without disproportionate cost. However, the most significant computer projects, in terms of cost and value to the Department have been the systems to support the implementation of common agricultural policy reform measures, a resource management strategy, the introduction of office systems to head quarters offices and the provison of central bureau facilities in support of a range of applications across the Department.

City Farms

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many city farms there were in *(a)* 1991, *(b)* 1992 and *(c)* at the latest available date.

Mrs. Gillian Shephard: In 1991 and 1992, there were 63 city farms. A further six farms are expected to be established soon.

Animal Transportation

Mr. Armstrong: To ask the Minister of Agriculture, Fisheries and Food if she will make a statement on her Department's actions with respect to the arrival of cull milking ewes at Poole, Dorset, on 22 March.

Mr. Soames: This consignment of ewes originating in Spain was intercepted by the Ministry at Poole on 22 March and accompanied to a lairage at Southampton where the sheep were unloaded and detained for resting, feeding and watering and for veterinary examination. At unloading, the veterinary officer found one sheep dead and euthanased three more found recumbent. Another ewe was found to have lambed. The consignment was held overnight pending veterinary examination on the following day, by which time a second sheep had lambed. The veterinary examination carried out on 23 March disclosed a further 26 sheep unfit to continue their journey and these, together with the ewes which had lambed and the new-born lambs, were humanely destroyed. The remaining sheep, passed fit for transport, were consigned to their final destination in Birmingham.

Ministry veterinary officers have made statements to the local authority, which will be considering prosecution for possible contraventions of the Welfare of Animals During Transport Order 1992.

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food what discussions have taken place in the European Union on limiting the journey time for transport of animals for slaughter.

Mr. Soames: I refer the hon. Member to the answer that I gave to the hon. Member for Worsley (Mr. Lewis) on 24 March 1994 at col. *370*.

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food what information she has on the numbers of animals which will be imported for slaughter during the next 12 months.

Mr. Soames: Such information is not available.

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food what plans she has to reinstate veterinary checks of animals at ports of arrival within the United Kingdom until all member states reach a common high standard.

Mr. Soames: EC rules prohibit the re-introduction of regular, systematic veterinary checks at internal borders, including at ports of entry, on animals traded between member states. In Great Britain, the State Veterinary Service (SVS) continues to conduct random and suspicion-based health and welfare checks on such animals at ports of arrival and regularly undertakes blanket surveillance, for 24-hour periods, at all south and east coast ports, covering both imports and exports of animals. In addition, the SVS continues to conduct a significant level of veterinary checks at premises of destination on animals imported from other member states.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food when she last met the Federation of Fresh Meat Wholesalers to discuss the export of live animals for slaughter.

Mr. Soames: My right hon. Friend the Minister has met the Federation of Fresh Meat Wholesalers on a number of occasions but she has not discussed the export of live animals with the federation. Ministry officials also meet representatives of the federation regularly and discussions about the welfare of exported animals took place on 28 February 1994.

Animal Welfare at Markets

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food how she is monitoring the enforcement of the Welfare of Animals in Markets Order 1990; and what information she has on prosecutions brought under this legislation by each relevant local authority.

Mr. Soames: Veterinary officers and other Ministry staff visit markets regularly in the course of their duties which include providing advice and assistance to local authorities with responsibility for enforcement of the Welfare of Animals at Markets Order 1990.

Details of prosecutions are included in the "Return of Expenditure Incurred and Proceedings Taken under the Animal Health Act 1981, and Incidence of Disease in Imported Animals for the year 1993" which was laid before Parliament last month. The return shows that 28 prosecutions were taken for offences under the order in question.

Environmental Protection

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food what proposals in regard to environmental protection she put to the European Fisheries Council on 12 April; and if she will make a statement on matters discussed and decisions taken at the Council meeting.

Mr. Jack: I reported the outcome of the 12 April Fisheries Council in my reply of 13 April to a question from my hon. Friend the Member for Hertsmere (Mr. Clappison) on 13 April at col. *183-84*. In a discussion on drift netting in the Council I stressed both the need to take environmental and ecological implications fully into account and my determination to oppose reintroduction of any derogation for drift nets longer than 2·5 km.

Gambia

Mr. Tom Clarke: To ask the Minister of Agriculture, Fisheries and Food what arrangements exist between the Government of Gambia and the European Union relating to access to the continental shelf and the coastal waters of the Gambia for fishing vessels from European Union member states.

Mr. Jack: A new protocol to the EU-Gambia fishing agreement, setting out the technical and financial terms governing fishing by European Union vessels in all Gambian waters for the period of 1 July 1993 to 30 June 1996, was adopted by the Council on 10 March 1994.

The protocol provides for licensing of 23 tuna freezer seiners and seven pole and line tuna vessels. Additionally, there are opportunities for fresh fish trawlers up to a capacity of 410 gross registered tonnes, freezer trawlers fishing for shrimps up to a capacity of 2000 gross registered tonnes and other freezer trawlers up to a capacity of 750 gross registered tonnes.

Warble Fly

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food if she will initiate research into health risks associated with dressings used for warble fly; and if she will make a statement.

Mr. Soames: Any potential human health risks from the use of veterinary medicines are fully assessed with applications for product licences are considered against the scientific criteria of safety, quality and efficacy laid down in EC and United Kingdom legislation. Provided that the label instructions are properly followed, the use of licensed warble fly treatments should pose no risk to human health.

Sheep Dips

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food when she expects to make available to farmers application forms for certificates of competence for the use of organo-phosphorous sheep dips; and if she will make a statement.

Mr. Soames: Sheep farmers were sent a letter and application form last month inviting them to enrol with an agent of the National Proficiency Tests Council, for taking a test for a certificate of competence in the safe use of sheep dips. NPTC agents are sending certificates of enrolment, which are now necessary to support any purchases of organo-phosphorous sheep dips, to those who apply. During the coming months, NPTC agents will be arranging tests for the certificate of competence itself. The latter certificate is not necessary to support purchases of organo-phosphorus sheep dip until 1 April 1995.

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food if she will initiate research into the possibility of a connection between the use of organo-phosphorous sheep dips and depressive illness; and if she will make a statement.

Mr. Soames: Whether or not such research will be initiated will depend on recommendations from the medical panel, which was set up last month as a sub-committee of the Veterinary Products Committee to look into claims of long-term health effects, and to advise on research.

State Veterinary Service

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food (1) if she will make a statement on the future of the Ministry of Agriculture, Fisheries and Food veterinary service;

(2) what plans she has to privatise the Ministry of Agriculture, Fisheries and Food Veterinary Service; and if she will make a statement.

Mr. Soames: My right hon. Friend expects to consult interested parties on possible changes to the State Veterinary Service within the next few weeks.

Overgrazing

Mr. Martlew: To ask the Minister of Agriculture, Fisheries and Food what action is taken to restore the land concerned where overgrazing is found to occur in connection with the amended hill livestock compensatory allowance scheme.

Mr. Jack: The provisions of the current hill livestock compensatory allowances scheme are aimed at preventing further environmental damage rather than restoration of the vegetation.

Mr. Martlew: To ask the Minister of Agriculture, Fisheries and Food what assessment her Ministry has made of the measures introduced to prevent overgrazing in connection with the hill livestock compensatory allowance scheme; and if she will make a statement.

Mr. Jack: It is too early to assess the impact of the measures aimed at preventing overgrazing introduced under the current hill livestock compensatory allowances scheme.

Mr. Martlew: To ask the Minister of Agriculture, Fisheries and Food what involvement English Nature has had in operating the measures introduced to prevent overgrazing under the hill livestock compensatory allowance scheme; and if he will make a statement.

Mr. Jack: English Nature and other environmental and farming interests were consulted about the introduction of these measures.

Fish Quotas

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food which quotas have been transferred from the Northern Ireland Fish Producers Organisation to the Fife Fish Producers Organisation since Christmas 1993; and under which qualifying rules transfers have been made.

Mr. Jack: None. The allocations of fish quotas to producer organisations for a particular year are based on the track records of vessels over 10m in overall length in their membership at 1 January, in accordance with the rules for the management of fish quotas drawn up in consultation with the industry each year. The rules for vessels joining or leaving a particular producer organisation are a matter for the group concerned.

DEFENCE

Nuclear Weapons

Mr. Cohen: To ask the Secretary of State for Defence how many warheads constitute a strategic strike compared with a sub-strategic strike.

Mr. Hanley: I have nothing to add to the answer given by my right hon. Friend the Minister of State, Foreign and Commonwealth Office, on 23 March, *Official Report*, column 290.

Mines

Mr. Andrew Smith: To ask the Secretary of State for Defence (1) what tests Her Majesty's Government have carried out on the safety and reliability of self-destructing and self-neutralising mines; if he will publish the results; and what plans there are for further tests;

(2) if he will make a statement on the failure rate of self-neutralising and self-destructing mines.

Mr. Aitken: No self-destructing or self-neutralising mines are in service with the armed forces and no specific

tests have been carried out by my Department into the safety and reliability of such mines. Consequently no data are available regarding failure rates. We do have plans to introduce mines with these capabilities and acceptable levels of safety and reliability will have to be demonstrated as part of the procurement process. Any such weapon would, of course, fully comply with the international laws of armed conflict.

Gulf War Syndrome

Mr. Flynn: To ask the Secretary of State for Defence what representations he has received that symptoms of Gulf war syndrome have affected the spouses and children of those who served in the Gulf war.

Mr. Hanley: My Department has received representations relating to seven cases where it is alleged that there may be some linkage between service in the Gulf and subsequent medical problems among spouses or children of service personnel.

Boarding School Allowance

Mr. Barry Jones: To ask the Secretary of State for Defence what is his estimate of the amount of money earmarked on the service children boarding school allowance scheme in Wales in each of the last 10 years.

Mr. Hanley: Information on the location of schools attended by the children of service parents claiming boarding school allowance is not compiled annually. The most recent available information is for 1992, when the average boarding school allowance paid per service child was £7,117. From this it is estimated that some £2,850,000 was paid to claimants whose children attended schools in Wales. Information for previous years is not available.

Fraud

Dr. David Clark: To ask the Secretary of State for Defence what how many *(a)* Ministry of Defence civilian personnel, and *(b)* service personnel have (i) been charged and (ii) been found guilty of fraud in the last 12 months.

Mr. Hanley: My noble Friend the Parliamentary Under-Secretary of State for Defence will write to the hon. Member.

Dr. David Clark: To ask the Secretary of State for Defence how much money has been lost to his Department through fraud in the financial years *(a)* 1990-91, *(b)* 1991-92 and *(c)* 1992-93; and if he will make a statement.

Mr. Hanley: I refer the hon. Member to the answer I gave to the hon. Member for Fife, North-East (Mr. Campbell) on 11 January, *Official Report*, column *172*. My Department expects the highest standards of personal honesty and integrity from its employees, and is taking steps to increase awareness and to counter the incidence of fraud in the workplace.

Public Bodies

Mr. Kilfoyle: To ask the Secretary of State for Defence (1) who are the members currently appointed to the nuclear powered warships safety committee;

(2) who are the members currently appointed to the nuclear weapons safety committee;

Mr. Hanley *[holding answer 28 January 1994]:* Membership of the nuclear weapons safety committee and nuclear powered warships safety committee is made up of serving officers of the armed forces, senior civil servants and a number of independent specialists drawn from industry and the academic world. For security reasons it is not our practice to reveal names of individual members serving on these committees.

Mr. Kilfoyle: To ask the Secretary of State for Defence who are the members currently appointed to the board of the National Army museum.

Mr. Hanley *[holding answer 28 January 1994]:* The information requested is as follows:

Field Marshal Sir Peter Inge
General Sir George Cooper
Mrs. Sara Jones
Rt. Revd. Michael Mann
Richard Marriott
Hon. David McAlpine
The Duke of Westminster

Mr. Kilfoyle: To ask the Secretary of State for Defence who are the members currently appointed to the Royal Military college of science advisory council.

Mr. Hanley *[holding answer 28 January 1994]:* The information requested is as follows:

The Lord Gregson AMCT CBIM DL (Chairman)
Professor Sir Roger Elliott DSc MA DPhil FRS
Professor Sir John Cadogan CBE FRS
Professor J. H. Westcott DSc FRS FEng
Dr. A. A. Wells OBE FRS FEng.

Mr. Kilfoyle: To ask the Secretary of State for Defence who are the members currently appointed to the Royal College of Defence Studies advisory board.

Mr. Hanley *[holding answer 28 January 1994]:* The information requested is as follows:

Lord Bridges GCMG
Professor Sir John Cadogan CBE FRS
Professor Lawrence Freedman
Sir John Graham Bt GCMG
Sir James Hamilton KCB MBE
Sir Richard Lloyd Bt

Written Answers to Questions

Tuesday 19 April 1994

LORD CHANCELLOR'S DEPARTMENT

Child Witnesses

Mrs. Golding: To ask the Parliamentary Secretary, Lord Chancellor's Department which courts in Staffordshire have child liaison officers to protect child witnesses; and if he will make a statement.

Mr. John M. Taylor: There is a designated child liaison officer for every Crown court centre, including the combined court centres at Stafford and Stoke-on-Trent.

Judges

Mr. Brazier: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the expenditure on salaries of all *(a)* full-time district judges and *(b)* part-time district judges in the 1993-94 financial year.

Mr. John M. Taylor: During the 1993-94 financial year, the total amount paid to full-time district judges was £18,427,591. The figure for part-time district judges is not yet available for the whole financial year, but for the 11-month period from April 1993 to February 1994, the fees amounted to £4,870,627.

Mr. Brazier: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the planned increase for the years 1994, 1995 and 1996 in *(a)* full-time district judges and *(b)* part-time district judges.

Mr. John M. Taylor: The number of full-time district judges in post on 1 March 1994 was 289. The planned number of full-time district judges for the three forthcoming financial years is:

	Number
1994-95	305
1995-96	309
1996-97	314

There are no plans to increase the number of deputy district judges from the present level of 750.

Small Claims Court

Mr. Mans: To ask the Parliamentary Secretary, Lord Chancellor's Department how many leaflets his Department distributed in 1993 explaining the processes of the small claims courts.

Mr. John M. Taylor: A series of seven leaflets explains the small claims procedure in county courts. The total number distributed in 1993 was approximately 1·5 million. The leaflets are distributed by Her Majesty's Stationery Office to court offices, trading standards offices, citizens advice bureaux and other advice agencies.

Mr. Mans: To ask the Parliamentary Secretary, Lord Chancellor's Department how many actions were commenced through the small claims court in each year from 1990.

Mr. John M. Taylor: The term "small claims court" refers to the arbitration procedure in the county court. The number of arbitrations heard—which mainly, but not exclusively, consist of cases below the small claims limit—in England and Wales since 1990 were:

	Number
1990	52,360
1991	[1]61,919
1992	80,341
1993	105,843

[1] On 1 July 1991 the maximum sum claimable through the small claims procedure increased from £500 to £1,000.

Consultants

Mr. Milburn: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 23 March, *Official Report*, column 275, if he will list the firms of consultants employed by his Department in each of the last five years and the number of contracts they have undertaken.

Mr. John M. Taylor: Firms of consultants employed in 1992-93 on projects costing more than £20,000 and the number of contracts that they undertook were as follows:

Consultants	*Number of Contracts*
Price Waterhouse	6
Grasshopper Computers Ltd.	3
TRIAD Special Systems Ltd.	1
WS Atkins	2
KPMG	2
Coopers & Lybrand	2
Ernst & Young	2
University of Westminster	1
PE International	1
Compucare	1
Baz Services Ltd.	1
LBMS	1
Comshare	1
CSC	1
Aims Systems	1
Sapphire Consultancy Services	1
Clark Whitehill	1
Enviroplan	1
Benford Associates	1
Clarkson Goff Management	1
John Garnett	1

There were also some 70 projects each costing less than £20,000 in 1992-93. As I said in my answer of 23 March, comparable information for earlier years is not available.

Lawyers

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the current number of *(a)* Queen's Counsel and *(b)* barristers; and how many of each are (i) women and (ii) members of ethnic minorities.

Mr. John M. Taylor: The Lord Chancellor's Department does not have statistics on practitioners in the

legal profession. However, I am informed by the Bar Council that as at 1 October 1993 there were 7,735 practising barristers, of whom 1,593 were women. At the same date there were 797 practising Queen's Counsel, of whom 41 were women. I am also informed by the Bar Council that of a total of 7,660 practising barristers on 6 September 1993, 347 had declared a non-white ethnic origin. Of these, nine were Queen's Counsel. Seventy-seven new practising Queen's Counsel have been appointed this year. Of these, nine were women and one was of non-white ethnic origin.

Advice Services

Mr. Michael: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the Government's policy towards the provision of a network of independent advice and law centres throughout the country; and what response he has made to the Advice 2000 initiative launched by the Advice Services Alliance.

Mr. John M. Taylor: The Lord Chancellor's objectives for legal aid and the Legal Aid Board make it clear that he wishes to encourage law centres, citizens advice bureaux and others to take on an increasing proportion of work which it is appropriate for them to handle. The Legal Aid Board is currently undertaking two projects: the first is designed to ascertain whether methods of delivering legal services other than on a case-by-case basis would have benefits and the second to enable the board to set standards applicable to non-solicitor agencies. Information from these projects should assist consideration of how to achieve the above objective.

TREASURY

Taxes Management Act 1970

Mr. Wallace: To ask the Chancellor of the Exchequer what proposals he has to consult interested parties regarding any future amendment of section 20A of the Taxes Management Act 1970; and if he will make a statement.

Mr. Dorrell: The Inland Revenue is at present consulting the accountancy and legal professions over its draft guidance notes on the use of section 20A. The Government will be considering how to take the matter forward in the light of any responses to the draft guidance notes and the points made in Committee.

European Monetary Union

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what consultation and preparation work is being carried on by which European Union institutions, committees and organisations about monetary union, the reconstruction of the exchange rate mechanism, the restoration of the coinage clearing systems and the institutional arrangements for monetary union; what part Britain is playing in both of these processes and organisations; how many British officials and committees are working on this issue *(a)* in the EU structures and *(b)* domestically; and what consultations are being held with British banks and financial institutions by EU officials and his own officials about monetary union.

Mr. Nelson: Monetary co-operation in the European Union is regularly discussed by the Council of the European Monetary Institute, the Monetary Committee and the Council of Finance Ministers. In all those forums, the United Kingdom plays a full and constructive part.

The Commission has announced its intention of setting up a study group of independent experts to advise on some of the practical issues which would arise on implementation of a single currency.

A number of United Kingdom and Bank of England officials are concerned with European monetary issues. The Government and the bank are represented on the Monetary Committee; the bank is represented on the EMI council.

British banks and financial institutions are also consulted as necessary by both British and Commission officials.

There have never been EC coinage clearing systems, so the question of their restoration does not arise.

Customs and Excise (Cheques)

Mr. Spellar: To ask the Chancellor of the Exchequer (1) what is the practice of Customs and Excise in respect of sending large denomination cheques through the post;

(2) what security procedures are adopted to protect cheques sent by post by Customs and Excise.

Sir John Cope: Customs continually encourages businesses to provide it with bank account details so that repayments can be electronically transferred. However, not all traders yet take advantage of that facility and almost 1 million payable orders, with a total value in excess of £7 billion, are issued each year by first-class post.

In conjunction with Her Majesty's Treasury, customs has been taking steps to increase even further the security measures for payable orders. These include higher levels of security printing so as to make alteration of the payee's name more difficult.

Mr. Spellar: To ask the Chancellor of the Exchequer (1) if he will make a statement regarding the repayment of £1 million to the London borough of Haringey by Customs and Excise;

(2) what steps are being taken by Customs and Excise to recover £1 million misappropriated en route to the London borough of Haringey.

Sir John Cope: The payment of £1 million to Haringey borough council was in respect of a claim by it for a lost payable order of £1,156,806·10, plus interest and repayment supplement. Settlement of the claim was made on the basis of advice from counsel and the full agreement of the parties involved.

Inquiries into the case, by the police and customs, are still continuing.

Petrol

Mr. Nigel Evans: To ask the Chancellor of the Exchequer what was the total excise and revenue raised from petrol sales in *(a)* 1990-91, *(b)* 1991-92 and *(c)* 1992-93.

Sir John Cope: Information on the excise duty and VAT revenue raised from petrol sales in *(a)* 1990-91, *(b)* 1991-92 and *(c)* 1992-93 is provided in the table:

£ billion

	1990-91	1991-92	1992-93
Excise duty	7·0	8·0	8·2
VAT (estimated)	1·3	1·5	1·6
Total tax revenue	8·3	9·6	9·7

Note: Components do not necessarilyt sum to the total due to rounding.

No direct figures are available for the VAT raised on petrol. An estimate has been made using national accounts data; it covers only consumers' expenditure—the yield from business is highly uncertain because the majority of businesses can reclaim the VAT paid as in-put tax.

Mr. Nigel Evans: To ask the Chancellor of the Exchequer what was the total income to the Treasury from value added tax on petrol in 1992-93.

Sir John Cope: The total income to the Treasury from value added tax on petrol in 1992-93 is estimated at £1·6 billion.

No direct figures are available for the VAT raised on petrol. An estimate has been made using national accounts data; it covers only consumers' expenditure—the yield from business is highly uncertain because the majority of businesses can reclaim the VAT paid as in-put tax.

Fuel (VAT)

Mr. Boyes: To ask the Chancellor of the Exchequer if he will make a statement about the effect of pre-payment by large-scale gas and electricity users to avoid value added tax on domestic fuel from 1 April; and what assessment he has made of the scheme of pre-payment and its effect on *(a)* the revenue expected from the tax and *(b)* the level of savings held in building societies.

Sir John Cope: I refer the hon. Member to my answer of 13 April, *Official Report*, column *171*.

Child Maintenance

Dr. Spink: To ask the Chancellor of the Exchequer what impact the recent tax changes will have on the Child Support Agency assessments for child maintenance; and if he will make a statement.

Mr. Portillo: To the extent that they affect the net incomes of absent parents, the recent direct tax changes will alter the assessments.

Pensioner Certificates

Mrs. Helen Jackson: To ask the Chancellor of the Exchequer what steps he will take to ensure that the age limit is reduced from 65 years to 60 years for women to be able to invest in pensioner certificates.

Mr. Nelson: There are no plans to change the present age limit for purchase of the National Savings pensioners guaranteed income bond.

Central Statistical Office

Mr. Burns: To ask the Chancellor of the Exchequer what key targets have been set for the Central Statistical Office for 1994-95.

Mr. Nelson: The Central Statistical Office's key targets for 1994-95 are set out in the "CSO Programme Strategies 1994-97", a copy of which has been placed in the Library of the House. As before, the targets cover the timeliness of published statistics, the size of revisions, the coherence of key economic statistics, the response rates for statistical inquiries, action to minimise the load on respondents, response times to public requests for information and the CSO's running costs, efficiency improvements and receipts. A number of the targets have been tightened for 1994-95 in recognition of the continuing improvements in the CSO's performance.

Council Tax

Mr. Cann: To ask the Chancellor of the Exchequer how many domestic properties in England and Wales have been re-banded on sale and repurchase; and, of these, how many have had their banding increased and how many decreased.

Mr. Nelson: The Valuation Office Agency does not keep a record of how many bandings are increased or decreased in England and Wales as a result of a sale.

Mr. Cann: To ask the Chancellor of the Exchequer (1) what criteria are used to decide the rebanding of domestic properties on sale and repurchase;

(2) what steps are taken by the Inland Revenue to review the banding for council tax purposes on the sale and repurchase of domestic properties.

Mr. Nelson: A listing officer is required to alter the banding of a property following the sale or other relevant transaction if the banding does not reflect the value added by improvements carried out by the previous taxpayer. Otherwise, the listing officer will review a banding following sale of the property only if the sale price is significantly different from the figure that would reasonably have been expected at that date for a property with that banding. In such cases, he will consider all the evidence available to him of the value of the property as at the valuation date of 1 April 1991, including any relevant sale prices at or around that date, in order to establish whether there is any inaccuracy that requires to be remedied.

Mr. Cann: To ask the Chancellor of the Exchequer if it is his policy to reband other similar properties in the same area where a property is rebanded for council tax purposes on sale and repurchase.

Mr. Nelson: Where a property is reviewed and rebanded following a sale or other relevant transaction because the band does not reflect the value of the improvements carried out by the previous taxpayer, the banding of other similar properties in the locality is not reviewed. Where a property is reviewed and rebanded following a sale which indicates that the original entry in the compiled valuation list was incorrect and the listing officer is aware that similar properties in the locality may be incorrect, the banding of those properties is reviewed.

Tiger Products

Mr. Tony Banks: To ask the Chancellor of the Exchequer, pursuant to his answer of 29 March, *Official Report*, column *640*, if he will give details of the countries of origin of the tiger products seized by Her Majesty's Customs and Excise; and in each case what was the ultimate destination of the products.

Sir John Cope *[holding answer 18 April 1994]:* It is not always possible to determine the origin—as opposed to country of consignment—of goods, but the following additional information may be of help in connection with the seized tiger derivatives listed in my previous answer:

Item	*Country of consignment*
Handbag	Australia
Skin (whole and piece); two claws	India
Pair of shoes	Saudi Arabia
50 boxes pills; 12 packets plasters	Hong Kong
20 packets plasters	USA

Item	*Country of origin*
All other goods	China

In all cases customs seized the goods; there is no information on their inteaded ultimate destination other than the declared United Kingdom address of the importer.

Trading Profits (Midlands)

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what level of change in profit margins has been reported in *(a)* the west midlands and *(b)* Coventry in each quarter since April 1991.

Mr. Nelson *[holding answer 13 April 1994]:* Information on profit margins is not available but gross trading profits in the west midlands standard region are estimated at £4,903 million in 1991 and £5,266 million in 1992. No estimates have yet been made for 1993. There are no quarterly estimates and none for Coventry separately.

NATIONAL HERITAGE

Tobacco (Sponsorship)

Mr. Barron: To ask the Secretary of State for National Heritage what was the amount spent in each year since 1985, by tobacco manufacturing companies on sponsorship of each sport, under the terms of the voluntary agreement.

Mr. Brooke: Records are not kept of the amount of sponsorship money spent on each individual sport. The voluntary agreement on sponsorship requires tobacco manufacturers represented on the Tobacco Advisory Council to inform the Government of the expenditure incurred each year on sports sponsorship in the United Kingdom. These amounts are as follows:

Year	*£*
1985-86	8,252,000
1986-87	7,699,000
1987-88	5,911,000
1988-89	5,329,000
1989-90	7,253,000
1990-91	7,630,000
1991-92	8,981,000

Broadcasting Directive

Sir Teddy Taylor: To ask the Secretary of State for National Heritage when he was notified by the European Community Commission of its intention to take the United Kingdom to court over the broadcasting directive; and what particular issue is being pursued.

Mr. Brooke *[holding answer 18 April 1994]:* I refer to the answer I gave to my hon. Friend on 13 April, *Official Report*, column *190*. I was informed on 23 March by the United Kingdom's representative in Brussels, though I have yet to receive a formal communication from the Commission.

All-seater Stadiums

Mr. Ashton: To ask the Secretary of State for National Heritage what plans he has to announce changes in the proposals for all-seater stadiums to be installed at premier league and first division football clubs before the end of 1994.

Mr. Brooke *[holding answer 15 April 1994]:* I have no such plans. The 1 August deadline for all-seating at premier league and first division clubs remains unchanged.

EDUCATION

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Education how many parliamentary questions to his Department have not been answered because of disproportionate costs or because the information requested was not held centrally over the last five years; how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Boswell: The number of answers given to parliamentary questions by the Department for Education —and the Department of Education and Science prior to April 1992—between January 1987 and December 1993 recorded in the POLIS database as including a reference to part or all of the information being available only at disproportionate cost was 260. Details of each of these questions can be obtained from the POLIS database, access to which is available in the Library. The further information requested is not currently available and could be obtained only at disproportionate cost.

Grant-maintained Status

Mrs. Ann Taylor: To ask the Secretary of State for Education how many copies of the GM pack, "Going GM", including, "How to become a GM School", "Experiences During the First Year", "Questions Parents Ask", "Questions Staff Ask" and "Funding Worksheet", have been sent to school heads and governors; and what is the total cost of the information sent, including postage costs.

Mr. Robin Squire: A composite Department for Education information pack on grant-maintained status was first issued in September 1992. Its contents have varied a little for particular purposes over time. Numbers issued fall into the following categories:

a. circulation of updated publications following the Education Act 1993, to chairmen of governors of all maintained schools in December 1993 (22,531 copies at a total cost of some £63,000, including also DFE Circular 18/93 "Grant-Maintained Schools: Acquisition, Transfer and Governance");
b. accompanying invitations to attend the Department's regional "Going GM" conferences, sent to headteachers and chairmen of governors in batches between September 1992 and December 1993 (57,092 copies at an estimated total cost of some £127,000). A further mailing has taken place within the last week of 10,118 invitations with packs; figures on the cost of this mailing are not available yet;
c. in response to requests, some of which were from headteachers and governors, between September 1992 and December 1993 (approximately 78,000 copies at an estimated cost of £110,000, exclusive of postage). Since January 1994 the contents of the individual packs have been specifically tailored to the needs of individual enquirers.

Cost estimates reflect the variation in pack contents over time.

Mrs. Ann Taylor: To ask the Secretary of State for Education what is the total cost of each of the "Going GM" conferences held in Darlington on 3 February, Manchester on 18 February, Newcastle on 4 March and Huddersfield on 14 March; how many school heads and how many governors attended each conference; how many speakers were paid by the Department; and how many civil servants attended in each case.

Mr. Robin Squire: The numbers attending and the costs of the Darlington, Manchester, Newcastle and Huddersfield "Going GM" conferences are set out in the table:

Conference	*Cost*[1][2] *£*	*Delegates*[3]	*Civil servants*[4]
Darlington	13,335	94	25
Manchester	15,697	114	10
Newcastle	14,131	77	13
Huddersfield	15,151	102	10

[1] Includes venue hire and catering, equipment costs, and pro rata conference support costs (secretariat, production, and conference management), and expenses payments to GM headteachers who spoke at the conferences and who have submitted an expenses claim.
[2] Does not include the cost of mailing invitations for these conferences, or related travel and subsistence costs for civil servants.
[3] The Department's records do not identify separately headteachers and governors attending "Going GM" conferences.
[4] Attendance at a "Going GM" conference is often part of the induction process for Department officials new to grant-maintained schools policy. In particular, most of the civil servants at the Darlington conference were observers.

Each conference was also attended by six head teachers from grant-maintained schools who spoke about their experiences in the GM sector. The Department reimburses head teachers for expenses incurred in speaking at "Going GM" conferences, but does not pay them a fee. To date, the Department has made payments totalling £857 in response to expenses claims from GM head teachers for the four conferences listed. These payments are included in the table.

Mrs. Ann Taylor: To ask the Secretary of State for Education what is his estimate of the cost of the freephone calls in response to the recent advertisements in the national press on GM status and his most recent figure of the number of calls received.

Mr. Robin Squire: To date, more than 1,100 of the responses to the advertising campaign were calls to the freephone number. To disaggregate the cost of these calls from that of other calls received by the Department's GM publications centre would involve disproportionate expense.

Nursery Education

Mr. Frank Field: To ask the Secretary of State for Education what proportion of children in *(a)* the United Kingdom, *(b)* Germany, *(c)* France and *(d)* the USA have nursery places provided by (i) the Government sector and (ii) the non profit-making private sector.

Mr. Robin Squire: Information is not centrally available in the form requested. The table below shows the latest available information on combined public and private participation rates in pre-compulsory schooling. Separate participation rates are not available. There are also some differences between countries in the distinction drawn between education and day care. If the United Kingdom figures are defined to include nursery schools, nursery classes, infant classes, pre-school play groups and group day care, the participation rates for both three to four and three to five-year-olds increase to over 90 per cent.

Participation in Pre-primary Education (Full and Part-time) by age group, 1991

	Percentage of age group			
	Age at which Compulsory schooling starts	*Education*		*Percentage of preprimary provision which is within the private sector* [1]*1991*
		3 to 5	*3 to 4*	
France	6	100	100	12
Germany	6	63	53	[2][3]67
United Kingdom[4]	5	68	52	6
		[5]68	[5]53	
United States of America	[6]6-8	60	45	[7]37

[1] 1990 for Germany and 1989 for United States of America.
[2] In Germany, some providers of private sector provision receive some public subsidy.
[3] Participation rates of those in school at start of calendar year with ages at that point.
[4] Age 3 includes some children age 2.
[5] 1992 data.
[6] Varies between states.

Sources: Table AA: Education Statistics for the United Kingdom, 1993 edition; UNESCO Statistical Year Book 1993.

Surplus School Places

Mr. Byers: To ask the Secretary of State for Education what is his latest estimate of the average cost per surplus pupil place in respect of *(a)* a secondary pupil and *(b)* a primary pupil.

Mr. Forth: The average premises-related cost of maintaining a school place is estimated at £179 a year for a primary school place and £298 a year for a secondary school place at 1994-95 prices. The actual cost and the scope for realising savings from removal of surplus places in practice will depend on local circumstances.

Parental Choice

Mr. Byers: To ask the Secretary of State for Education if he will list the figures, in total and for each local education authority, on the number of parents who secured the primary or secondary school of their first choice for their child for 1989-90 and 1990-91.

Mr. Robin Squire: Data on the number of parents securing their first choice of school are not collected centrally. However, the most recent evidence—from surveys commissioned by the Association of Metropolitan Authorities in 1992 and *The Times* in 1993—shows that some 90 per cent. of parents gain a place at their first choice of secondary school.

Hanover Insurance Brokers

Mr. Byers: To ask the Secretary of State for Education what payments his Department has made, either directly or indirectly, to Hanover Insurance Brokers for their work in advising grant-maintained schools on issues concerning insurance.

Mr. Robin Squire: Hanover Insurance Brokers is one of a number of companies that advise grant-maintained schools on their insurance requirements. The Department has made no direct payment to Hanover Insurance Brokers in respect of this work. Arrangements for paying brokers in respect of advice on insurance is a matter for individual grant-maintained schools.

Grant-maintained Schools Foundation

Mr. Byers: To ask the Secretary of State for Education who are the directors of the Grant-Maintained Schools Foundation Ltd; who has been appointed as chief executive; and what was the Department's involvement in the appointments.

Mr. Robin Squire: The directors of the Grant-Maintained Schools Foundation Ltd. are Sir Robert Balchin, chairman, Mr. John Spiers, Sir Christopher Lawson, Mr. David Allan, OBE, Mr. Lawrence Norcross, OBE and Mr. Thomas Savage. The company's chief executive is Mr. Andrew Turner. The Department was not involved in the appointment of the directors or the chief executive.

Mr. Byers: To ask the Secretary of State for Education how much grant aid the new Grant-maintained Schools Foundation Ltd. has applied for in 1994-95; and what level of grant has been granted.

Mr. Robin Squire: The Grant-Maintained Schools Foundation Ltd. is currently in discussion with the Department about grant aid for 1994-95. Decisions on the total level of grant have yet to be taken.

Funding Agency for Schools

Mr. Byers: To ask the Secretary of State for Education what plans he has to investigate the potential conflict of interests arising from other chairmanships held by the chairman of the Funding Agency for Schools.

Mr. Robin Squire: None. I do not accept that any conflicts arise. It will be for the funding agency to keep a register of chairman's and members' interests and for individual members to disclose any private interest in a matter to be considered by the board in the normal way.

ENVIRONMENT

Planning Applications

Mr. Corbett: To ask the Secretary of State for the Environment on how many occasions in the last 10 years he has used powers to call in planning applications after they have been approved by local authorities.

Mr. Baldry: None.

Water Quality Objectives

Mr. Jonathan Evans: To ask the Secretary of State for the Environment when he intends to introduce the system of statutory water quality objectives under the Water Resources Act 1991.

Mr. Atkins: My hon. Friend the Parliamentary Under-Secretary of State for Wales and I have today laid before Parliament the Surface Waters (River Ecosystem) (Classification) Regulations 1994. These regulations, together with an accompanying document specifying procedures to be used by the National Rivers Authority, prescribe for the first time a statutory system for classifying the overall quality of rivers in England and Wales. This builds on the previous informal river classification system, and follows extensive consultations. The regulations will allow the process of introductory statutory water quality objectives to begin.

Water quality objectives will provide a stable framework for the NRA to maintain and, where appropriate, improve river quality; they will build on the major programmes of investment that are already planned or under way. My hon. Friend and I will, after advice from the NRA, consult on proposals for the first water quality objectives to be set on the basis on these regulations.

DUCHY OF LANCASTER

Advisory Committee on Human Genome Research

Mr. Faber: To ask the Chancellor of the Duchy of Lancaster if he will make a statement about the Advisory Committee on Human Genome Research.

Mr. Waldegrave: I established an Advisory Committee on Human Genome Research, early last year, to advise me on how best to build on the existing strengths of United Kingdom human genome research and secure the benefits it promises for human welfare, health care and United Kingdom industry.

The committee convened an independent expert working group of leading geneticists, to review the area

and identify priorities for investment in the United Kingdom to benefit both basic science and commercial opportunities. Its report, "The Human Genome Mapping Project—Priorities and Opportunities in Genome Research", was published this morning. I believe that it will be of interest to all those concerned with genome research in the United Kingdom. I am arranging for copies to be placed in the Libraries of both Houses.

Consultants

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 31 March, *Official Report*, column *1018*, if he will list the firms of consultants employed by his Department and the number of contracts they have undertaken.

Mr. David Davis: The information requested is not held centrally and is available only at disproportionate cost.

Research Establishments

Mr. Dafis: To ask the Chancellor of the Duchy of Lancaster what was the total amount of spending in 1993 in Wales by the Natural Environment Research Council in pounds million at 1994-95 prices net of spending on the research vessels services in Barry and the British geological survey, Aberystwyth, together with the corresponding percentage spending by the Natural Environment Research Council in Wales as a proportion of spending the United Kingdom net of spending on the above two establishments.

Mr. David Davis: The estimated expenditure by the Natural Environment Research Council in Wales in 1993-94 was £3·4 million at 1994-95 prices, net of the research vessel services at Barry, and the British geological survey's district office at Aberystwyth. This amounts to approximately 2 per cent. of the NERC's total United Kingdom spend.

PRIME MINISTER

European Union (Qualified Majority Voting)

Mr. Spearing: To ask the Prime Minister if he will now seek written confirmation, by means of an exchange of letters, of the undertakings he announced in his oral statement of 29 March, *Official Report*, columns 797-98, and place copies in the Library.

The Prime Minister: I see no need for this, in the light of the undertakings given.

Parliamentary Counsel Office Staff

Mr. Robert Banks: To ask the Prime Minister how many people, of what grade, are employed by the Office of the Parliamentary Counsel.

The Prime Minister: The number of staff and their grades currently employed in the Office of the Parliamentary Counsel, excluding those on loan to the Law Commission and the Home Office, is:

	Number
First Parliamentary Counsel (grade 1)	1
Second Parliamentary Counsel (grade 2)	1
Parliamentary Counsel (grade 2)	8
Deputy Parliamentary Counsel (grade 3)	3
Senior Assistant Parliamentary Counsel (grade 5)	3
Assistant Parliamentary Counsel (grade 7)	12
Grade 7	1
Executive Officer	1
Senior Personal Secretary	7
Administrative Officer	5
Support grade band 2	2
Total	44

The following Parliamentary Counsel Office staff are on loan to the Law Commission:

	Number
Parliamentary Counsel (grade 2)	1
Deputy Parliamentary Counsel (grade 3)	1
Principal Assistant Parliamentary Counsel (grade 4)	1
Senior Assistant Parliamentary Counsel (grade 5)	1
Assistant Parliamentary Counsel (grade 7)	1
Total	5

The following Parliamentary Counsel Office staff are on loan to the Home Office:

	Number
Assistant Parliamentary Counsel (grade 7)	1
Total	1

Stephan Adolphus Kock (Duties)

Mr. Meacher: To ask the Prime Minister what official duties have been carried out by Stephan Adolphus Kock since 1979.

The Prime Minister: None.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 19 April.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 19 April.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

TRADE AND INDUSTRY

Fire Safety Scrutiny Initiative

Mr. Colvin: To ask the President of the Board of Trade if he will list the organisations and individuals who have submitted evidence to the interdepartmental fire safety scrutiny initiative; and if he will make a statement on the timetable for the review.

Mr. Neil Hamilton: The team conducting the review of fire safety legislation and enforcement has consulted widely among more than 100 organisations with a known interest in the subject. These have included, inter alia,

representatives of fire service bodies, the insurance industry, fire and other safety organisations, the Confederation of British Industry and groups representing small businesses, organisations representing retail, manufacturing and other business interests, consumer bodies, organisations representing property interests, fire equipment manufacturers, groups representing the disabled, local authorities, unions, the construction industry, surveyors, building control officers, architects and planners.

Many such organisations have responded by supplying written evidence and some have also met the review team. Evidence has also been received from a number of individuals interested in this important matter.

The review team are still receiving representations. They will include the final list of all those who submitted evidence in their report to Ministers which is due before the end of May. We will then need to consider their recommendations and any changes that they may propose. The Government are committed to consulting all interested parties before making any legislative changes.

Deregulation Task Forces

Mr. Gordon Prentice: To ask the President of the Board of Trade when the reports of the eight deregulation task forces will be deposited in the Library.

Mr. Nell Hamilton: I refer the hon. Member to the answer given to the hon. Member for Warley, West (Mr. Spellar) on 30 March 1994, *Official Report*, column *766*, which stated that the working papers of the seven business task forces were placed in the Library of the House on 30 March.

The eighth task force, which is looking at legislation affecting charities and voluntary organisations, has now completed its work and is due to report shortly.

Aluminium

Mr. Spellar: To ask the President of the Board of Trade what representations he has received regarding dumping of aluminium from the former Soviet Union.

Mr. Needham: None.

Mr. Spellar: To ask the President of the Board of Trade what the imports of aluminium have been from the former Soviet Union in each of the last five years.

Mr. Needham: The information is provided in the table:

Imports of Aluminium from the former Soviet Union

Year	*Volume (Metric Tonnes)*	*Value (£000's)*
1989	0	0
1990	4,552	4,297
1991	22,387	16,981
1992	17,355	11,291
1993	229,305	180,432

Notes:
Aluminium is classified as heading 684 of the Standard International Trade Classification.
The former Soviet Union comprises Lithuania, Latvia, Estonia, Ukraine, Belarus, Moldova, Russia, Georgia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan and Kyrgyzstan.
Source: HM Customs and Excise.

Regional Challenge

Mr. Frank Field: To ask the President of the Board of Trade, pursuant to his answer of 29 March, *Official Report*, columns *647-49*, if he will consider making it a duty for authorities to consult local communities for the purposes of regional challenge; if he will publish rules indicating that the consultation should enable local communities to have an impact on decisions; and if he will ensure that the rules of this new competition do not allow for unnecessary competition between deprived communities.

Mr. Salisbury: I have nothing to add to my reply of 29 March.

Coal Industry Privatisation

Mrs. Peacock: To ask the President of the Board of Trade who will be responsible for consumer protection and safety in respect of domestic coal consumers when the Domestic Coal Consumers Council ceases to exist after Royal Assent is given to the Coal Industry Bill.

Mr. Eggar: A substantial body of general consumer protection legislation will continue to apply to coal as well as to other products. Discussions are taking place in the coal trade on voluntary complementary arrangements following the privatisation of British Coal. The Domestic Coal Consumers Council is an advisory body. No date has been set for its abolition, although the Coal Industry Bill provides for that in due course.

Mrs. Peacock: To ask the President of the Board of Trade what plans he has in respect of *(a)* "Complete Heat" and *(b)* British Coal domestic consumers database after the Coal Industry Bill receives Royal Assent.

Mr. Eggar: Decisions on the future of "Complete Heat" and British Coal's database of domestic consumers are a matter for the Corporation.

TRANSPORT

Sea (Safety)

Mr. Leigh: To ask the Secretary of State for Transport if he will make a statement on the ratification of the 1988 protocol to the 1974 international convention on the safety of life at sea.

Mr. Norris: The 1988 protocol to the 1974 international convention on the safety of life at sea will be ratified upon completion of the work in consolidating the Merchant Shipping Acts. This is scheduled for later this year.

Mr. Peter Bottomley: To ask the Secretary of State for Transport how many holders of his office have had advice from the Landscape Advisory Committee since 1964.

Mr. Key: All.

Mr. Peter Bottomley: To ask the Secretary of State for Transport why he no longer needs advice from the Landscape Advisory Committee.

Mr. Key: The reasons are given in paragraph 8.11 of "Trunk Roads in England: 1994 Review", copies of which are in the Library of the House.

Mr. Peter Bottomley: To ask the Secretary of State for Transport if he will list the advice and publications from the Landscape Advisory Committee in the past 10 years.

Mr. Key: Copies of each of the committee's annual reports were placed in the Library. The reports list the schemes on which the committee has advised.

Mr. Peter Bottomley: To ask the Secretary of State for Transport (1) when he decided to abolish the Landscape Advisory Committee;

(2) when he first *(a)* considered abolition of and *(b)* made known his intention to abolish the Landscape Advisory Committee.

Mr. Key: My right hon. Friend and I considered the future of the Landscape Advisory Committee as part of the Government's review of the road programme, announced in August 1993. My right hon. Friend announced the results of the review on 30 March 1994.

Mr. Peter Bottomley: To ask the Secretary of State for Transport whether he advised the Select Committee for Transport on his proposal to abolish the Landscape Advisory Committee.

Mr. Key: The decision to disband the Landscape Advisory Committee was announced in "Trunk Roads in England: 1994 Review", published on 30 March 1994. My right hon. Friend wrote to the Chairman of the Select Committee on Transport drawing his attention to that document on the day of publication.

Mr. Peter Bottomley: To ask the Secretary of State for Transport who have been the members of the Landscape Advisory Committee since 1964.

Mr. Key: A list of members since 1970 is set out in alphabetical order. Information on members between 1964 and 1969, if available, could be provided only at disproportionate cost.

Members of Landscape Advisory Committee since 1970

Sir Henry Aubrey-Fletcher
Prof. M. Benwell
Dr. J. A. Bergg
Prof. G. E. Cherry
Miss E. Chipchase
Mr. L. J. Clark
Prof. M. M. Cole
Mr. G. P. Crow
Mr. C. S. Darvill
Mr. B. de Hamel
The Rt. Hon. The Earl of Rosse
Sir Basil Engholm
Mr. J. V. S. Evans
Ms E. A. O. Evans
Mr. C. R. Ferens
Prof. P. J. Fowler
Mrs. E. J. Garland
Mr. H. J. R. Geddes
Mr. A. D. Gill
Mr. D. R. Greig
Prof. J. L. Harper
Col. F. M. Hill
Mr. E. Hodgkin
Mrs. J. Jack
Prof. D. K. C. Jones
Sir Laurence Kirwan
The Hon. Trevor Lewis
Sir Giles Loder
Mr. D. Lovejoy
Mrs. P. E. Lunn
Dr. S. MacGregor
Prof. M. MacKeith
Mr. J. M. McCluskey
Mr. M. R. Porter
Miss W. E. Powell
Miss K. M. Powell
Mr. J. F. W. Rathbone
Ms V. J. Russell
Mr. M. O. Slocock
Sir Henry Abel Smith
Mr. J. St. Bodfan-Gruffydd
Mr. M. E. G. Taylor
Sir George Taylor
Mrs. V. Wakefield
Mr. F. R. Waley
Prof. A. E. Weddle
Mr. E. R. Wheatley-Hubbard
Mr. N. Whittaker
Mr. R. Winter
Prof. M. J. Wise

Mr. Peter Bottomley: To ask the Secretary of State for Transport what has been the cost of the Landscape Advisory Committee in each of the past 10 years.

Mr. Key: Over the last 10 years, expenditure incurred by Landscape Advisory Committee members on travel, subsistence and accommodation in connection with Committee meetings and site visits has been as follows:

Year	*Cost (£)*
1984-85	17,532
1985-86	21,520
1986-87	19,475
1987-88	19,810
1988-89	18,555
1989-90	28,974
1990-91	52,062
1991-92	47,155
1992-93	53,898
1993-94	48,593

In addition, the Committee was supported throughout this period by a secretariat consisting of two full-time staff whose costs including salaries and accommodation amounted to around £60,000 in 1993-94. Substantial costs were also incurred by officials and consultants attending meetings and site visits and preparing briefing material. These costs are not held centrally.

Rail Privatisation

Mr. Bayley: To ask the Secretary of State for Transport when the three rolling stock companies will tell passenger railway service operators how much they will be charged for using their rolling stock in the current financial year.

Mr. Freeman: The timing of this is a matter for the British Rail board. I understand from British Rail that the rolling stock companies intend to issue indicative prices within the next two or three weeks.

Mr. Bayley: To ask the Secretary of State for Transport when the terms of the shadow franchise agreements for the six railway shadow franchises which came into operation on 1 April will be finalised; and whether the terms of the agreements including the minimum service specification and the performance standards will be made public.

Mr. Freeman: It is the franchising director's intention to finalise the details of the shadow franchise agreements for the first six franchises within the next few months. These will be made public except in so far as that might damage the commercial interest of the businesses concerned.

Cyclists (Protective Headgear)

Mr. Devlin: To ask the Secretary of State for Transport if he will make a statement on the possibility of requiring all cyclists to wear protective headgear on public roads.

Mr. Key: The benefits of cycle helmets are well established, particularly for children and young adults who are most at risk of injury when cycling. Research shows that good standard cycle helmets reduce the chance of head injury by 85 per cent. and brain injury by 88 per cent. We actively promote helmet wearing but are not minded to regulate to make it a criminal offence to ride a bicycle without a helmet.

Road Bridge Repairs

Mr. David Nicholson: To ask the Secretary of State for Transport what estimates he has made of *(a)* his Department's annual spending on and *(b)* the annual grant to local authorities for repairs to road bridges for each year since 1985 and in each of the years of the current public expenditure White Paper.

Mr. Key: The figures are:

Year	*Department of transport capital expenditure on trunk road structures* £ *million*	*Local authority expenditure accepted for transport supplementary grant (TSG)* £ *million*
1985-86	7	—
1986-87	37	—
1987-88	51	—
1988-89	31	—
1989-90	66	—
1990-91	87	—
1991-92	120	91
1992-93	116	111
1993-94	129	137
1994-95	150	137
1995-96	155	—
1996-97	155	—

Notes:

1. Department of Transport Expenditure on Trunk Road Structures:
   a. figures up to and including 1992-93 are actual outturn expenditure;
   b. the figure for 1993-94 is estimated outturn expenditure;
   c. figures for 1994-95 onwards are planned expenditure by the Highways Agency.
2. Local Authority expenditure accepted for TSG:
   a. grant is paid at a rate of 50% of accepted expenditure;
   b. resources for local authority bridge maintenance were transferred from Revenue Support Grant (RSG—paid by DOE) to TSG in 1991-92. The Department of Transport has no details of allocations to local authorities for this purpose in earlier years;
   c. levels of support for bridges for 1995-96 onwards have not yet been determined.

Bus Companies

Mr. David Atkinson: To ask the Secretary of State for Transport what plans he has to require local authorities to divest their interests in bus companies; and if he will make a statement.

Mr. Freeman: It is our policy that all the remaining local authority-owned bus companies should be transferred to the private sector. We have been encouraging their voluntary sale. I am pleased that 28, including most recently Greater Manchester Buses, have already been sold. Measures to require the sale of local authority bus companies will be introduced when a suitable legislative opportunity occurs.

Airspace

Mr. Wilson: To ask the Secretary of State for Transport how many unauthorised penetrations of controlled or regulated airspace were reported in each year since 1988; and what proportion of the number in each year were by military aircraft.

Mr. Norris: As this is a matter within the responsibility of the Civil Aviation Authority, I am asking the chairman of the CAA to write to the hon. Member.

School Minibuses (Accidents)

Mr. Milburn: To ask the Secretary of State for Transport how many children have been killed or injured in accidents involving school minibuses in each region in each of the last five years.

Mr. Key: The information requested is shown in the table.

Minibus[1] casualties: Number of school pupils[2] killed or injured: Great Britain 1988-92

Departmental regions	*1988*	*1989*	*1990*	*1991*	*1992*
Northern	10	9	10	9	16
Yorkshire/Humberside	18	10	25	22	20
East Midlands	9	16	37	36	34
Eastern	49	38	41	47	41
South-East	34	35	50	26	38
Greater London	10	9	18	0	32
South West	24	31	28	7	29
West Midlands	24	26	12	21	10
North West	56	28	54	21	13
England	234	202	275	189	233
Wales	24	33	14	40	45
Scotland	51	36	48	23	42
Total	309	271	337	252	320

[1] Includes motor caravans.
[2] Aged 0-15.

London Heliport Study Group

Mr. Colvin: To ask the Secretary of State for Transport what is the current membership of the London heliport study group; and when it is expected to report.

Mr. Norris: The membership of the London heliport study working group comprises representatives of the Department of Transport, Department of the Environment, Department of Trade and Industry, Civil Aviation Authority, British Helicopter Advisory Board, London Planning Advisory Committee, and Westland London heliport. The group expects to report by summer 1994.

River Thames Working Group

Mr. Colvin: To ask the Secretary of State for Transport what are the objectives of the River Thames working group; and when the group will report to him.

Mr. Norris: The River Thames working group, which I chair, is reviewing current transport uses of the River Thames and possible constraints on those uses. It will

establish the potential for the development of the river for transport, particularly freight, alongside other river interests, and identify and encourage private sector-led initiatives. My Department has recently engaged Wootton Jeffreys Consultants Ltd. to assist it in analysing the information that the group has received following a wide-ranging consultation exercise which I launched last year. The working group is aiming to complete its report in July.

Channel Tunnel

Mr. David Marshall: To ask the Secretary of State for Transport how many heavy goods vehicles have suffered shattered windscreens during trial runs through the channel tunnel; and if he will make a statement.

Mr. Key: Commissioning of the tunnel system is a matter for Eurotunnel. I understand that no vehicle windscreens have been shattered.

Motorcycles (Leg Protectors)

Mr. Hoon: To ask the Secretary of State for Transport what research his Department is planning into leg protectors for motor cycles.

Mr. Key: I refer the hon. Member to the answer I gave on 21 March to a question tabled by the late hon. Member for Bradford, South, *Official Report*, column *107*.

Marine Safety Agency

Mrs. Roche: To ask the Secretary of State for Transport what was the cost of setting up the new Marine Safety Agency.

Mr. Norris *[holding answer 18 April 1994]:* The additional cost for setting up the Marine Safety Agency was approximately £253,000.

Coastguard Service

Mrs. Roche: To ask the Secretary of State for Transport what was the cost of setting up the new Coastguard Agency and replacing the National Coastguard Service.

Mr. Norris *[holding answer 18 April 1994]:* The cost of setting up the Coastguard Agency, comprising Her Majesty's Coastguard and the marine pollution control unit was £231,000.

Air Traffic Control

Mr. Day: To ask the Secretary of State for Transport (1) whether the recently published joint National Air Traffic Service and International Air Transport Association recommendation leaflet concerning runway occupancy times and the need for pilots of landing aircraft to ensure expeditious clearance of the runway has been approved by the safety regulation group of the regulatory authority; and whether the associated air traffic procedures have been approved by the Civil Aviation Authority's air traffic control standards department;

(2) what are the reasons for establishing a runway hourly movement monitor to compare actual movement rates achieved with the declared runway capacity and for the requirement of air traffic controllers at Manchester to submit to an internal management investigation if they fail to achieve the declared hourly movement rate.

Mr. Norris *[holding answer 18 April 1994]:* As these two questions concern matters that are within the responsibility of the Civil Aviation Authority, I am asking the chairman of the CAA to write to the hon. Member.

Railtrack

Mr. Patrick Thompson: To ask the Secretary of State for Transport what plans he has to meet the chairman of Railtrack to discuss the tendering timetable for retail developments; and if he will make a statement.

Mr. Freeman *[holding answer 18 April 1994]:* My right hon. Friend and I regularly meet the chairman of Railtrack to discuss a range of issues, including opportunities for retail developments on Railtrack property. We expect Railtrack to report during the summer on the prospects for retail and development opportunities at certain major stations.

AGRICULTURE, FISHERIES AND FOOD

Animal Welfare

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food if all sheep exported from the United Kingdom to Spain for slaughter and for further fattening *(a)* have been and *(b)* will be slaughtered in abattoirs which are guaranteed by the Spanish Government as complying with directive 74/577/EEC requiring the stunning of animals before slaughter.

Mrs. Gillian Shephard: The answer given to the hon. Member for Glanford and Scunthorpe (Mr. Morley) on 16 February, *Official Report*, column *847*, set out the arrangements for ensuring that animals for immediate slaughter in Spain would be sent only to slaughterhouses that the Spanish authorities had confirmed as meeting Community welfare rules. These arrangements do not apply to animals for further fattening. The Government have, however, agreed further safeguards with the Spanish authorities under which they will carry out checks to ensure that consignments for slaughter or further fattening are correctly described.

Norwegian Fisheries Regime

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food (1) if she will outline the conservation and control regime for fisheries allowed to Norway under the entry agreement with the EEC in *(a)* northern waters and *(b)* the rest of Norwegian fishing grounds; and in which ways this departs from the common fisheries policy as applied in British waters;

(2) what proposals she has for extending the Norwegian management and control regime for fisheries permitted under the entry agreement with the EU to British waters; and what plans she has to urge that such a regime be extended to other national waters.

Mr. Jack: In waters north of 62 deg. north, for a transitional period of three years from accession, Norway is authorised to maintain:

(a) national control measures which involve, for example, making rendezvous with inspectors at sea, and

(b) the ban on discarding fish at sea and the system for opening and closing fisheries in biologically sensitive zones, neither of which policies is applied by the CFP.

Norway is also authorised to maintain the existing technical conservation measures—national mesh size rules, for example—applicable north of 62 deg. north for one year.

South of 62 deg. north, for a transitional period of one year from accession, Norway is authorised to maintain national control measures, the discard ban and the existing technical conservation measures applying in these waters.

Before the end of these transitional periods the Council will decide on future arrangements with the objective of incorporating Norwegian practices into the CFP where appropriate. The discussions in the Council will provide an opportunity to consider the applicability of these measures outside existing Norwegian waters.

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food when she last met members of the National Federation of Fishermen's Organisations to discuss the Norwegian accession.

Mr. Jack: I briefed representatives of the NFFO and of other fishermen's organisations fully on the outcome of the Norwegian accession negotiations on 22 March.

Reserve Stocks

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food what is the current size in terms of *(a)* weight and *(b)* volume of the European Communities' reserve stocks of *(a)* cereals, *(b)* beef, *(c)* grain, *(d)* butter, *(e)* milk and *(f)* wine; and how these have varied since 1979.

Mr. Jack: Tables showing current levels of all produce held in intervention within the European Community are deposited in the Library of the House at monthly intervals, most recently on 8 April. The information currently held in the House Library goes back to January 1985; figures for earlier years were not prepared on the same basis, but the table gives intervention stocks as at 31 December for the years 1979-84.

European Community Foodstuffs held in Public Intervention Storage ('000 tonnes)

Commodity	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*
Butter	271	128	9	100	692	841
Skimmed Milk Powder	227	230	286	567	990	617
Wheat	1,821	4,914	2,978	6,300	6,857	8,782
Barley	69	1,086	740	1,625	1,102	1,845
Rye	549	513	321	293	249	426
Durum	143	157	307	771	714	858
Total Cereals	2,582	6,670	4,346	8,989	8,922	11,911
Beef	275	302	181	203	372	610
Wine Alcohol (million litres)	n/a	n/a	n/a	n/a	n/a	2

Note:
n/a = not applicable (no Public Intervention Storage arrangements).

Animals (Transport)

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food what action she has taken to raise awareness of issues of welfare in the transportation of live animals with the Governments of other member states.

Mr. Soames: The Government take every opportunity in the Council of Agriculture Ministers and elsewhere to press for our high standards of animal welfare during transport to be applied throughout the European Community.

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food what animal identification methods will be acceptable under the EU directive 92/65/EEC on the import and export of animals.

Mr. Soames: The current arrangements for identifying animals for import and export are not altered by directive 92/65 except in the case of cats and dogs imported into the United Kingdom. From 1 July 1994 traded cats and dogs imported under the directive will have to be identified with an implanted microchip.

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food whether Ministers of her Department have supported in meetings of the Council of Ministers a maximum journey time of eight hours for livestock.

Mr. Soames: In Community negotiations the United Kingdom is taking full account of the case for journey limits and how they could be enforced.

European Directives

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food what actions *(a)* the European Commission and *(b)* other member states can take against member states that do not enforce implementation of European directives.

Mr. Jack: Where the European Commission considers that a member state has failed to fulfil a Community obligation it may, in accordance with article 169 of the treaty of Rome, deliver a reasoned opinion, after giving the member state the opportunity to submit its observations. If the member state does not comply with the opinion, the Commission may bring the matter before the European Court of Justice. Similarly, if a member state considers that another member state has failed to fulfil a Community obligation it may, under article 170 of the treaty of Rome, bring the matter before the European Court of Justice. Before it does so, however, it must give the Commission an opportunity to consider the dispute.

Fisheries Council

Mr. Harris: To ask the Minister of Agriculture, Fisheries and Food if she will make a statement on the outcome of the Fisheries Council in Luxembourg on 12 April.

Mr. Jack: I refer my hon. Friend to the reply given to my hon. Friend the Member for Hertsmere (Mr. Clappison) on 13 April 1994, *Official Report*, columns *183-84*.

Premium Payments

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what was the budget, in real and nominal terms, for England in (i) 1991, (ii) 1992, (iii) 1993 and (iv) her estimate for 1994 for *(a)* the sheep annual premium, *(b)* the suckler cow premium and *(c)* the beef special premium.

Mr. Jack: The table shows expenditure by financial year under the sheep annual premium, the suckler cow premium and the beef special premium schemes in nominal terms and at constant 1991-92 prices.

£ million

Scheme		1991-92	1992-93	1993-94 forecast	1994-95 estimate
Sheep annual premium	Nominal	117	139	208	183
	At 1991-92 prices	117	135	198	n/a
Suckler cow premium	Nominal	34	34	31	56
	At 1991-92 prices	34	33	29	n/a
Beef special premium	Nominal	26	20	49	69
	At 1991-92 prices	26	20	47	n/a

Fruit and Vegetables

Sir Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food if she will list the total amounts of fruit and vegetables destroyed by the European Community in 1991-92; what was the purpose of such destruction; and when comparable figures will be produced for 1992-93.

Mr. Jack *[holding answer 18 April 1994]:* The information, produced by the Commission, on the destruction of fruit and vegetables withdrawn from the market in 1991-92 is as follows:

Product	Quantity destroyed (tonnes)
Cauliflowers	40,503
Apricots	93,653
Tomatoes	49,370
Aubergines	543
Nectarines	36,362
Peaches	336,992
Lemons	13,445
Pears	634
Grapes	291
Apples	26,134
Satsumas	[1]—
Mandarins	2,723
Clementines	1,654
Oranges	154,943

[1]— No withdrawals.

The EC fruit and vegetable regime provides growers with compensation for withdrawing produce from the market when prices fall below a certain level. This produce may be disposed of by several means with destruction being a last resort once all other alternative uses have been exhausted. The Government consider that the system sustains overproduction and are therefore pressing the Commission for a radical reform of the arrangements.

We expect the Commission to produce comparable figures for 1992-93 shortly.

FOREIGN AND COMMONWEALTH AFFAIRS

Departmental Accommodation

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated total cost of the refurbishment of the Foreign and Commonwealth Office accommodatoin at 11 Belgrave road, London SW1.

Mr. Goodlad: The Foreign and Commonwealth Office is not responsible for 11 Belgrave road, London SW1.

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated total cost of the refurbishment to the Foreign and Commonwealth Office building, Marlborough house.

Mr. Goodlad: The Foreign and Commonwealth Office is not responsible for Marlborough house.

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated total cost of the refurbishment to the Foreign and Commonwealth Office building, Depot, Chadwick street, London SW1.

Mr. Goodlad: The Foreign and Commonwealth Office is not responsible for Depot, Chadwick street, London SW1.

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated total cost of the refurbishment of the Foreign and Commonwealth Office building, Thames house, Millbank, London SW1.

Mr. Goodlad: The Foreign and Commonwealth Office is not responsible for Thames house, Millbank, London SW1.

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated total cost of the refurbishment to the Foreign and Commonwealth Office building, 1 to 19 Victoria street, London SW1.

Mr. Goodlad: The Foreign and Commonwealth Office is not responsible for 1 to 19 Victoria street, London SW1.

Sudan

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what administrative framework the IGADD nations have set up to ensure the implementation of the recent agreement in Nairobi between the participants in the Sudanese civil war.

Mr. Douglas Hogg: I refer the hon. Gentleman to my answer to his written question on 13 April at column *206*.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration he has given to appointing a full-time Nairobi-based diplomat to monitor both political and aid issues particularly in southern Sudan; and if he will make a statement.

Mr. Douglas Hogg: Staffing requirements at all overseas posts are kept under regular review. We are currently satisfied with the coverage of southern Sudan which we receive from our missions in Khartoum and Nairobi.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made in Sudan to introduce zones of tranquility in line with the Intergovernmental Authority on Drought and Development agreement in Nairobi.

Mr. Douglas Hogg: A sub-committee has been set up to implement the agreements reached at the recent IGADD talks. It is still too early to establish what progress this sub-committee can make.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is being done by Britain and the European Union to give practical support to the IGADD talks on Sudan in Nairobi; and what action is now planned by *(a)* the international community and *(b)* the United Kingdom to assist the special rapporteur to be effective following the extension of his appointment.

Mr. Douglas Hogg: Discussions are taking place with EU partners and the United Kingdom will be making a bilateral contribution.

Britain co-sponsored the resolution for the extension of the United Nations special rapporteur's mandate, and we will consider any request for assistance which he might make.

European Union

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral answer of 30 March, *Official Report*, column 922, and his written answer of 12 April, *Official Report*, column *20*, if he will now seek by letter to obtain a written confirmation of the assurances he received during the contacts between his office and that of Mr. Delors and place copies of the correspondence in the Library.

Mr. Douglas Hogg: No, the undertakings in the social field to which my hon. Friend the Minister of State referred in his answer of 30 March were oral assurances.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British nationals have recently been living in Rwanda; and what has been done to ensure their safety.

Mr. Lennox-Boyd: Seventy-eight nationals were registered with our honorary consul in Rwanda.

From early morning on Sunday 10 April, through the BBC World Service and our honorary consul in Kigali, British nationals were advised to leave the country. By the evening of Wednesday 13 April all those who wished to leave had done so. We liaised closely with the Belgian and French authorities who co-ordinated the evacuation of British nationals from Rwanda. Most travelled by air to Belgium, France and Kenya. British missions in those countries met the evacuees and, when necessary, helped with onward travel.

Chernobyl

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Russian Government about the adequacy of its plans to counter the consequences of radioactive infection after Chernobyl and to prevent any future radioactive accident.

Mr. Lennox-Boyd: Since the break-up of the former Soviet Union, responsibility for Chernobyl has fallen to the Ukrainian Government. A number of representations have been made in particular to the Russian and Ukrainian Governments by western Governments on the need to avoid a recurrence of the Chernobyl accident and to improve the levels of safety in Soviet-designed nuclear power reactors. The United Kingdom is engaged both bilaterally and multilaterally in providing both countries with substantial technical and other assistance to that end.

Russia-European Union Agreement

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the major contents of the proposed agreement between Russia and the European Union.

Mr. Douglas Hogg: The main features of the draft partnership and co-operation agreement under negotiation between Russia and the European Union are:

(a) Regular political dialogue (including at Head of Government level).

(b) Limited trade concessions. These consist of the granting of most favoured nation treatment and the abolition of quantitative restrictions accompanied by safeguard provisions. It sets the eventual goal of a possible free trade area between Russia and the EU. Progress towards this goal will be reviewed in 1998.

(c) Sectoral cooperation in areas such as the approximation of laws, funded by technical assistance through the TACIS scheme.

(d) The draft also allows for future evolution of the agreement and for its suspension in the event of either side failing to fulfil its obligations.

Nuclear Weapons, South Asia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives he is considering to stop the proliferation of nuclear weapons in the south Asia region.

Mr. Douglas Hogg: Our objective remains to secure India and Pakistan's accession to the non-proliferation treaty as non-nuclear weapon states. We continue to encourage both countries to engage in dialogue on regional security, and we support United States proposals to establish a multilateral forum on regional security in south Asia. We have also voted in favour of a resolution at the United Nations which calls for the establishment of a nuclear weapon-free zone in south Asia.

Yugoslavia

Mr. Clifton-Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs to what extent President Yeltsin is consulted over all strategic decisions relating to UNPROFOR operations in Yugoslavia; and if he will make a statement.

Mr. Douglas Hogg: Regular consultations in the Security Council and bilaterally take place between Ministers and officials of nations closely involved in the former Yugoslavia, of which Russia is one.

Economic Community of West African States

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to provide advice and assistance to the Economic Community of West African States in order to help develop its peacekeeping and peacemaking roles; and if he will make a statement.

Mr. Douglas Hogg: The United Kingdom has no plans to provide advice or assistance to ECOWAS in the field of peace keeping, although we supported the establishment of the United Nations operation in Liberia in which ECOMOG troops work alongside United Nations military observers.

Intelligence Services Bill

Mr. Hawkins: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the source of funding for compensation payments to complainants as provided for in the Intelligence Services Bill.

Mr. Douglas Hogg: Under the provisions of the Bill, the tribunal may direct my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs to pay to a complainant such sum by way of compensation as may be specified either by the tribunal or by the commissioner. My right hon. Friend the Foreign Secretary would consider all the individual circumstances of a case before determining from which budget any compensation award would come. Any payments would have to come out of existing provisions.

NORTHERN IRELAND

Proton Cars

Mr. Redmond: To ask the Secretary of State for Northern Ireland how many Proton cars were purchased by his Department in each of the last 10 years for which information is available; and at what cost.

Sir John Wheeler: None.

Health and Social Services Trusts

Mr. McGrady: To ask the Secretary of State for Northern Ireland which organisations have been consulted over the membership of the proposed Down and Lisburn unit trust and Craigavon and Banbridge unit trust; and which organisations were invited to nominate members to the trusts.

Mr. Ancram: My noble Friend Baroness Denton, the Parliamentary Under-Secretary of State advises me that her predecessor did not consult on the membership of the Down and Lisburn and Craigavon and Banbridge Health and Social Services Trust boards.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what consultations he or his colleagues had with the Eastern and Southern health and social services boards regarding the membership of the boards of the Down and Lisburn unit trust and Craigavon and Banbridge trust.

Mr. Ancram: None.

Mr. McGrady: To ask the Secretary of State for Northern Ireland who were the lay helpers or assessors who were involved in the creation of the Down and Lisburn and Craigavon and Banbridge trusts; and what was their role.

Mr. Ancram: The lay helper for the Down and Lisburn trust was Mrs. Gillian Shaw and the lay helper for Craigavon and Banbridge community trust was Mr. David Cook.

The position of lay helper in any trust is informal—voluntary and unpaid. Normally the role of lay helper is to assist in drawing up the formal appliction, and to support the sponsors of the application by giving potential trusts access to the types of skills and experience that non-executive members are expected to bring to the trust board. They are also expected to identify potential candidates for appointment as non-executive directors on the board of the trust.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what appointments were made to the boards of the Craigavon and Banbridge and Down and Lisburn unit trusts; when they took office; and what is their remuneration.

Mr. Ancram: On 1 September 1993 the following appointments were made to the board of the Down Lisburn Health and Social Services Trust:

Chairman
Mr. Gillian Shaw

Non-Executive Directors
Mrs. Denise Fitzsimons
Mr. Albert Baird
Mr. Alfie Linehan
Mrs. Ann Colgan
Mr. Mark Ennis

Mr. David Cook was appointed chairman of the Craigavon and Banbridge Community Health and Social Services Trust on 23 November 1993. On 1 March 1994 the following non-executive directors were appointed:

Mr. John Fairleigh
Mr. Cyril McElhinney
Ms Roisin McDonough
Mr. Michael Morrow

Remuneration for chairmen is based on the revenue spending of the trust. On that basis, Mrs. Shaw receives £19,285 per annum and Mr. Cook receives £17,145. All non-executive directors receive £5,000 per annum.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what consultations took place with the district councils in the Eastern and Southern board area, with members of the Southern and Eastern health boards, with members of the Southern and Eastern health and social services councils, or with hon. Members with

constituencies covering the Southern and Eastern boards, regarding the membership of the Down and Lisburn and Craigavon and Banbridge trusts.

Mr. Ancram: None.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what plans he has to review the social fund system in respect of regional differences in applications and awards, the removal of budgetary considerations, clearer definitions of the circumstances in which an award is made, clarification of the priority groups and a wider remit for those the fund assists.

Mr. Ancram: The operation of the discretionary social fund is monitored routinely. We believe that the basic principles of the fund are right and working well. Nevertheless, we continue to monitor its effectiveness and to introduce operational improvements as required.

Details of the basis of allocation and district allocations for 1994-95 are in the Library.

Dental Services

Mr. McGrady: To ask the Secretary of State for Northern Ireland what plans he has to undertake a review into the funding of children's dentistry; and if he will make a statement.

Mr. Ancram: There are no plans, at present, to undertake a review specifically into the funding arrangements for children's dentistry. The Government are, however, currently formulating proposals in relation to the future of national health service dentistry as a whole, and those proposals will take account of child dental health.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what is the amount spent annually per child under 18 years on general dental services in Northern Ireland, irrespective of registration with a general dental practitioner.

Mr. Ancram: I refer the hon. Gentleman to the answer that I gave the hon. Member for Rochdale (Ms Lynne), on 11 March, *Official Report*, columns *436-37*.

Overgrazing

Mr. Tyler: To ask the Secretary of State for Northern Ireland what procedures are in place to monitor whether meetings between his officials and producers to discuss ways of reducing overgrazing have led to reductions in overgrazing.

Mr. Ancram: County agriculture development officers have instructions to satisfy themselves that any measures agreed with farmers to reduce overgrazing are sufficiently monitored.

Mr. Tyler: To ask the Secretary of State for Northern Ireland what procedures are in place to reduce environmental damage caused through overgrazing consequent on that damage continuing after hill livestock compensatory allowances are withheld as a result of the introduction of the hill livestock compensatory allowance overgrazing clause.

Mr. Ancram: There are no overgrazing provisions in the hill livestock compensatory allowance scheme beyond the withholding of allowances. A consultation paper has, however, recently been issued on a proposal to introduce similar overgrazing provisions with other livestock subsidy schemes.

Mr. Tyler: To ask the Secretary of State for Northern Ireland how many farmers have had hill livestock compensatory allowances withheld in 1992, 1993 and 1994 as a direct result of the introduction of the hill livestock compensatory allowance overgrazing clause.

Mr. Ancram: None.

Mr. Tyler: To ask the Secretary of State for Northern Ireland how many farmers have been approached by his officials to discuss ways of reducing overgrazing in each year since the introduction of the hill livestock compensatory allowance overgrazing clause; and if he will make a statement.

Mr. Ancram: None. The overgrazing provisions are designed to ensure that farmers are informed of concern about changes in the condition of vegetation. Only a very small minority of farmers is likely to be affected.

Mr. Tyler: To ask the Secretary of State for Northern Ireland what procedures are in place to monitor whether overgrazing has reduced following the withholding of hill livestock compensatory allowances as a direct result of the introduction of the hill livestock compensatory allowance overgrazing clause.

Mr. Ancram: No hill livestock compensatory allowances have been withheld.

Mr. Tyler: To ask the Secretary of State for Northern Ireland how many hill livestock compensatory allowances he has withheld in 1992, 1993 and 1994 as a direct result of the introduction of the hill livestock compensatory allowance overgrazing clause; and if he will make a statement.

Mr. Ancram: None.

Livestock Allowances

Mr. Tyler: To ask the Secretary of State for Northern Ireland what was the budget, in real and nominal terms, for Northern Ireland in (i) 1991, (ii) 1992, (iii) 1993 and (iv) his estimate for 1994 for *(a)* the sheep annual premium, *(b)* the suckler cow premium and *(c)* the beef special premium.

Mr. Ancram: The information requested is in the table:

Table 1—Nominal Terms

	Financial Years (£)			
	1991-92	*1992-93*	*1993-94*	*[1]1994-95*
Sheep Annual Premium	30,763,195	28,653,416	42,066,430	34,998,000
Suckler Cow Premium	16,578,500	17,023,513	15,401,150	36,614,000
Beef Special Premium	7,226,097	6,226,618	14,655,469	38,499,000

[1]Estimated

Table 2—Real Terms

	Financial Years (£)			
	1991-92	*1992-93*	*1993-94*	*[1]1994-95*
Sheep Annual Premium	30,763,195	27,785,774	40,111,274	N/A
Suckler Cow Premium	16,578,500	16,508,031	14,685,339	N/A
Beef Special Premium	7,226,097	6,038,072	13,974,314	N/A

[1]Estimated

HOME DEPARTMENT

Car Crime

Mr. Nigel Evans: To ask the Secretary of State for the Home Department (1) what has been the rate of car crime in each year since 1990;

(2) how many thefts from vehicles were reported in each year since 1990;

(3) how many vehicles were reported stolen in each year since 1990;

(4) how many incidents of joyriding were reported in each year since 1990;

(5) what is the clear-up rate of vehicle crime, both in absolute numbers and as a percentage of reported cases by the police *(a)* nationally and *(b)* in Lancashire in each year since 1990.

Mr. Maclean: The available information relates to offences recorded by the police and is published annually in chapter 2 of "Criminal Statistics, England and Wales"; copies of which are available in the Library. Information for 1993 is not yet available.

Mr. Nigel Evans: To ask the Secretary of State for the Home Department how many incidents of hijacking of cars were reported in each year since 1990.

Mr. Maclean: The information is not collected centrally.

Braille Ballot Papers

Mr. McMaster: To ask the Secretary of State for the Home Department if he will introduce legislation to provide Braille ballot papers at polling stations; and if he will make a statement.

Mr. Peter Lloyd: We have no plans to do so.

Racial Incidents

Mr. Byers: To ask the Secretary of State for the Home Department how many racial incidents were reported to police forces in England and Wales in 1993.

Mr. Charles Wardle: Police forces are required to provide this information at the end of the fiscal year rather than the calendar year. The number of racial incidents recorded by each police force in England and Wales for the year April 1993 to March 1994 will be published once all the figures have been received and collated.

Electoral Register

Mr. Andrew Smith: To ask the Secretary of State for the Home Department how many European Union citizens from other member states have registered to vote as per their entitlements under the Maastricht treaty; if he will provide a breakdown by parliamentary constituency; and what advice he gave to local registration officers.

Mr. Peter Lloyd: Information about the number of Union citizens registering to vote at the forthcoming European parliamentary elections will not be available until the special supplementary register is published on 9 May. We intend to make the information public as soon as possible after that. Guidance has been issued to electoral registration officers on all matters relating to the registration of Union citizens.

Prosecution Limitation Rule

Mr. Milburn: To ask the Secretary of State for the Home Department how many cases he is aware of in each of the last 10 years where a prosecution for murder or manslaughter has not been possible because of the 366 day rule.

Mr. Maclean: Such information is not collected centrally. I understand, however, that the Crown Prosecution Service is aware of five cases in the last four years where the year and a day rule may have been a factor in a decision not to bring a prosecution for murder or manslaughter in England and Wales.

Asylum Seekers

Mr. Maclennan: To ask the Secretary of State for the Home Department if he will publish a breakdown of asylum seekers held in detention on 21 March *(a)* by nationality, *(b)* by gender, *(c)* by length of detention, *(d)* by place of detention and *(e)* by immigration status at the time of application.

Mr. Charles Wardle: The information requested on the number of asylum seekers detained on 21 March is not available. The information available relates to people detained under Immigration Act powers on 15 April, who had applied for asylum at some stage and is as follows:

	Number
(a) Nationality	
Algeria	51
Albania	1
Angola	15
Bangladesh	7
Brazil	1
Cameroon	1
China	7
Columbia	7
Congo	1
Cyprus	3
Djibouti	1
Egypt	3
Eritrea	1
Ethiopia	12
Ecuador	1

	Number
Guinea Bissau	1
Ghana	78
Haiti	1
India	141
Iran	2
Iraq	3
Israel	1
Ivory Coast	16
Jamaica	1
Kenya	19
Liberia	3
Libya	3
Malawi	1
Nationality Doubtful	4
Morocco	1
Niger	4
Nigeria	88
Pakistan	21
Peru	1
Philippines	1
Poland	2
Romania	13
Russia	3
Sierra Leone	8
Singapore	1
Sri Lanka	25
Slovenia	2
Somalia	3
South Africa	3
Sudan	1
Tanzania	1
Togo	2
Turkey	49
Uganda	7
United States of America	1
Zaire	26
Zambia	1
Zimbabwe	1
Total	651

	Number
(b) By gender	
Males	608
Females	43
Total	651

	Number
(c) By length of detention	
Over 12 months	[1]14
6 to 12 months	[1]31
2 to 6 months	[1]188
1 to 2 months	[1]53
Under 1 month	[1]83
Total	[1]369

[1]These figures do not include the 282 illegal entrants detained, for whom no breakdown as to length of detention is readily available.

(d) By place of detention

Immigration Service	*Number*
Campsfield House	136
Harmondsworth	87
Gatwick Beehive	12
Queens Building	13
Stansted	6
Port Detention	8
Newhaven	3

Prison Service	*Number*
Bedford	1
Belmarsh	1
Blakenhurst	21
Brinsford RC	4
Bristol	1
Bullingdon	1
Brixton	5
Canterbury	22
Camp Hill	1
Cardiff	1
Chelmsford	1
Dorchester	1
Dover	13
Dumfries	5
Durham	1
Elmley	1
Exeter	4
Feltham	5
Gateshead	2
Glen Parva	2
Gloucester	3
Greenock	2
Haslar[1]	82
High Down	14
Holloway	2
Hull	2
Leeds	1
Leicester	1
Lewes	2
Norwich	5
Pentonville	13
Reading	2
Risley	2
Rochester	1
Stanton	1
Shrewsbury	3
Strangeways	3
Walton	2
Wandsworth	2
Wellingborough	1
Winchester	5
Winson Green	29
Wormwood Scrubs	4
Police Cells	111
Total	651

[1] Haslar holding centre is primarily an Immigration Service detention centre, although managed by the Prison Service.

(e) By immigration status at the time of application

Application made at port following arrival in the United Kingdom	*Illegal Entrants*	*Subject to deportation action*
312	282	57

Voluntary Advice Services

Mr. Michael: To ask the Secretary of State for the Home Department what was the level of funding from his Department for voluntary advice services for the financial year 1993-94 and each of the previous 10 years; and how many schemes received funding in each year.

Mr. Peter Lloyd: Figures for 1993-94 are not yet available. Figures for the financial years 1989-90 to 1992-93 are given in the table. These indicate the number of schemes run by voluntary organisations where the main

aims included the provision of advice and information and show the level of Home Office funding. Figures for earlier years could be obtained only at disproportionate cost.

Financial year	Number of schemes	Level of funding £
1989-90	7	333,584
1990-91	23	474,160
1991-92	22	663,635
1992-93	51	721,606

Immigration Detainees (Hunger Strike)

Mr. Corbyn: To ask the Secretary of State for the Home Department what surveillance has been carried out of hunger strikers at Campsfield detention centre.

Mr. Charles Wardle: Detainees who claim to have refused meals for more than three days are placed in a separate unit at Campsfield house so that their medical condition can be closely monitored by qualified medical staff.

Mr. Corbyn: To ask the Secretary of State for the Home Department how many detainees, held under the Immigration Acts, are currently on hunger strike; for what length of time each has been on hunger strike; and where they are currently held.

Mr. Charles Wardle: On 15 April, 20 people detained under Immigration Act powers in the following locations were claiming to have refused meals since the dates shown:

Places of detention	Number of detainees refusing meals	Date
Campsfield house	7	11 March (1), 12 March (1), 13 March (1), 14 March (2), 28 March (2)
Brixton	1	30 March
Canterbury	2	8 March, 15 March
Exeter	1	7 April
High Down	4	9 April (3), 13 April (1)
Rochester	1	20 March
Winchester	1	8 March
Winson Green	1	19 March
Alexandra hospital	1	30 March
Epsom general hospital	1	8 March

Mr. Corbyn: To ask the Secretary of State for the Home Department what representations he has received concerning the hunger strikers in detention centres; and if he will make a statement on his policy towards them.

Mr. Charles Wardle: I have received representations and inquiries from 20 hon. Members, as well as from noble Lords, representatives of the clergy, members and former members of Oxford university, organisations and members of the public.

It has been made clear to those detainees refusing food that we will not be pressurised into granting release as a result of this action. Equally, we are concerned to ensure that they understand the medical implications for themselves and that their medical condition is closely monitored. In addition, all detention is reviewed regularly and at an increasingly senior level. This review seeks to ensure that everything possible is being done to resolve the detainee's position so that he or she can be released or removed from the United Kingdom without unnecessary delay.

Blakenhurst Prison

Ms Ruddock: To ask the Secretary of State for the Home Department (1) what was the total cost of transferring prisoners from Blakenhurst prison to other prisons following the incident at Blakenhurst on 24 February;

(2) whether the inquiry into the incident at Her Majesty's Prison Blakenhurst on 24 February has yet been completed; and if the results will be made public.

Mr. Peter Lloyd: Responsibility for these matters have been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 18 April 1994:

The Home Secretary has asked me to reply to your recent Questions about the incident at Blakenhurst prison on 24 February, and the total cost of transferring prisoners from Blakenhurst to other prisons following that incident.

United Kingdom Detention Services (UKDS) bore all the costs of transporting the prisoners after the incident and thus the Prison Service have not incurred additional expenditure.

The report of the inquiry into the disturbance at Blakenhurst prison was submitted on 7 March 1994. Reports of such inquiries are internal management documents which we do not publish for the reasons given in my letter to you of 10 March [Official Report: Col. 360 10 March 1994].

Legal Advice

Mr. Michael: To ask the Secretary of State for the Home Department what is his policy towards the provision of a network of independent advice and law centres throughout England and Wales; and what response he has made to the Advice 2000 initiative launched by the Advice Services Alliance.

Mr. Peter Lloyd: I refer the hon. Member to the answer given today to his question to my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department.

Police Discipline

Mr. Trotter: To ask the Secretary of State for the Home Department how many appeals have been made to him by police officers in each of the last five years and how many such cases involved disciplinary proceedings which had resulted in *(a)* dismissal, *(b)* the officer being required to resign and *(c)* reduction in rank; how many such appeals in each category were decided in each of the last five years; in how many cases the appeals were (i) upheld or (ii)

varied; and where reduction in rank was involved what was the reduction originally proposed and what was imposed after the appeal.

Mr. Charles Wardle: Statistical information relating to police disciplinary appeals is prepared on the basis of cases completed in each calendar year. Figures for the last five years are as follows:

Appeals completed	*1989*	*1990*	*1991*	*1992*	*1993*
Total number of appeals	42	45	43	58	35
Total appeals against dismissal,	4	12	8	14	8
of which:					
appeal allowed	—	—	—	1	2
punishment varied	3	6	3	1	—
Total appeals against requirement to resign,	26	21	21	20	19
of which:					
appeal allowed	—	—	1	1	—
punishment varied	5	4	1	4	4
Total appeals against reduction in rank,	7	6	2	12	3
of which:					
appeal allowed	—	1	—	—	—
punishment varied	4	2	1	2	2

Analysis of reductions in rank

Original punishment	*Result of appeal*
1989	
Chief inspector to constable	Reduced to sergeant
Inspector to sergeant	Varied to financial punishment
Inspector to constable	Appeal dismissed
Sergeant to constable	Varied to financial punishment
Sergeant to constable	Varied to reprimand
Sergeant to constable (two cases)	Appeal dismissed
1990	
Inspector to sergeant	Allowed
Inspector to constable	Appeal dismissed
Sergeant to constable	Varied to financial punishment
Sergeant to constable (three cases)	Appeal dismissed
1991	
Chief inspector to inspector	Varied to reprimand
Sergeant to constable	Appeal dismissed
1992	
Chief inspector to inspector	Appeal dismissed
Inspector to sergeant (three cases)	Appeal dismissed
Sergeant to constable (two cases)	Varied to financial punishment
Sergeant to constable (six cases)	Appeal dismissed
1993	
Chief inspector to inspector	Varied to financial punishment
Inspector to constable	Appeal dismissed
Sergeant to constable	Varied to financial punishment

European Court

Mr. Allen: To ask the Secretary of State for the Home Department if he will make a statement on the Government's current policy towards the right of individuals automatically to take cases to the European Court and the other reforms proposed by the Council of Europe.

Mr. Charles Wardle: Reforms of the machinery of the European convention on human rights are provided for in the draft 11th protocol to the convention. The United Kingdom proposes to sign the protocol at the meeting of Council of Europe Ministers on 11 May, and to ratify it in due course.

The United Kingdom has made a major contribution to the reforms, under which the European Commission and Court of Human Rights will be replaced by a single court. We have, for example, taken the lead in securing within the protocol effective and valuable provision for the friendly settlement of cases, for the re-hearing of cases brought by individual application and, in the final negotiations at Strasbourg on 21 to 25 March, for the re-hearing of "inter-state" cases.

As we explained in those negotiations, there are good reasons why the right of individual petition to the new court should be optional and renewable, whereas the protocol provides for this to be mandatory. We have decided to accept this in order to allow the institutional reforms to which we have made such a contribution to come into effect.

Correspondence

Mr. Winnick: To ask the Secretary of State for the Home Department when the hon. Member for Walsall, North will receive a reply to the last letter, dated 1 February, concerning Mr. A. Benton, reference 30817/93.

Mr. Maclean: The West Midlands police are continuing to make detailed inquiries into Mr. Benton's representations of wrongful conviction. I understand from the chief constable that certain lines of inquiry are still outstanding, but that he hopes to submit a report of his inquiries shortly. Once that report is to hand and I have had a chance to consider all the evidence in the round, I will write to the hon. Member to say whether any grounds have been disclosed which would justify referring Mr. Benton's conviction back to the Court of Appeal.

Campsfield Detention Centre

Mr. Corbyn: To ask the Secretary of State for the Home Department what other companies, or subsidiaries, of Group 4 have been used to provide security staff at Campsfield detention centre.

Mr. Charles Wardle: Security at Campsfield house is provided under contract by Group 4 Total Security Ltd., which has, on occasions, called on assistance from staff employed by Group 4 Securitas, including "Euroguard".

Coroner Peter Brunton

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) when his Department plans to assess new evidence relating to Coroner Peter Brunton; and if he will take evidence from Mr. Geoffrey Turner;

(2) when he expects the investigation into the conduct of the coroner of Ceredigion in the case of Mr. Jeremy Turner to be completed.

Mr. Charles Wardle: All representations received are being taken into account; any further written representation from Mr. Turner will be considered. We expect to

report the outcome of the investigation into the conduct of Coroner Peter Brunton, in the case of Mr. Jeremy Turner, to the Lord Chancellor's Department by the end of May.

Prisons Ombudsman

Mr. Willetts: To ask the Secretary of State for the Home Department what progress has been made in appointing a prisons ombudsman.

Mr. Howard: I am pleased to announce that I am appointing Sir Peter Woodhead KCB as the prisons ombudsman. Sir Peter plans to take up the post in May, and our intention is that his new office will be established and will start to receive and investigate prisoners' complaints in the autumn. I welcome this as a significant step in providing a further safeguard for the fair and just treatment of prisoners.

WALES

Dental Services

Mr. Martyn Jones: To ask the Secretary of State for Wales how many family health authorities have been unable to provide emergency dental services in the period since December 1992.

Mr. Gwilym Jones: Emergency dental service clinics currently operate in all Welsh family health services authority areas except Dyfed. There was a period up to May 1993 when Gwynedd family health services authority was also unable to arrange such a clinic.

Mr. Martyn Jones: To ask the Secretary of State for Wales how many patients have contacted each family health services authority asking for help in finding a dentist in the period since December 1992.

Mr. Gwilym Jones: The information provided by Welsh family health services authorities since 4 December 1992 is as follows:

	Number
Clwyd	2,029
Dyfed	1,645
Gwent	1,292
Gwynedd	10,816
Mid Glamorgan	437
Powys	1,264
South Glamorgan	2,935
West Glamorgan	205

This information was provided for management purposes only and has not been statistically validated.

Mr. Martyn Jones: To ask the Secretary of State for Wales how many dentists have given written notice to have their names removed from dental lists since 4 December 1992.

Mr. Gwilym Jones: Information provided by Welsh family health services authorities indicates that 44 dentists have given written notice to have their names removed from dental lists since 4 December 1992.

This information was provided for management purposes only and has not been statistically validated.

Mr. Martyn Jones: To ask the Secretary of State for Wales how many continuing care dental patients have been de-registered; and how many dentists have de-registered patients in the period since December 1992.

Mr. Gwilym Jones: Information provided by Welsh family health services authorities indicates that 12,190 patients were de-registered in the period since 4 December 1992.

During that period the number of dentists de-registering patients has not exceeded 20 in any fortnightly period.

This information was provided for management purposes only and has not been statistically validated.

Parliamentary Questions

Mr. Llew Smith: To ask the Secretary of State for Wales how many replies he has given since April 1992 to questions from hon. and right hon. Members stating that the information requested is already on the public record.

Mr. Redwood: Since April 1992, my predecessor and I received over 5,500 parliamentary questions. It is not possible to identify information in the form requested.

Orthopaedics

Mr. Morgan: To ask the Secretary of State for Wales (1) what consultations he has had with the chairman of South Glamorgan health authority concerning the provision and funding of additional Midas-Rex drills for revision orthopaedic surgery and other purposes at the Cardiff Royal group of hospitals;

(2) what consultations he has had with the chairman of the South Glamorgan health authority concerning the treatment centre at the Prince of Wales orthopaedic hospital, Rhydlafar, near Cardiff.

Mr. Redwood: While I have had no consultations with the chairmen, earlier today my hon. Friend the Parliamentary Under-Secretary of State announced funding for the treatment centre initiative for 1994-95. This includes £945,051 to provide 291 hip/knee replacements at the Rhydlafar centre, including £99,705 as a special measure to tackle waiting lists. Further funding, of £178,000 in 1994-95, is being made available for the extension of the initiative to provide a four-year programme of joint revision surgery within the Cardiff Royal group, including provision for the purchase of a Midas-Rex drill and other essential medical equipment.

Strategic Development Scheme

Mr. Llwyd: To ask the Secretary of State for Wales if he will publish for each county and district council what allocation of funding has been made under the strategic development scheme and its predecessor schemes, including the urban programmes, rural initiative, projects of national and regional importance and special projects, for the last three years and for 1994-95.

Mr. Redwood: Allocations made to local authorities in Wales under the urban programme, rural initiative, projects of regional and national importance and special project schemes between 1991-92 and 1993-94 and the strategic development scheme in 1994-95 are set out in the table.

Local authority urban programme (UP), rural initiative (RI) project of national and regional importance/special projects (PRNI/SP) and strategic development scheme (SDS) allocations between 1991 and 1995

Local authority	Programme	1991-92	1992-93[2]	1993-94[1]	1994-95[1]
Clwyd CC	RI	165,000	170,000	279,000	—
	UP	1,904,020	1,777,985	804,817	—
	PRNI/SP	2,390,000	2,361,000	2,000,000	—
	SDS	—	—	—	1,297,237
Alyn and Deeside CC	RI	—	—	—	—
	UP	257,613	100,000	337,500	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	1,337,527
Colwyn DC	RI	40,000	—	32,000	—
	UP	315,707	133,000	70,000	—
	PRNI/SP	—	—	580,000	—
	SDS	—	—	—	1,447,000
Delyn	RI	120,000	—	—	—
	UP	810,141	756,658	337,998	—
	PRNI/SP	650,000	2,000,000	1,950,000	—
	SDS	—	—	—	728,758
Glyndwr DC	RI	180,000	270,000	174,540	—
	UP	298,987	225,237	118,131	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	1,186,956
Rhuddlan BC	RI	147,000	—	27,000	—
	UP	687,000	1,125,000	1,137,554	—
	PRNI/SP	840,000	825,000	1,200,000	—
	SDS	—	—	—	820,867
Wrexham Maelor BC	RI	—	—	—	—
	UP	1,436,703	549,559	246,401	—
	PRNI/SP	1,350,000	200,000	2,085,000	—
	SDS	—	—	—	1,487,336
Dyfed CC	RI	553,000	2,312,700	838,500	—
	UP	1,010,538	303,683	351,184	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	1,289,653[2]
Carmarthen DC	RI	557,650	126,500	120,000	—
	UP	694,088	17,865	17,865	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	183,933[3]
Ceredigion DC	RI	140,000	240,000	302,000	—
	UP	277,127	107,163	76,781	—
	PRNI/SP	—	—	500,000	—
	SDS	—	—	—	975,194[3]
Dinfwr BC	RI	78,000	125,000	236,000	—
	UP	762,731	1,080,375	427,830	—
	PRNI/SP	900,000	600,000	—	—
	SDS	—	—	—	1,443,915
Llanelli BC	RI	—	—	—	—
	UP	434,327	1,103,627	764,057	—
	PRNI/SP	1,000,000	1,095,627	1,500,000	—
	SDS	—	—	—	2,224,300
Preseli Pembrokeshire DC	RI	33,450	347,104	1,021,460	—
	UP	316,530	112,439	140,000	—
	PRNI/SP	650,000	700,000	—	—
	SDS	—	—	—	927,015
South Pembrokeshire DC	RI	60,000	146,000	678,340	—
	UP	274,247	193,000	221,792	—
	PRNI/SP	—	—	1,000,000	—
	SDS	—	—	—	2,481,272
Gwent CC	RI	—	—	—	—
	UP	5,479,696	2,234,987	1,355,759	—
	PRNI/SP	1,054,000	500,000	500,000	—
	SDS	—	—	—	2,389,256
Blaenau Gwent BC	RI	9,800	—	—	—
	UP	5,883,525	1,680,885	915,728	—
	PRNI/SP	1,055,000	700,000	655,000	—
	SDS	—	—	—	1,752,723
Islwyn BC	RI	—	—	—	—
	UP	1,058,884	840,476	722,920	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	1,256,908
Monmouth DC	RI	236,000	211,000	56,911	—
	UP	264,683	29,724	203,306	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	57,873
Newport BC	RI	—	—	—	—
	UP	678,392	815,426	1,034,386	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	1,153,335

Local authority	Programme	1991-92	1992-93[3]	1993-94[4]	1994-95[4]
Torfaen BC	RI	—	—	—	—
	UP	801,739	464,436	345,344	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	640,075
Gwynedd CC	RI	410,000	208,000	641,000	—
	UP	1,069,774	1,495,728	1,460,011	—
	PRNI/SP	248,000	—	806,000	—
	SDS	—	—	—	2,778,897
Aberconway BC	RI	—	617,983	440,000	—
	UP	260,900	190,900	170,450	—
	PRNI/SP	759,000	2,185,000	—	—
	SDS	—	—	—	1,170,000
Arfon BC	RI	300,000	94,500	590,000	—
	UP	807,403	656,932	381,854	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	1,126,060
Dwyfor DC	RI	250,000	156,400	501,300	—
	UP	250,000	150,000	121,475	—
	PRNI/SP	1,400,000	1,900,000	—	—
	SDS	—	—	—	787,464
Meirionnydd DC	RI	—	100,000	526,100	—
	UP	399,539	221,029	157,595	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	622,576
Ynys Mon BC	RI	52,000	135,000	390,000	—
	UP	583,406	318,282	127,071	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	1,019,198
Mid Glamorgan CC	RI	—	—	—	—
	UP	2,163,187	2,419,309	2,195,545	—
	PRNI/SP	7,430,000	2,374,309	—	—
	SDS	—	—	—	2,595,176
Cynon Valley BC	RI	—	—	—	—
	UP	2,272,621	2,322,765	1,775,532	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	1,936,880
Merthyr Tydfil BC	RI	—	—	—	—
	UP	1,059,184	1,487,581	987,046	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	892,769
Ogwr BC	RI	—	—	—	—
	UP	1,185,108	1,353,902	1,165,412	—
	PRNI/SP	—	—	—	1,102,278
	SDS	—	—	—	—
Rhondda BC	RI	—	—	—	—
	UP	1,823,311	1,896,285	2,804,766	—
	PRNI/SP	900,000	—	—	—
	SDS	—	—	—	4,450,290
Rhymey Valley DC	RI	—	—	—	—
	UP	642,858	1,161,266	744,720	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	800,000
Taff-Ely BC	RI	—	—	—	—
	UP	665,850	1,084,591	533,282	—
	PRNI/SP	350,000	—	—	—
	SDS	—	—	—	420,789
Powys CC	RI	277,122	500,000	317,000	—
	UP	763,280	114,640	90,566	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	774,738
Brecknock BC	RI	360,000	—	110,000	—
	UP	385,000	250,000	—	—
	PRNI/SP	—	—	1,316,000	—
	SDS	—	—	—	2,330,000
Montgomeryshire DC	RI	580,000	196,826	262,000	—
	UP	560,000	—	—	—
	PRNI/SP	—	—	—	—
	SDS	—	—	—	125,790
Radnor DC	RI	420,000	31,000	—	—
	UP	604,686	15,836	15,836	—
	PRNI/SP	805,000	250,000	—	—
	SDS	—	—	—	182,918
South Glamorgan CC	RI	—	—	—	—
	UP	1,136,343	1,624,470	1,339,602	—
	PRNI/SP	400,000	—	—	—
	SDS	—	—	—	1,227,698
Cardiff CC	RI	—	—	—	—
	UP	1,206,534	1,076,683	1,310,492	—

Local authority	Programme	1991-92	1992-93[2]	1993-94[3]	1994-95[4]
Vale of Glamorgan CC	PRNI/SP	—	—	—	—
	SDS	—	—	—	988,961
	RI	—	—	—	—
	UP	288,710	577,677	760,882	—
West Glamorgan CC	PRNI/SP	—	—	—	—
	SDS	—	—	—	1,189,632
	RI	—	—	—	—
	UP	1,072,526	1,358,844	1,632,821	—
Port Talbot BC	PRNI/SP	—	300,000	1,879,000	—
	SDS	—	—	—	2,281,353
	RI	—	—	—	—
	UP	622,700	183,047	330,809	—
Llliw Valley BC	PRNI/SP	—	—	—	—
	SDS	—	—	—	249,797
	RI	—	—	8,344	—
	UP	302,300	432,078	338,504	—
Neath BC	PRNI/SP	—	—	—	—
	SDS	—	—	—	281,758
	RI	—	—	—	—
	UP	816,520	679,811	310,285	—
Swansea CC	PRNI/SP	—	—	—	—
	SDS	—	—	—	347,311
	RI	—	—	—	—
	UP	554,307	544,277	964,804	—
	PRNI/SP	1,239,000	—	165,000	—
	SDS	—	—	—	2,625,245

[1] Includes additional in-year allocations.
[2] Includes £0·5 million available to any local authority within the West Wales Task Force area.
[3] Does not include £1·9 million set aside for projects supported in principle for Carmarthen DC and Ceridigion DC.
[4] Includes slippage on schemes carried forward from 1993-94.
[5] Figures updated since Mr. Elfyn Llwyd's question (PQ 934/93/94) answered on 3 March 1994.

Mr. Llwyd: To ask the Secretary of State for Wales by what method his Department calculates the index used to determine funding for strategic development schemes in local councils; what method is used to allow for sparsity of population; and if he will make a statement.

Mr. Redwood: Funding under the strategic development scheme is allocated according to the quality of the bids which local authorities submit. In reaching decisions I have regard to the needs reflected in the index of socio-economic conditions. The composition of the index was agreed with the local authority associations and is compiled using eight factors largely derived from census information. The factors are measured in terms of both scale—that is, actual numbers—and intensity—that is, proportion of the population. The data are statistically transformed to make each factor comparable, weighted and combined to give an overall score for each electoral ward. The eight factors are:

a. Unemployment
b. Economically active population
c. Low socio-economic groups
d. Population loss in the 20 to 59 years age group
e. Permanently sick
f. Overcrowding in housing
g. Level of basic housing amenities
h. Standard mortality rate (relatives values only).

Sparsity of population is not a factor in the index.

School Admission Appeals

Mr. Byers: To ask the Secretary of State for Wales if he will list the figures, in total and for each local education authority, of admission appeals by parents failing to obtain a place for their child in the school of their choice; and, of this total, how many *(a)* were withdrawn before committee stage, *(b)* were settled to mutual satisfaction before committee stage, *(c)* were rejected by committee and *(d)* were decided in the parents' favour by the committee for each year since 1989-90.

Sir Wyn Roberts: This information is not collected centrally.

Advice Services

Mr. Michael: To ask the Secretary of State for Wales what is his policy towards the provision of a network of independent advice and law centres throughout Wales; and what response he has made to the aims of the Independent Advice Services in Wales initiative and the Advice 2000 initiative launched by the Advice Services Alliance.

Mr. Redwood: I refer the hon. Member to the reply given to him today by my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department.

I cannot comment on the aims included in the reports, "Independent Advice Services in Wales" or "Advice 2000", as I have yet to receive copies.

Mr. Michael: To ask the Secretary of State for Wales what is the level of funding from the Welsh Office for voluntary advice services for the financial year 1993-94 and each of the previous 10 years; and how many schemes received funding in each year.

Mr. Gwilym Jones: Figures for 1993-94 are not yet available. Figures for the financial years 1989-90 to 1992-93 are given in the table. These indicate the number of schemes run by voluntary organisations where the main aims included the provision of advice and information, and show the level of Welsh Office funding. Figures for earlier years could be obtained only at disproportionate cost.

Financial year	Number of schemes	Welsh Office funding £
1989-90	15	533,025
1990-91	14	673,196
1991-92	24	797,456
1992-93	47	1,990,406

Agricultural Subsidies

Mr. Tyler: To ask the Secretary of State for Wales what was the budget, in real and nominal terms, for Wales in (i) 1991, (ii) 1992, (iii) 1993 and (iv) his estimate for 1994 for *(a)* the sheep annual premium, *(b)* the suckler cow premium and *(c)* the beef special premium.

Mr. Redwood: The budgets for the sheep annual premium, the suckler cow premium and the beef special premium schemes are set out by financial year in the tables. Table 1 shows the expenditure and provision in 1994-95 and table 2 shows the figures at 1994-95 prices adjusted using the current GDP deflator.

Table 1

Cash (£'000s)

Scheme	Outturn 1991-92	Outturn 1992-93	Expected outturn 1993-94	Provision 1994-95
Sheep annual premium (including LFA supplement)	78,196	95,101	137,201	133,832
Suckler cow premium (including extensification 1994-95)	10,686	11,428	9,042	21,167
Beef special premium (including extensification 1994-95)	0	0	5,136	11,604

Table 2

1994-95 prices (£'000s)

Scheme	Outturn 1991-92	Outturn 1992-93	Expected outturn 1993-94	Provision 1994-95
Sheep annual premium (including LFA supplement)	87,190	102,119	142,689	133,832
Suckler cow premium (including extensification 1994-95)	11,915	12,271	9,404	21,167
Beef special premium (including extensification 1994-95)	0	0	5,362	11,604

Notes

1. The figures in table 1 for 1991-92 and 1992-93 can be found in the respective appropriation accounts.
2. The figures in table 2 for 1993-94 will be finalised in the appropriation accounts which will be published later this year.
3. The figures for 1994-95 are available in the 1994-95 main supply estimate class XV vote 1.
4. Prior to 1993-94, beef special premium expenditure was the responsibility of the Intervention Board Executive Agency.

Overgrazing

Mr. Tyler: To ask the Secretary of State for Wales how many farmers have been approached by his officials to discuss ways of reducing overgrazing in each year since the introduction of the hill livestock compensatory allowance overgrazing clause; and if he will make a statement.

Mr. Redwood: None. Claimants for the hill livestock compensatory allowances are warned that if the land on which the stock is kept is found to be overgrazed the payment will be reduced. There have been no cases so far where this has been necessary.

Mr. Tyler: To ask the Secretary of State for Wales (1) how many farmers have had hill livestock compensatory allowances withheld in 1992, 1993 and 1994 as a direct result of the introduction of the hill livestock compensatory allowance overgrazing clause;

(2) how many hill livestock compensatory allowances he has withheld in 1992, 1993 and 1994 as a direct result of the introduction of the hill livestock compensatory allowance overgrazing clause; and if he will make a statement.

Mr. Redwood: None.

Mr. Tyler: To ask the Secretary of State for Wales what procedures are in place to monitor whether meetings between his officials and producers to discuss way of reducing overgrazing have led to reductions in overgrazing.

Mr. Redwood: There have been no such meetings in Wales. However, my officials would satisfy themselves that any measures agreed with graziers to reduce overgrazing in the future are adequately monitored.

Mr. Tyler: To ask the Secretary of State for Wales what procedures are in place to monitor whether overgrazing has reduced following the withholding of hill livestock compensatory allowances as a direct result of the introduction of the hill livestock compensatory allowance overgrazing clause.

Mr. Redwood: My Agriculture Department has arrangements with ADAS to undertake monitoring of the

growth, quality and species composition of the vegetation on land which is considered to be overgrazed, to establish trends and to report on whether the measures taken have been sufficient to arrest further deterioration.

Mr. Tyler: To ask the Secretary of State for Wales what procedures are in place to reduce environmental damage caused through overgrazing consequent on that damage continuing after hill livestock compensatory allowances are withheld as a result of the introduction of the hill livestock compensatory allowance overgrazing clause.

Mr. Redwood: The Department has arrangements with the Agricultural Development Advisory Service to undertake monitoring of the growth, quality and species composition of the vegetation on land which is considered to be overgrazed, to establish trends and to report on whether the measures taken have been sufficient to arrest further deterioration.

HEALTH

Dental Services, North Warwickshire

Mr. Mike O'Brien: To ask the Secretary of State for Health how many dentists in practice in north Warwickshire *(a)* take national health services patients and *(b)* take private patients only, but took national health service patients until 1990.

Dr. Mawhinney: At September 1993 the number of dentists providing general dental services in the Warwickshire family health services authority area, which includes North Warwickshire, was 149. The comparable number at 30 September 1990 was 146. Dentists are independent contractors who make their own decisions about whether to accept patients under national health service arrangements.

Nitrites

Dr. Spink: To ask the Secretary of State for Health what evidence exists to connect the use of nitrites as aphrodisiac drugs with AIDS.

Mr. Sackville: Two studies published in 1993 investigated a relationship between the use of alkyl nitrites and the development of AIDS in homosexual men. One study followed up 812 homosexual and bisexual men in San Francisco for eight years. The second study followed 715 homosexual men in Canada for an average of 8·6 years. Both observed that AIDS-associated diseases occurred only in men who were infected with human immunodeficiency virus. Further, use of alkyl nitrites had no effect on the rate at which AIDS developed in HIV-infected men. Significant numbers of HIV-negative men used alkyl nitrites but these men did not develop AIDS-associated diseases. Smaller studies in the United Kingdom have found similar results.

Dr. Spink: To ask the Secretary of State for Health what research is being or has been conducted into the effect of nitrites, with particular reference to amyl nitrite, on the immune system; and if she will make a statement.

Mr. Sackville: There is no evidence that use of amyl nitrite causes severe, prolonged or progressive immunosuppression. A study of 715 homosexual men in Canada followed for an average of 8.6 years investigated the effect of amyl nitrite use on the CD4 cells of the immune system. The loss of circulating CD4 cells is observed in all patients with AIDS. The use of amyl nitrite inhalers had no effect on the number of circulating CD4 cells either in HIV-negative or HIV-positive men.

Breast Cancer

Mr. Sherman: To ask the Secretary of State for Health (1) if she will establish a high-level inquiry into the present level of deaths from breast cancer;

(2) when she will next meet representatives of general practitioners to discuss the diagnosis and treatment of breast cancer;

(3) what steps she is taking to reduce the number of deaths from breast cancer;

(4) when she last met the Royal College of Surgeons to discuss the level of deaths from breast cancer in the United Kingdom;

(5) what action she is taking to spread best practice from the best health authorities and hospitals in the diagnosis, treatment and care of breast cancer to those areas and hospitals which perform badly.

Mr. Sackville: We have no plans to establish a specific inquiry into breast cancer deaths in this country. The Chief Medical Officer's expert advisory group on cancer is currently preparing advice for general practitioners and health authorities on the organisation of cancer services. These recommendations will be put to my right hon. Friend the Secretary of State and will be followed by consultation with relevant professional bodies.

Psychiatric Services

Mr. Spring: To ask the Secretary of State for Health what is the average annual amount per capita spent on psychiatric services in East Anglia.

Mr. Sackville: My hon. Friend may wish to contact Dr. Stuart Burgess, chairman of the Anglia and Oxford regional health authority, for details.

Mr. Spring: To ask the Secretary of State for Health what is the level of annual spending per capita on psychiatric services in *(a)* West Suffolk, *(b)* East Suffolk and *(c)* North Lincolnshire.

Mr. Sackville: Information on annual spending per capita on psychiatric services is not available centrally. However, information on annual spending per capita in 1992-93 on mental health services, which includes psychiatric services by district health authority is available in the Library.

Junior Doctors

Mr. Jim Cunningham: To ask the Secretary of State for Health how many young doctors left the health service this year; and what were the figures for 1991-92 and 1992-93.

Dr. Mawhinney: This information is not available centrally.

Mr. Hoyle: To ask the Secretary of State for Health how many hospitals now have no junior doctors working more than 72 hours per week; what percentage this is of the

total; if she will name the hospitals which have junior doctors working more than 72 hours per week; what plans she has to reduce the maximum weekly hours worked by junior doctors; and what considerations underlay the decision to apply quotas in respect of junior doctors to NHS trust hospitals.

Dr. Mawhinney: Information on individual hospitals is not available centrally.

In England, there were 11,205 junior doctors and dentists contracted for more than 72 hours a week at 30 September 1993—43 per cent. of the total. Of these, 7,889 were in hard-pressed posts, a fall of 22 per cent. on the previous six months. Our priority is to eliminate all hard-pressed posts contracted for more than an average of 72 hours a week by the end of 1994. This is in accordance with the timetable in "The New Deal", a copy of which is available in the Library.

Regional task forces monitor and support implementation locally. I announced in March further central funding to support reductions in hours. This will mean that since "The New Deal" was launched in 1991 we have funded an extra 600 consultant and 150 staff grade posts to help reduce hours. Overall we have spent more than £115 million since 1991 to support the new deal. This is a clear indication of our commitment to tackle this problem.

Our medical staffing policy is set out in "Achieving a Balance: Plan for Action, 1987", a copy of which is also available in the Library. Its major objectives are to improve patient care by increasing the amount of care provided by fully trained hospital doctors and to safeguard the career opportunities of junior doctors.

Under "Achieving a Balance", arrangements exist to relate the number of United Kingdom and European Community doctors entering the registrar and senior registrar grades in all national health service hospitals to predicted consultant opportunities while continuing to allow overseas graduates access to the training grade. This aims to minimise the possibility of over or under-provision of training places in each specialty and the concomitant waste of resources. Regional task forces have responsibility for changing the number and distribution of senior house officers where this is needed to achieve new deal hours targets.

Mr. Hoyle: To ask the Secretary of State for Health at what level the decision as to the quota of junior doctors allocated to a trust hospital is taken.

Dr. Mawhinney: At senior and career registrar levels, the joint planning advisory committee is responsible for advising the national health service executive as to overall targets for all the medical and dental specialties. These targets are then allocated to regions, the special health authorities and Wales. Exact locations of posts within each region are then a matter for local decision, in discussion with postgraduate deans and specialty advisors to ensure the educational appropriateness of training facilities.

Control of senior house officer numbers has been devolved to the regional office task forces, in consultation with regional postgraduate deans.

Sex-Enhancing Drugs

Dr. Spink: To ask the Secretary of State for Health what steps she has taken to warn people about the possible adverse effects of the use of sex-enhancing drugs, and in particular nitrates, and the possible impact of such substances on the immune system.

Mr. Sackville: Recently the Department ran a £2·6 million television and press campaign to inform parents in the fight against drugs and solvent misuse. We are also running a competition for schools "Acting for Health—Drugs, Smoking and Alcohol Abuse", which aims to encourage young people to think about the consequences of substance misuse and how it affects the individual, his or her family and friends and community. As part of our strategy to reduce substance misuse we are keeping the position regarding alkyl nitrites under close review.

Drug and alcohol abuse, including the use of sex-enhancing drugs, may increase the likelihood of indulgence in risky sexual behaviour which could lead to infection with sexually transmitted diseases. This message, including mention of alkyl nitrite inhalants, is included where appropriate in sexual health promotion material prepared for homosexual men.

Dr. Spink: To ask the Secretary of State for Health what evidence exists and what research has been or is being conducted into the link between the use of sex-enhancing drugs, with particular reference to nitrites, and cancer, with particular reference to Kaposi's sarcoma.

Mr. Sackville: There is no clear evidence that use of alkyl nitrites causes cancer in humans. Some studies reported an association in homosexual AIDS patients between development of Kaposi's sarcoma and prior use of alkyl nitrites. However, later studies have not confirmed this association. The epidemiology of Kaposi's sarcoma suggests the involvement of an infectious agent that can be transmitted sexually. It is possible that use of alkyl nitrites is associated with higher number of sexual partners and thus greater risk of infection with this agent. As well as the occurrence of Kaposi's sarcoma as a manifestation of AIDS, a less aggressive form of the disease is seen in elderly men of mediterranean origin and in Africa. Use of alkyl nitrites is likely to be rare in these populations.

High-alcohol Beers

Mr. Sheerman: To ask the Secretary of State for Health what steps she proposes to take to discourage young people from drinking high alcohol content beers.

Mr. Bowis: The Government are committed to encouraging everyone who drinks alcohol to do so sensibly including young people. The effects of alcohol are included in the national curriculum, and the Department, the Health Education Authority and the industry-sponsored Portman Group have all produced materials for young people. It is important that alcohol consumers should be aware of the strength of their drinks and in "The Health of the Nation," we announced we would seek agreement with alcohol trade associations for the display of this information at points of sale.

Homeless People

Ms Primarolo: To ask the Secretary of State for Health what information she has of the percentage of homeless people who have had a care order at some time in the past or at present.

Mr. Bowis: The Department does not collect information about the whereabouts of children once they have ceased to be looked after by a local authority and no figures are currently available about homeless children subject to court orders.

Press Officers

Ms Primarolo: To ask the Secretary of State for Health what is the average time taken for one of her press officers to answer a telephone call.

Mr. Sackville: This information could be provided only at disproportionate cost.

Pharmaceutical Price Regulation Scheme

Mr. Bayley: To ask the Secretary of State for Health if she will place in the Library a copy of Strachan Heppell's letter dated 6 September 1993 to the president of the Association of the British Pharmaceutical Industry about how the new version of the pharmaceutical price regulation scheme will be implemented.

Dr. Mawhinney: A copy has been placed in the Library.

Edgware General Hospital

Mr. Dykes: To ask the Secretary of State for Health if she will announce her response to the public representations against the proposed closure of Edgware general hospital sent to her Department since the beginning of the year.

Mr. Sackville: Any proposal for a major change in services would be subject to a period of public consultation. The matter comes to Ministers if there are objections. All factors are taken into account including public representations.

Condoms

Mr. Blunkett: To ask the Secretary of State for Health what discussions she has had with the Minister for Consumer Affairs following the lifting of price controls on condoms.

Mr. Sackville: There has been no formal meeting of Health and Consumer Affairs Ministers following the lifting of price control on condoms. The decision to accept the recommendation of the Monopolies and Mergers Commission was taken by the Parliamentary Under-Secretary of State for Corporate Affairs in the light of the fact that the Department of Health had given evidence to the Monopolies and Mergers Commission, and in liaison with the Minister responsible for consumer affairs.

Health Education Authority

Mr. Blunkett: To ask the Secretary of State for Health when she plans to publish the report of the Leigh review of the Health Education Authority.

Mr. Sackville: I refer the hon. Member to the reply that I gave him on 11 March at column *445*.

Vacant Consultant Posts

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 12 April, *Official Report*, column *79*, what information has become available to her Department as a result of representations received about the number of hospital consultant posts that are currently vacant as a result of recruitment difficulties in *(a)* anaesthetics, *(b)* ophthalmology and *(c)* paediatrics.

Dr. Mawhinney: No new information has been made available as a result of representations received in the specialties mentioned.

Age Discrimination

Mr. David Young: To ask the Secretary of State for Health (1) what monitoring procedures are in place to ensure that district hospital management committees and hospital trusts do not discriminate against the elderly by refusal to provide, or withdrawal of, treatment; and what further action she proposes to take;

(2) how many administrators and medical staff have been found to have used age as a means of determining access to treatment or physiotherapy facilities in the last five years; and what disciplinary measures have been taken in respect of them.

Dr. Mawhinney: It is the duty of all health authorities to ensure that people of all ages have access to acute care and that specialist care is available to those who suffer with chronic conditions due to the aging process. We are satisfied that we have mechanisms in place for monitoring the performance of health authorities in this respect.

Mr. David Young: To ask the Secretary of State for Health if she will lay down a streamlined procedure for patients who allege they have been discriminated against because of their age in the medical treatment they receive.

Dr. Mawhinney: It is the duty of all health authorities to ensure that people of all ages have access to acute care, and that specialist care is available to those who suffer with chronic conditions due to the aging process. The patient's charter establishes a charter right to have any complaint about national health service services—investigated and to receive a full and prompt written reply. If patients think that they have been, or were likely to be, denied one of their national charter rights, they should write to the chief executive of the national health service executive who will investigate the matter. My right hon. Friend the Secretary of State has recently received a report on NHS complaints procedures and is considering its recommendations.

Wythenshawe Hospital Development Scheme

Mr. Alfred Morris: To ask the Secretary of State for Health, pursuant to her answer of 12 April, *Official Report*, columns *78-79*, what is her estimate of the total cost saving expected for the revision of the Wythenshawe hospital development scheme; if she will provide a breakdown of her calculations; and when she expects to be able to give details of the impact of the revision on the scheme as originally proposed and on Withington and other Manchester hospitals.

Dr. Mawhinney: The revision of the Wythenshawe

scheme is not yet finalised, and we are not therefore yet in a position to give further details.

Private Patient Units

Mr. Blunkett: To ask the Secretary of State for Health what information she has received regarding proposals to convert NHS wards to dedicated private patient units.

Mr. Sackville: None.

Regional Health Authority Funding

Mr. Bradley: To ask the Secretary of State for Health (1) when the revised funding formula for the allocation of resources to regional health authorities will be published;

(2) how long the consultation period will be on the new funding formula for the allocation of resources to regional health authorities; and which groups and organisations will be included in the consultation process.

Mr. Sackville: The results of the review of the weighted capitation formula, which is used to allocate resources to regional health authorities, are currently being evaluated. When the report has been presented to Ministers we shall consider the arrangements for circulation, and extent of the consultation required.

Adult Placement Services

Mr. Hinchliffe: To ask the Secretary of State for Health wat evaluation she has undertaken of the impact of the Registered Homes (Amendment) Act 1991 on the regulation of adult placement services; and if she will make a statement.

Mr. Bowis: Following representations from the national organisations concerned with adult placement schemes, the social services inspectorate asked local authorities for information about how they intended to apply the guidance issued on implementation of the Registered Homes (Amendment) Act 1991.

Mr. Hinchliffe: To ask the Secretary of State for Health how many local authorities *(a)* directly regulate adult placement services through registration officers and *(b)* allow adult placement services themselves to regulate the services under the supervision of registration officers.

Mr. Bowis: There is no legislation requiring the registration of adult placement schemes as such. However, where residential accommodation, board and personal care are provided for up to three residents, registration of the home concerned is required under the Registered Homes (Amendment) Act 1991, in the same way as for other small residential care homes.

No information is available centrally about the extent to which local authorities, in carrying out their responsibilities under the Act, rely on checks on individual carers made by the adult placement schemes rather than make checks directly themselves.

Temporary Ward Closures

Mr. David Young: To ask the Secretary of State for Health if she will monitor health authorities and trusts in order to establish whether temporary closure of long-stay elderly wards is used as a means to permanent closure; and if she will make a statement.

Mr. Bowis: No. District health authorities have a statutory duty to consult the relevant community health council on proposals they are considering that would result in substantial changes to local services.

Mr. David Young: To ask the Secretary of State for Health if she will make it her policy that temporary closure of hospital wards is subject to full consultation procedures where this results in the break-up of specialist medical and nursing teams.

Mr. Sackville: Regulations specify that health authorities must consult where a substantial closure, development or variation of service is proposed. No distinction is made between permanent and temporary closure. A specialist medical and nursing team would normally only be changed for service reasons.

SCOTLAND

Conservation Areas

Mr. Charles Kennedy: To ask the Secretary of State for Scotland if the list of possible special areas of conservation will be moderated by him on economic, social, cultural and local characteristics before a list is issued for public consultation.

Sir Hector Monro: Yes.

Scottish Enterprise

Mr. Worthington: To ask the Secretary of State for Scotland what proposals he has had to increase the openness and accountability of Scottish Enterprise and the local enterprise companies.

Mr. Stewart: The Government and the Scottish Enterprise network keep under review the scope for increasing the existing openness and accountability of Scottish Enterprise and its local enterprise companies. My right hon. Friend recently invited Scottish Enterprise and the local enterprise companies to consider how the already high level of accountability and openness in the network might be further developed to secure greater transparency and wider participation.

Local Enterprise Companies

Mr. Worthington: To ask the Secretary of State for Scotland when the existing contract for local enterprise companies comes to an end; and what procedure will be followed in choosing the successor companies.

Mr. Stewart: The local enterprise companies' operating contracts with Scottish Enterprise and Highlands and Islands Enterprise are renegotiated and renewed annually. Selection procedures, in the case of competing bids for a particular area, are an operational matter for Scottish Enterprise and Highlands and Islands Enterprise.

Set-aside

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland when an announcement on the rotational set-aside for non-LFA farmers not in less-favoured areas is to be made.

Sir Hector Monro: As I announced on 25 March, the EC Commission has agreed the regulation stipulating that

the uncompensated set-aside requirement this year in respect of the 1993 overshoot in the Scottish non-LFA arable sector has been reduced to 0.54 per cent. My Department is now making arrangements for additional compensatory payments to be made to the farmers concerned; these will issue as soon as the Commission regulation comes into force.

Rented Housing

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland (1) how many private landlords have been visited by rent officers in each year since 1990;

(2) how many private landlords were prevented by rent officers from providing accommodation for benefit claimants in each year since 1990;

(3) how many private landlords provided accommodation for benefit claimants in each year since 1990.

Lord James Douglas-Hamilton: Rent officers register fair rents for regulated tenancies, and determine reasonable rents for the purposes of housing benefit subsidy on request from local housing authorities, who decide whether to award housing benefit in individual cases. Rent officers are not required to visit landlords for either function, although they may inspect individual dwellings; and when registering a fair rent the rent officers may hold a consultation to which the landlord is invited, but which he need not attend. Figures are therefore not available for landlords as requested, but the figures for rent determinations for fair rent and housing benefit purposes are as follows:

Year	*Fair rent*	*Housing benefit*
1990	17,309	37,034
1991	15,554	39,670
1992	12,411	45,690
1993	12,163	50,231

Note:
These figures may include more than one determination relating to the same person.

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what was the total sum of rents referred to the rent registration service for the last year for which figures are available and the total sum of rents determined as reasonable for housing benefit subsidy for the same period.

Lord James Douglas-Hamilton *[holding answer 31 March 1994]:* It is estimated, on the basis of a 90 per cent. sample of cases recorded for 1993, that the total sum of rents referred to the rent registration service for housing benefit purposes was around £145 million and the total sum of rents determined was around £131 million.

Concessionary Travel Schemes

Mr. McMaster: To ask the Secretary of State for Scotland if he will commission a comparative study of the concessionary travel scheme in operation in the Greater London area and those currently in operation by regional authorities in Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: No. Regional and islands councils have discretionary powers under section 93 of the Transport Act 1985 which allow any local authority, or any two or more local authorities acting jointly, to establish a concessionary travel scheme for eligible categories of person. After local government reform the new councils will retain these powers and the Strathclyde passenger transport authority will have the power to establish a scheme for its area. Decisions on the extent and administration of such schemes are entirely for the local authorities concerned to consider, taking account of local needs and circumstances, and the Government do not propose to change these arrangements. Concessionary travel arrangements in London are a matter for my right hon. Friend the Secretary of State for Transport.

Construction Group Collapse

Mr. McMaster: To ask the Secretary of State for Scotland what investigations were carried out following the collapse of the Lafferty construction group; what action resulted from these investigations; and if he will make a statement.

Lord James Douglas-Hamilton: Lafferty Construction Ltd. went into receivership on 18 August 1988, and into liquidation on 7 August 1989. Receivers are required by statute to report any unfit conduct by directors to the Secretary of State for Trade and Industry. The joint receivers submitted an adverse conduct report on 7 August 1990, the liquidator on 8 August 1990. Applications to the court must be made within two years of the insolvent event. In this case the reports were not received until the 23rd month after the event and proceedings were not issued.

Mr. McMaster: To ask the Secretary of State for Scotland what investigations were carried out following the collapse of the Lilley construction group; what action resulted from these investigations; and if he will make a statement.

Lord James Douglas-Hamilton: Lillev plc, and group companies, went into receivership on 7 January 1993. Receivers are required by statute to report any unfit conduct by directors to the Secretary of State for Trade and Industry. The joint receivers have complied with their statutory reporting obligations and the documentation provided is under consideration.

Scottish Homes

Mr. McMaster: To ask the Secretary of State for Scotland what will be the arrangements for the transfer of Scottish Homes housing stock to other landlords; if the transfer price will reflect the market value of the stock; what discounts will be offered to landlords; what financial guarantees he will seek from purchasers to ensure that the rights of tenants are secure; and if he will make a statement.

Lord James Douglas-Hamilton: Under section 2(3A) of the Housing (Scotland) Act 1988, the transfer of Scottish Homes housing stock requires the consent of my right hon. Friend, who issued guidance to Scottish Homes in February 1989 and February 1991. An independent valuer will assess the market value of the stock, taking into account the conditions attaching to the sale and this valuation will be used as a benchmark against which final decisions will be taken. The question of specific safeguards intended to protect tenants' rights is a matter for Scottish Homes as owners of the stock to consider. However, all

disposals of stock must be in accordance with the guidance which has been issued and which provides for substantial safeguards for tenants. My right hon. Friend will withold his consent to any disposal if he is not satisfied that the interests of tenants have been fully protected.

Mr. McMaster: To ask the Secretary of State for Scotland if he will list the number of houses owned by Scottish Homes in each district council area in Scotland.

Lord James Douglas-Hamilton: The information requested is a matter for Scottish Homes. I have asked its chairman, Sir James Mellon, to write to the hon. Member.

Mr. McMaster: To ask the Secretary of State for Scotland what regulations will govern ballots arranged by Scottish Homes on the transfer of housing stock; how many options will be put before tenants in the ballots; if tenants will retain the right to opt for Scottish Homes as existing landlord; if tenants will have a right to choose district councils as their landlord; what rules will govern management buy-out options; and if he will make a statement.

Lord James Douglas-Hamilton: In terms of Scottish Homes' published procedures for the transfer of its stock, an independent teller will be commissioned to undertake a postal ballot of tenants in the proposed transfer area. For operational reasons Scottish Homes has decided that the ballot paper will contain two options, the status quo or a move to a specified alternative landlord. However, the tenants' independent advisor will be able to feed tenants' views into Scottish Homes' consideration of the preferred alternative landlord. The guidance which has been issued to Scottish Homes by my right hon. Friend makes it clear that it will be for Scottish Homes to decide whether there are special circumstances relating to particular houses which would make the local authority an appropriate alternative landlord. He would however expect this to arise only in exceptional circumstances and where such disposal did not compromise the Government's objective of promoting diversity of choice. Scottish Homes has established a code of conduct to govern management buy-outs, which will be open to competition from other landlords.

Mr. McMaster: To ask the Secretary of State for Scotland if members of staff of Scottish Homes who are involved in the development of management takeover bids in relation to the disposal of their employer's housing stock are being, or will be, granted permission to do so during working hours or given equivalent time off from routine duties.

Lord James Douglas-Hamilton: The information requested is a matter for Scottish Homes and I have asked its chairman, Sir James Mellon, to write to the hon. Member.

Tourist Signs

Mr. McMaster: To ask the Secretary of State for Scotland what rules and regulations govern the erection of directional signage on or near public highways by businesses to assist drivers to locate hotels and tourist attractions; and if he will make a statement.

Lord James Douglas-Hamilton: The erection of advertisements on or near a public road is controlled under provisions of the Town and Country Planning (Scotland) Act 1972 and the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and to the extent that they may represent an obstruction, under the Roads (Scotland) Act 1984. Where the advertisements are intended to give directions to motorists they are also subject to the provisions of the Road Traffic Regulation Act 1984.

Road signs giving directions to hotels and tourist attractions may be erected by traffic authorities. Such road signs are subject to the provisions of the Traffic Signs Regulations and General Directions 1981 and to any relevant directions made by the Secretary of State. Circular No. 3/1992 "Tourist Signposting", a copy of which has been placed in the Library, provides advice and guidance to local authorities on the circumstances in which such direction signs may be appropriate.

Denominational Education

Mr. McMaster: To ask the Secretary of State for Scotland when he last met representatives of the Roman Catholic Education Commission to discuss the continued provision of denominational education in Scotland; what aspects of the subjects were discussed; and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. Friend met representatives of the Catholic Education Commission on 25 February 1994. At that meeting a range of issues relating to denominational education was discussed, including school transport and catchment areas. Archbishop Winning, who was present at the meeting, has since publicly welcomed the positive progress made in the Government's discussions with the commission.

Local Government Finance

Mr. McMaster: To ask the Secretary of State for Scotland what is the current outstanding loan debt of Scottish local authorities in relation to *(a)* housing and *(b)* general services; how much in each case and in (i) cash and (ii) percentage terms this debt accounts for in relation to (1) rents and (2) council tax bills; and if he will make a statement.

Mr. Stewart: The available information is set out in the table.

	Per cent.	*£ million*
Housing revenue account		
Outstanding debt at 31 March 1993	—	3,823
Loan charges 1993-94[1]	—	[2]500
Income from standard rents 1993-94	—	[3]926
Loan charges as percentage of standard rental income in 1993-94	54	—
General fund services		
Outstanding debt at 31 March 1993	—	4,624
Loan charges 1993-94[3]	—	[4]730
Budgeted income from council tax 1993-94[5]	—	912
Loan charges as percentage of budgeted income from council tax in 1993-94	80	—

[1] Repayment of principal, interest on debt and loans fund expenses.
[2] Provisional outturns.
[3] Repayment of principal and interest on debt.
[4] Local authority budget estimates for 1993-94.
[5] Income which authorities budgeted to raise from the council tax for 1993-94.

Mr. McMaster: To ask the Secretary of State for Scotland what plans he has to review the application of the annuality principle to local authority revenue budgets; what studies have been undertaken into the cost-effectiveness of fixed annual budgeting on the provision of services; and if he will make a statement.

Mr. Stewart: My right hon. Friend has no evidence that annuality creates any difficulty for local authority revenue budgets and has no plans for such a review. However, to assist local authorities in their financial planning, he announced for the first time last December the plans he had made for both Government-supported expenditure and aggregate external finance for the two forward years of the 1993 public expenditure survey. My right hon. Friend plans to take similar action in future years.

Youth Unemployment, Renfrew

Mr. McMaster: To ask the Secretary of State for Scotland how many young people under [illegible] years of age there were in Renfrew district on the latest date for which figures are available who were not employed and had not had a youth training opportunity offered to them; and if he will make a statement.

Mr. Stewart: Information in the form requested is not available.

Domestic Utilities

Mr. McMaster: To ask the Secretary of State for Scotland when he next plans to meet representatives of privatised utility companies to discuss the abolition of standing charges on domestic bills; and if he will make a statement.

Mr. Stewart: Ministers and officials meet senior managers of the privatised utility companies from time to time to discuss a range of issues. Standing charges, like all tariff issues, are the responsibility of the utilities themselves and their regulators.

Economic Initiative Area, Renfrew

Mr. McMaster: To ask the Secretary of State for Scotland what plans he has to establish an economic initiative area in any part of Renfrew district; and if he will make a statement.

Mr. Stewart: There have already been established in Renfrew district the Ferguslie Park Partnership and a smaller urban renewal initiative in Barrhead. My right hon. Friend has no plans at present to establish further economic initiative areas in Renfrew district. The local authority, local enterprise companies and others are, however, free to decide to target their activities and resources on particular areas of perceived need or opportunity. The Glasgow airport initiative is an example of such an initiative established to take advantage of economic development opportunities in the area.

Monklands District Council

Mr. Norman Hogg: To ask the Secretary of State for Scotland to whom the Parliamentary Under-Secretary of State has written seeking evidence about alleged corruption at Monklands district council; if he will list their names and offices; and if he will make a statement.

Mr. Stewart *[holding answer 28 March 1994]:* None of the Scottish Office Parliamentary Under-Secretaries of State, in their position as Scottish Office Ministers, has written to anyone in Monklands district council seeking evidence about the alleged corruption of Monklands district council.

Undergraduates

Mr. Rooker: To ask the Secretary of State for Scotland what percentage of full-time undergraduates in Scottish higher education institutions are on four-year courses.

Lord James Douglas-Hamilton *[holding answer 12 April 1994]:* In 1992-93, the percentage of full-time undergraduates in Scottish higher education institutions registered for four-year courses was 62·4 per cent. and for courses of four years and over was 73·4 per cent.

Rural Enterprise Programme

Mr. Maclennan: To ask the Secretary of State for Scotland what assessment he has made of the effectiveness of the rural enterprise programme on marketing.

Sir Hector Monro *[holding answer 18 April 1994]:* A baseline study was undertaken in 1991 to provide a benchmark against which to measure the effects of the rural enterprise programme, including the marketing element of the scheme. This provides a basis for a full evaluation of the impact of the programme, which we plan to commission in 1995.

Islands Shipping Subsidies

Mr. Wallace: To ask the Secretary of State for Scotland when KPMG Management Consultants was instructed to prepare a report on the operation of the tariff rebate subsidy scheme and shipping services to the Scottish islands.

Mr. Lang *[holding answer 18 April 1994]:* On 4 August 1993.

Mr. Wallace: To ask the Secretary of State for Scotland whether his Department has yet received the report from KPMG Management Consultants in respect of its inquiries into the tariff rebate subsidy scheme and shipping services to the Scottish islands.

Mr. Lang *[holding answer 18 April 1994]:* No. I expect to receive KPMG's report in the near future.

Mr. Wallace: To ask the Secretary of State for Scotland what was the total level of financial support for shipping services to Orkney and Shetland under the tariff rebate subsidy scheme in 1993-94.

Mr. Lang *[holding answer 18 April 1994]:* Financial support for shipping services to Orkney and Shetland in 1993-94 totalled £7·833 million.

Mr. Wallace: To ask the Secretary of State for Scotland if he will set out the operating subsidies to Caledonian MacBrayne Ltd., P and O Scottish Ferries and Coastal Shippers for 1993-94, estimated outturn, and 1994-95 plans, in the same form as table 3.39 of his Department's "Statement of Expenditure Plans Serving Scotland's Needs 1993".

Mr. Lang *[holding answer 18 April 1994]:* The information requested is set out in the table.

Support to shipping services

	£ million 1993-94 outturn	1994-95 plans
Operating subsidies		
Caledonian MacBrayne	[1]10·6	5·7
P and O	6·1	6·8
Coastal Shippers	3·0	3·1
Total	[1]19·7	15·6

[1]Includes an additional £3·4 million to eliminate the deficit which would otherwise have been incurred in the period January to March 1994, that is the transitional period between the company's old calendar year accounting period and the new fiscal year accounting period.

Overgrazing

Mr. Martlew: To ask the Secretary of State for Scotland what involvement Scottish Natural Heritage has had in operating the measures introduced to prevent overgrazing under the hill livestock compensatory allowance scheme; and if he will make a statement.

Sir Hector Monro *[holding answer 18 April 1994]:* The Nature Conservancy Council for Scotland, the predecessor body to Scottish Natural Heritage, and a range of environmental organisations were consulted about the introduction of this measure.

Undeclared Fish Catches

Mr. David Porter: To ask the Secretary of State for Scotland what steps he is taking to stop the landing of unlogged fish around the coast; and if he will make a statement.

Sir Hector Monro *[holding answer 18 April 1994]:* The Scottish Fisheries Protection Agency attaches a high priority to curbing clandestine landings, which are damaging to the conservation of fish stocks and to the future prosperity of the fishing industry. Substantial resources are targeted towards the detection and prevention of this activity. Regular out of hours patrols are undertaken by fishery officers and fishery protection vessels are deployed at harbours where there is a known risk of undeclared landings.

Rosyth Naval Base

Ms Rachel Squire: To ask the Secretary of State for Scotland what assessment he has made of the employment implications to Fife and Scotland of a possible closure of Rosyth naval base; and if he will make a statement.

Mr. Stewart *[holding answer 18 April 1994]:* There are currently some 1,600 civilians working in Rosyth naval base and some 2,700 Navy personnel either working in the naval base and the immediate vicinity or based on ships operating from Rosyth. Under present plans, stemming from decisions taken in 1992, the number of civilian employees will be reduced to 1,300 and the number of Navy personnel to around 2,300 by 1 April 1995.

As the Secretary of State for Defence has made clear, all relevant factors will be taken into account before any decisions are made on recommendations arising from the naval infrastructure study and other defence costs studies. It is too early to speculate on the outcome for Rosyth or any other naval base.

Economy, Fife

Ms Rachel Squire: To ask the Secretary of State for Scotland what assessment he has made of the proportion of Fife's economy which is dependent on defence.

Mr. Stewart *[holding answer 18 April 1994]:* The Scottish Office Industry Department's current assessment is that between 8 per cent. and 13 per cent. of civilian employment in Fife is directly employed in defence-related work, depending on whether or not armed forces personnel are included in the calculation.

Ms Rachel Squire: To ask the Secretary of State for Scotland what plans he has to deal with any further loss of jobs; and what are his proposals for strengthening the Fife economy.

Mr. Stewart *[holding answer 18 April 1994]:* It is for the local enterprise company, Fife Enterprise, in collaboration and partnership with others in the public and private sectors, to decide in the first instance on the strategy and appropriate measures to tackle the employment and economic development needs and opportunities in the region. I am sure the local enterprise company would be happy to discuss its plans with the hon. Member should she find that helpful.

For those who are, unfortunately, made redundant or become unemployed, the full range of measures available through the local enterprise company or the Employment Service will, of course, remain available.

Prison Capacity

Dr. Godman: To ask the Secretary of State for Scotland if he will make a statement about capacity limits for prison accommodation.

Lord James Douglas-Hamilton *[holding answer 13 April 1994]:* Responsibility for the subject of the question has been delegated to the Scottish Prison Service under its chief executive, Mr. E. W. Frizzell. I have asked him to arrange for a reply to be given.

Letter from E. W. Frizzell to Dr. Norman A. Godman, dated 19 April 1994:

Lord James Douglas-Hamilton has asked me to reply to your Question about capacity limits for prison accommodation.

As at 1 April 1994, the design capacity of the prisons estate in Scotland was 5,736, largely in the form of single cell accommodation. Allowing for cells not available because of redecoration or damage repair work, refurbishment (including in some cases to provide night sanitation) or for other policy reasons (including being retained in the event of an emergency), a total of 5,159 places were in use at that time.

SOCIAL SECURITY

Income Support

Mr. Bayley: To ask the Secretary of State for Social Security what proportion of *(a)* all pensioners, *(b)* pensioners aged 75 years or over, *(c)* pensioners aged 80 years or over and *(d)* pensioners aged 85 years or over were in receipt of income support at (i) the latest date for which figures are available, (ii) five years earlier, (iii) 10 years earlier and (iv) 15 years earlier.

Mr. Hague: The information requested is in the table.

Pensioners receiving income support/supplementary benefit as a percentage of the Great Britain population

Year	60 and over	75 and over	80 and over	85 and over
1993	14·7	25·4	31·2	35·8
1988	14·8	23·7	27·5	30·4
1983	16·7	25·3	27·0	27·1
1978	18·2	25·9	27·0	27·8

Notes:

1. *Sources:* Supplementary Benefit Statistical Annual Enquiries, 1978 and 1983.
Income Support Statistics Annual Enquiry, May 1988.
Income Support Statistics Quarterly Enquiry, May 1993.
Office of Population Censuses and Surveys.
Government Actuaries Department.

2. For Income Support purposes, pensioners are defined as cases where the claimant and/or partner is aged 60 or over.

3. For Supplementary Benefit purposes, pensioners are defined as claimants over pensionable age. This definition excluded certain cases (particularly men aged 60-64) who would be counted as pensioners under Income Support.

4. Percentages have been calculated from the resident population of Great Britain of the appropriate age group.

Housing Benefit

Mr. McMaster: To ask the Secretary of State for Social Security how many tenants in *(a)* the public and *(b)* the private sectors are in receipt of housing benefit; what percentage this is of the total number of tenants in each sector; if he will provide a breakdown of these figures into district council areas or other geographical area; and if he will make a statement.

Mr. Hague: The available information is in the table.

Geographical area[1]	*Tenants with Housing Benefit (Thousands)*[2]		*As a percentage of all dwellings*[3]	
	Local Authority	*Private*	*Local Authority*	*Private*
North (including Cumbria)	232	74	65	49
Yorkshire and Humberside	304	106	64	45
East Midlands	188	75	61	42
East Anglia	82	48	59	34
London	408	267	60	47
South East (excluding London)	347	243	58	42
South West	168	120	62	43
West Midlands	312	94	65	43
North West (excluding Cumbria)	379	176	69	58
Wales	152	68	70	54
Scotland	460	84	57	41
Great Britain	3,032	1,355	62	45

Data Sources: the Housing Benefit Management Information System quarterly caseload count[4] November 1992 and the Housing and Construction Statistics for December 1992.

[1] Standard regions. Information for individual local authorities for the whole of Great Britain is not available.

[2] The figures are for benefit units, not individuals. A benefit unit may be a couple or a single person.

[3] Includes unoccupied dwellings.

[4] Includes estimates for non-responding authorities.

Disability Working Allowance

Mr. Thurnham: To ask the Secretary of State for Social Security what was the budgeted expenditure for the disability working allowance in 1993-94; and how much of that has actually been taken up.

Mr. Scott: The Government's expenditure plan for disability working allowance for 1993-94 was £16* million and the estimated outturn will be £10* million.

Source: * Social Security Departmental Report published in February 1993 and March 1994 respectively.

Child Support Agency

Mr. David Nicholson: To ask the Secretary of State for Social Security (1) what representations he has received that the operation of the Child Support Agency is increasing the number of legal contests over child custody;

(2) what representations he has received indicating that *(a)* a clean break settlement involving capital payments not yet finalised may be reconsidered and *(b)* future such clean break settlements will not take place as a result of the operations of the Child Support Agency; and if he will make a statement;

(3) what representations he has received *(a)* asking that travel costs by absent parents to visit children be included in the assessments for maintenance payments by the Child Support Agency and *(b)* indicating that the contact with such children by absent parents will be diminished by the present system of assessing maintenance payments;

(4) what representations he has received indicating that the work of the Child Support Agency is prompting some persons into voluntarily giving up work; and if he will make a statement.

Mr. Hague: Ministers have received representations from hon. Members, organisations and members of the public about various aspects of the child support scheme. Information about which representations refer to a particular aspect is not available, and could be obtained only at disproportionate cost.

Families (Statistics)

Mr. Frank Field: To ask the Secretary of State for Social Security (1) what proportion of children of single parent families live in families where no maintenance payments are made by the non-custodial parent to the custodial parent in *(a)* the United Kingdom, *(b)* Germany, *(c)* France and *(d)* the USA;

(2) what proportion of parents under the age of 18 years were *(a)* married, *(b)* divorced, *(c)* separated and *(d)* never married in 1970, 1980, 1990 and 1994 in (i) the United Kingdom, (ii) France, (iii) Germany and (iv) the USA;

(3) what proportion of children of lone parent families live in families where the non-custodial parent is unknown in *(a)* the United Kingdom, *(b)* Germany, *(c)* France and *(d)* the USA.

Mr. Hague: This information is not available.

Invalidity Benefit

Mrs. Jane Kennedy: To ask the Secretary of State for Social Security how many women contesting invalidity benefit appeals on the grounds of European sex equality legislation have had a benefit award from a social security appeals tribunal or an adjudication officer suspended under the Social Security (Claims and Payments) Regulations 1987, regulation 37 and 37A, that is, suspension in individual cases and in identical cases, respectively; what percentages of the total number of awards these represent; and if he will make a statement.

Mr. Scott: The latest available information about the number of payments suspended relates to 31 August 1993, at which time increased payment was being suspended in 33,442—97·86 per cent.—of the 34,175 cases considered. Separate information for cases being appealed individually and other cases where the issues are identical but no appeal has been made is not available.

Source: 100 per cent. clerical count by Benefits Agency offices in Great Britain.

Correspondence

Mr. Winnick: To ask the Secretary of State for Social Security when the hon. Member for Walsall, North will receive a reply to his letter of 10 March concerning a constituent, 6/3644/74.

Mr. Hague: A reply was sent to the hon. Member on 18 April.

Mr. Kaufman: To ask the Secretary of State for Social Security when he intends to reply to the letters to him dated 7 December 1993 and 14 March 1994 from the right hon. Member for Manchester, Gorton with regard to Mr. M. Hussain.

Mr. Hague: My right hon. Friend the Secretary of State replied to the right hon. Member on 22 December 1993 and 18 April 1994.

Benefits, North Warwickshire

Mr. Mike O'Brien: To ask the Secretary of State for Social Security how many people are currently receiving *(a)* attendance allowance, *(b)* disability allowance, *(c)* family credit, *(d)* income support, *(e)* invalidity benefit and *(f)* sickness benefit in each of the Benefits Agency districts which fall within the north Warwickshire area; and what proportion of each figure represents persons resident in the north Warwickshire area.

Mr. Scott: This is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Michael Bichard to Mr. Mike O'Brien dated 18 April 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about benefit recipients in the North Warwickshire area.

The full range of information requested is not available and could only be obtained at a disproportionate cost. This is because statistics are only available by Benefits Agency District for the locally administered benefits, Income Support, Invalidity Benefit, and Sickness Benefit and, of the centrally administered benefits, Family Credit. Unfortunately, the computer systems used to administer Attendance Allowance and Disability Living Allowance do not identify recipients by Benefits Agency District, and to obtain figures for these benefits would require an exercise examining each individual claim, which could only be undertaken at a disproportionate cost.

I have therefore shown below figures for the Benefits Agency's Warwickshire District which deals with the North Warwickshire area. As the Warwickshire District also deals with areas other than North Warwickshire it is not possible to say what proportion of these figures relate to persons actually resident in North Warwickshire.

It should be noted that statistical data for each of the benefits is collected and collated over different periods and timescales. The latest available figures show that the Agency's Warwickshire District on the last working day of February 1994 there were 35,222 people claiming Income Support; on the last working day of March 1994 there were 10,924 people claiming Invalidity Benefit and 2,021 people claiming Sickness Benefit, and at 18 March 1994 there were 3,430 people claiming Family Credit.

I hope you find this reply helpful.

EMPLOYMENT

Minimum Wage Legislation

13. **Mr. Spring:** To ask the Secretary of State for Employment what is his assessment of the effect of the abolition of the minimum wage legislation on youth employment prospects in the United Kingdom.

Mr. David Hunt: The introduction of a minimum wage would result in widespread job destruction.

Part-time and Temporary Workers

14. **Mr. Pike:** To ask the Secretary of State for Employment how many people at the latest date for which figures are available were in part-time or temporary employment.

Miss Widdecombe: At the end of last year there were 6·9 million part-time jobs in Great Britain and 1·4 million of all persons employed held temporary contracts.

Health and Safety

15. **Mr. Redmond:** To ask the Secretary of State for Employment what action he is taking to reduce the numbers of deaths and injuries at work.

Mr. David Hunt: Responsibility for ensuring work-place health and safety rests with employers and others most directly involved. The Health and Safety Commission's priorities for promoting improvements in health and safety at work will be set out in its plan of work for 1994-95.

23. **Mr. Berry:** To ask the Secretary of State for Employment how often, on average, a workplace can expect to be visited by officials inspecting health and safety standards.

Miss Widdecombe: There is no fixed period between inspections of workplaces. When planning visits, health and safety inspectors give priority to premises that are known to pose a higher risk to employees and the public. The highest-risk sites are inspected once a year. In addition

to planned inspection, visits to workplaces are made for a variety of other purposes, for example to give advice and guidance and to investigate accidents, incidents or complaints.

28. **Mr. Jim Cunningham:** To ask the Secretary of State for Employment if he will make a statement regarding the outcome of recent meetings he has held regarding health and safety issues.

Miss Widdecombe: My right hon. Friend the Secretary of State's most recent meeting specifically to discuss issues of health and safety was with the hon. Member for Ellesmere Port and Neston (Mr. Miller) to discuss the Health and Safety Executive's investigation of an incident in his constituency. My hon. Friend the Minister of State has particular responsibility for health and safety, and conducts the majority of meetings on that topic.

Older Workers (Training)

16. **Mr. Evennett:** To ask the Secretary of State for Employment what initiatives his Department has taken to improve the training prospects of older workers.

Miss Widdecombe: We have raised the upper age limit of training for work to 63 years from this month. This is in accord with my "Getting On" campaign, in support of older workers.

Youth Unemployment, West Midlands

17. **Ms Estelle Morris:** To ask the Secretary of State for Employment how many people in the west midlands between the ages of 18 and 25 years are unemployed.

Mr. David Hunt: The figure was 84,000 in autumn 1993, which is a fall of 7,000 on the previous autumn.

Part-time Workers

18. **Ms Eagle:** To ask the Secretary of State for Employment when his Department intends to respond to the House of Lords judgment on part-time workers' rights by giving them the same rights as full-time workers.

Miss Widdecombe: The Government are carefully considering that judgment to ascertain its full implications and will make an announcement as soon as possible.

19. **Mr. Gunnell:** To ask the Secretary of State for Employment what is his estimate of the number of jobs in railway engineering in the United Kingdom; and what was the figure on 31 March 1992.

Miss Widdecombe: There were 14,400 employees in the railway industry in Great Britain in September 1991. Reliable estimates of change since then are not available.

Ellington Colliery

20. **Mr. Beith:** To ask the Secretary of State for Employment what additional employment creation measures he plans following the redundancies resulting from the closure of Ellington colliery.

Miss Widdecombe: We have made available an additional £2·8 million to Northumberland training and enterprise council and the Employment Service for additional employment and training measures, as a consequence of the closure of Ellington colliery.

Domestic Violence

21. **Mr. Gerrard:** To ask the Secretary of State for Employment if he intends to develop a national strategy to counter the effects of domestic violence on women.

Mr. David Hunt: A wide range of initiatives across Government has been taken in recent years to tackle domestic violence. These are directed towards ensuring that perpetrators are brought to justice; that victims receive the necessary material and emotional support and that steps are taken towards prevention in the long term. The ministerial group on domestic violence, which is led by my hon. Friend the Minister of State, Home Office, will be meeting to consider how proposals for further action can be taken forward.

Employer-employee Relations

22. **Dr. Lynne Jones:** To ask the Secretary of State for Employment if he will make a statement on employer-employee relations.

Mr. David Hunt: The Government believe that employer-employee relations are a matter for the employers and workers concerned. Our step-by-step reform of employment law has been a principal factor in achieving the dramatic improvement of this country's industrial relations record and reputation since 1979.

Unemployment (Rochdale)

24. **Ms Lynne:** To ask the Secretary of State for Employment what plans he has to visit Rochdale to discuss unemployment in that area.

Miss Widdecombe: My right hon. Friend the Secretary of State currently has no plans to visit Rochdale.

Access to Work

25. **Mr. Canavan:** To ask the Secretary of State for Employment what response he has had to Government proposals for the "Access to Work" scheme for the employment of people with disabilities.

Mr. David Hunt: I announced details of "Access to Work" on 28 February 1994, *Official Report*, column 534. The changes have received an enthusiastic welcome.

Jobs Summit

26. **Sir Michael Neubert:** To ask the Secretary of State for Employment what representations he has received regarding the G7 jobs conference; and if he will make a statement.

Mr. David Hunt: Before attending the G7 jobs conference I had meetings with the director general of the CBI and the general secretary of the TUC.

The G7 conference was a valuable conference about policies to achieve sustainable reductions in unemployment and increases in employment. The conference underlined the importance for all our countries of sound macro-economic policies to achieve sustainable growth, open and competitive economies to encourage innovation and enterprise, more flexible labour markets, improved education and training, and active employment policies to help and encourage unemployed people to get back to

work. The jobs conference has ensured that each Government will learn more about the employment and training programmes of the others. Policies to reduce unemployment will be discussed by Heads of Government at the forthcoming G7 economic summit in Naples.

Maximum Working Week

27. **Mrs. Gillan:** To ask the Secretary of State for Employment what assessment he has made of the costs to United Kingdom industry of a statutory maximum working week of 35 hours.

Mr. David Hunt: A compulsory 35-hour maximum working week would cost United Kingdom industry up to £20 billion in the first year alone. It would be disastrous for competitiveness, jobs and the economic recovery.

Training and Enterprise Councils

Mr. Malcolm Bruce: To ask the Secretary of State for Employment when he last met small business representatives to discuss the working of TECs.

Mr. David Hunt: I regularly discuss training and enterprise councils with people from small businesses.

Airport Workers (Hearing)

Mr. Wilson: To ask the Secretary of State for Employment (1) if he will take steps to ensure that all airport workers are covered by health and safety legislation which adequately protects their hearing;

(2) what categories of airport workers are not covered by legislation to protect them against deafness, tinnitus and other industrial diseases involving their hearing.

Mr. Michael Forsyth: The Noise at Work Regulations 1989, which came into effect on 1 January 1990, oblige employers to take steps to protect the hearing of all employees at work, including airport workers.

Multinational Companies

Mr. Worthington: To ask the Secretary of State for Employment whether the EU's draft legislation to make EU multinationals set up cross-border machinery for informing employees of closures, collective redundancies and shifts of production from one country to another will apply to multinationals based in the United Kingdom.

Mr. Michael Forsyth: I refer the hon. Member to the reply I gave to the hon. Member for Birmingham, Perry Barr (Mr. Rooker) on 15 April 1994, *Official Report*, column *346*.

Working Hours

Mr. Harry Greenway: To ask the Secretary of State for Employment what are the current average hours of work of *(a)* blue collar workers, *(b)* white collar workers, *(c)* executives and *(d)* directors of firms; and if he will make a statement.

Mr. Michael Forsyth: Information on the average hours paid at basic and overtime rates for full-time employees is published in table X3 of part A of the 1993 new earnings survey report. A copy of the report is available in the Library. The table provides information for manual and non-manual occupations. Executives and directors are classified as managers.

The result of the new earnings survey show that the average basic hours of full-time employees have been around 37·5 hours for the last three years. On average, the basic hours of work of manual employees are just under two hours more than those of non-manual workers.

In 1993, over two thirds of employees worked no paid overtime and the average was 2·3 hours a week.

Jobs Summit

Mr. Riddick: To ask the Secretary of State for Employment what representations he has received during the G7 jobs summit in favour of measures which would increase non-wage labour costs.

Mr. David Hunt: At the end of the G7 jobs conference, United States Treasury Secretary Lloyd Bentsen noted that we have to create the climate in which the corporate world has jobs for people. One of many encouraging features of this conference was the clear consensus that non-wage labour costs must be controlled, and where possible reduced, to improve employment prospects and help reduce unemployment.

ATTORNEY-GENERAL

Consultants

Mr. Milburn: To ask the Attorney-General, pursuant to his answer of 23 March, *Official Report*, column *336*, if he will list the firms of consultants employed by his Department in each of the last five years and the number of contracts they have undertaken.

The Attorney-General: The firms of consultants to which contracts have been awarded are listed in the table. Where more than one contract has been awarded to any firm this is indicated.

Year	*Legal Secretariat to the Law Officers*	*Treasury Solicitor's Department*	*Crown Prosecution Service*	*Serious Fraud Office*
1989-90	—	Asterisk Design Systems Ltd. BDL Marketing Services	Aims Systems Ltd. Cumulus Software Ltd. Kinesis Computing Ltd. PA Management Consultants (2) The Human Science and Advanced Technology Research Centre Yale Data Management	COI Digitus Stothers and Hardy
Number	—	2	7	3

Year	Legal Secretariat to the Law Officers	Treasury Solicitor's Department	Crown Prosecution Service	Serious Fraud Office
1990-91	—	Not known	Hunterskil Isis Peat Marwick McLintock Scoll Shapes TDA Consulting Group Ltd. Touche Roes	ACT COI Digitus Stothers and Hardy
Number	—	—	7	4
1991-92	—	CCTA Consultancy Services (3) P. Hurst Esq., Property Holdings P. A. Consulting Group M. L. Taylor, Esq.	Art of Management Bull CS College Integrated Project Support Lighting FX Oracle (2) PE International Shapes TDA Consulting Group Ltd. Verity Yale	Digitus Stothers and Hardy
Number	—	6	12	2
1992-93	—	Axsis Consultants Ltd. B. D. O. Consulting J. Blair, Esq. CCTA Consultancy Services Recruitment and Assessment Consultancy Services M. L. Taylor, Esq. Telecom Capita B. D. Yates, Esq.	Axsis (2) Bull CCTA Consultancy Services CS College DoE Fuel Branch DoE Special Services Group ECD Architects Forward Catering Infact (2) Impact Lamb Associates MCL Mouncey Price Waterhouse PSA BM NorEast PSA BMSE Sequelogic Shapes (2) Shreeveport Tim Hodder Associates Touche Ross	ACT Admiral Digitus Hedra Morgan Lovell SISL Stothers and Hardy Systemhouse (2)
Number	—	8	24	9
1993-94	—	Axsis Consultants Ltd. BDO Consulting (3) G. H. Beetham, Esq. J. Blair, Esq. CCTA Consultancy Services P. Cooper, Esq. Lamb Associates N. F. Ledsome, Esq. J. D. Montgomery, Esq. Recruitment and Assessment Consultancy Services Touche Ross Triad Special Systems Ltd.	Amtec Axsis Bull Butler and Young Associates (2) Calibre Training Comshare D. E. G. W. Consultants DoE Special Services Group Hoskyns Hunterskil Images Infact Kaliber Training Lighting FX MCL NIFES Olivetti Oscar Faber P. E. International Plain English Campaign Projectlink Quadratron Sequelogic (2) Shapes (3)	ACT Hedra Hoskyns Insight Rand Stothers and Hardy

Year	Legal Secretariat to the Law Officers	Treasury Solicitor's Department	Crown Prosecution Service	Serious Fraud Office
			Simdell Tim Hodder Associates Touche Ross (2) WTI	
Number	—	14	33	6

Note: Numbers in parentheses indicate more than one contract.

OVERSEAS DEVELOPMENT

Liberia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about military activity in Liberia; and how it is affecting the peace process and the delivery of humanitarian aid.

Mr. Lennox-Boyd: I refer the hon. Member to my reply of 15 April at column *330.* Aid deliveries from Cote d'Ivoire and from Monrovia to the surrounding regions are uninterrupted, but interfactional fighting is affecting deliveries to south-east and south-western Liberia.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps UNDO in Somalia has taken to conduct a strategic appraisal of the infrastructure needs of Somaliland.

Mr. Lennox-Boyd: The framework for planning Somalia's long-term reconstruction and development, prepared in December 1993 under World bank leadership and with United Nations development office participation, identified broad infrastructure needs throughout the country. UNDO has begun the detailed needs assessment process and carried out a preliminary assessment mission to Woquooyl Galbeed region in the north-west in March. The report will be discussed by the Somali aid co-ordinating body on 18 and 19 April.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans UNOSOM 2 has to devolve decision making to its office in Hargeisa; and how and when it proposes to deliver services and resources to north-west Somalia.

Mr. Lennox-Boyd: UNOSOM's Hargeisa office acts primarily as a liaison point for UNOSOM II operations in north-west Somalia. UNOSOM is mandated to assist with the development of programmes on demobilisation and disarmament, demining and the development of justice systems in north-west Somalia. Salaries for police and local mine clearance amounting to US$730,800 have been paid during the period January to April. We intend to raise the question of devolution of decision making to UNOSOM's Hargeisa office at the Somali aid co-ordinating body meeting on 18 and 19 April.

Natural Resources Institute

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs what are his current plans for the future of the Natural Resources Institute.

Mr. Lennox-Boyd: I refer the hon. Member to the answer that I gave to the hon. Member for Eastbourne (Mr. Waterson) on 26 January at columns *272-73.* The study of ownership options is continuing and no decision has yet been reached. Meanwhile, restructuring is in train.

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) in which programmes staff, proposed for redundancy by the Natural Resources Institute in the course of 1994, are currently involved; and what the effect on these programmes of the proposed redundancies is expected to be;

(2) what aid projects and which developing countries benefit from the work done at the Natural Resources Institute on *(a)* oilseeds and *(b)* mycotoxins;

(3) how many staff at each grade the Natural Resources Institute proposes to make redundant in the course of 1994;

(4) what programmes of research are currently undertaken by the Natural Resources Institute; and how each programme will be affected by his plans for the institute's future development.

Mr. Lennox-Boyd: Responsibility for the subject of the questions has been delegated to the Natural Resources Institute under its chief executive, Mr. Anthony Beattie. I have asked him to arrange for a reply to be given.

Letter from A. Beattie to Mr. Tom Clarke, dated 18 April 1994:

Mr. Lennox-Boyd has replied to the first of the five questions about NRI which you put down for written reply on 14 April. I have been asked to reply to the remainder. If I might take your questions in a slightly different order to that in which they were asked, dealing first with No. 79, the Institute is engaged in programmes of applied and adaptive research which, in line with the objectives of the Aid Programme and of ODA's Renewable Natural Resources Research Strategy, seek to help developing countries to improve the productivity and sustainable management of their natural resources. The Institute is presently undertaking research in some 13 programme areas as listed at Enclosure 1.

As an executive agency, NRI undertakes research on a customer-contractor basis and its activities are accordingly shaped by the requirements of its clients, notably ODA and other major aid agencies. The priorities of these clients are bound to change over time and this will be reflected in the pattern of demand for the Institute's services. Thus it is not so much a question of how plans for future development will affect a pre-determined set of research activities, but rather how the Institute can best be adapted to respond flexibly and effectively to the changing requirements of its clients.

You have asked specifically (No. 72) what aid projects and which developing countries benefit from work done here on oilseeds and mycotoxins. Details are provided in Enclosure 2.

More generally, you have asked (No. 78) how many staff, by grade, are proposed for redundancy in 1994, which areas of work they are involved in and what the effect on existing programmes will be.

Under a programme of staff reductions announced earlier this year a total of 49 posts have been abolished. A breakdown by grade is at Enclosure 3. As individual members of staff are likely to contribute to more than one programme of research I have

provided a breakdown by a broad strategy area rather than specific research programme. Details in response to question No. 70 are also at Enclosure 3. In all but six cases, this reduction in staff numbers has been achieved by voluntary means. It is likely that further reductions will be needed in due course, but the scale and timing of these have still to be determined.

The staff reduction programme is based on a careful analysis of the skills available at NRI and developing patterns of demand for these skills. As mentioned above our concern is with adapting the skill-base to match demand. This is essential if we are to continue to meet the needs of our clients and to maintain the Institute's reputation as a multi-disciplinary centre of excellence in a competitive and evolving field of activity.

I should of course be glad to provide any further information you may require.

Areas of research in which NRI is presently engaged, grouped by strategy area:

Resource Assessment and Farming Systems

Resource assessment
Agronomy and cropping systems
Livestock production
Forestry
Socio-economics

Integrated Pest Management

Pest management for annual and perennial crops
Component technologies for pest management
Adaptive research in integrated pest management
Biological systems and functional variability

Food Science and Crop Utilisation

Horticulture and tree crops
Food security in cereals and pulses
Fisheries and aquatic resources
Forest products, oilseeds, edible nuts and fibres

NRI's work on oilseeds and mycotoxins

INTRODUCTION

NRI's work on oilseeds and mycotoxins spans a wide range of activities and benefits, both directly and indirectly, many developing countries. It is principally funded by ODA's Natural Resources Research Department and feeds into bilateral and multi-lateral development programmes. The following is a synopsis of activities which have been carried out over the last year or so.

Oilseeds

The focus of work has been principally on the two priority commodities of ODA's Renewable Natural Resources Research Strategy: groundnuts and coconuts. Total expenditure in 1993-94 from all funding sources was approximately £325,000.

Advisory and representation

In the last year over 240 inquiries were received from 36 countries on oilseeds processing and utilisation, mainly from Latin America, Africa and Asia. Several international conferences were attended and research and development findings disseminated.

Training

In 1993 eight personnel from Ghana, Indonesia, Morocco, Peru, The Philippines, Sri Lanka and Turkey were trained in various aspects of oilseeds, oils and fats.

PROJECT ACTIVITIES

Agronomic, pest control and plant pathology:

assisting in improving oilseeds production at the Lumle and Pakribas Agricultural Centres in Nepal;
a study on oilseeds in mixed cropping systems in lowland tropical forest margins;
a pest control manual for groundnuts (China, India and other producing countries);
work on lethal yellowing and wilt disorder of coconuts (Zanzibar and West Africa);
collaboration with CGIAR in India on groundnut rosette virus and vector control.

Processing and development:

stemming from socio-economic, marketing and technical studies, the introduction of new and improved methods of small-scale processing of oilseeds mainly in rural areas, with particular emphasis on smallholder farmers, traders and gender issues (Tanzania, The Gambia, Ghana, Zimbabwe, India, Sri Lanka, Brazil, Indonesia, Solomon Islands). This work is part-funded by the United Nations' Common Fund for Commodities;
development of analytical techniques, and training in product analysis and quality control, including trade assessments.

Mycotoxins

Over the past year the control of mycotoxins in foods and feeds has been pursued at NRI through some nineteen projects. The range of commodities studied includes cereals, oilseeds, edible nuts, spices and livestock feeds from numerous countries. Total expenditure from all funding sources in 1993-94 was approximately £375,000.

Advisory and representation

Over 130 enquiries were received from 30 countries on mycotoxins over the last year, mainly from Asia, Africa and Latin America. Staff attended several international conferences to disseminate information and served on several United Kingdom and EC Committees dealing with mycotoxins.

Training

In 1993 four analysts from Brazil, Philippines and Saudi Arabia were trained in mycotoxin analysis.

PROJECT ACTIVITIES

The Institute's mycotoxins work involves the establishment, of Mycotoxin Centres in developing countries, with fully equipped and trained personnel; and the utilisation of these Centres in the identification and control of mycotoxin contamination, using multi-disciplinary teams.

Centres have been established in Pakistan, India, Thailand and Philippines. This approach is supported by a research programme which focuses upon the development of methods (sampling and analysis) for the surveillance of mycotoxins and the development and testing of control (including chemical detoxification) procedures.

Work carried out over the last year includes:

studies on sampling procedures for monitoring bulk shipments of livestock feed ingredients and on methods for the analysis of moulds and mycotoxins in a variety of foods and feeds. The findings assist in the formulation of quality standards and legislation. This work has been partly funded by the EC and MAFF;
a study of the effect of commercial chemical detoxification procedures on the transmission of mycotoxins into milk;
setting up a Mycotoxin Centre in Bangladesh;
establishing a strategy for the quality control of pistachio nuts in Turkey;
surveillance studies in Honduras, Bangladesh and Pakistan.

Analysis of (job) redundancies by grade and strategy area

Enclosure 3

Grade	*Resource assessment and farming systems*	*Integrated pest management*	*Food science and crop utilisation*	*Social sciences group*	*Corporate services*	*Grade total*
Grade 6	—	1	—	—	—	1
Grade 7	1	—	5	—	—	6
Senior Scientific Officer	1	3	6	—	2	12
Higher Scientific Officer	2	—	3	—	—	5
Scientific Officer	1	1	5	—	—	7
Assistant Scientific Officer	2	—	—	—	—	2
Higher Executive Officer	—	—	—	—	1	1
Executive Officer	—	—	—	—	3	3
Administrative Officer	—	—	—	—	3	3
Personal Secretary	—	1	1	2	1	5

Grade	Resource assessment and farming systems	Integrated pest management	Food science and crop utilisation	Social sciences group	Corporate services	Grade total
Typist	—	—	1	—	1	2
Support Grade Band 1	—	—	1	—	—	1
Support Grade Band 2	—	—	1	—	—	1
Strategy area total	7	6	23	2	11	49

Gambia

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures have been taken either bilaterally by the Overseas Development Administration or multilaterally through the European Union to promote the development of coastal fishing resources in the Gambia.

Mr. Lennox-Boyd: Between 1979 and 1991 the European development fund provided 5·66 mecu—£4·4 million, of which the United Kingdom share was £0·72 million to develop marine artisanal fisheries in six Atlantic coastal villages.

Multilateral Agencies (Aid)

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanisms are in place to influence the deployment of funds provided by the United Kingdom to *(a)* the European bank for reconstruction and development, *(b)* the European Union, *(c)* the Food and Agriculture Organisation of the United Nations and *(d)* the World bank; and what further steps are planned to increase the accountability of those organisations to the United Kingdom Government.

Mr. Lennox-Boyd: For the European bank for reconstruction and development, the Food and Agriculture Organisation of the United Nations and the World bank, the United Kingdom participates actively in meetings where overall policy priorities and work programmes are discussed. For the European Union we play a full part in discussion of development policy issues in the Council of the Union, and in discussion of project proposals in European Commission management committees. We also maintain regular contact with the senior management of all these institutions. We will continue to work through these mechanisms to strengthen their efficiency and accountability.

Sub-Saharan Africa

Sir Malcolm Thornton: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans Her Majesty's Government have to continue to support economic and political reform in Africa under the third phase of the special programme of assistance for sub-Saharan Africa co-ordinated by the World bank.

Mr. Lennox-Boyd: We have pledged to commit up to £300 million under the World bank's SPA III programme over the three years 1994-95 to 1997-98. These funds will be available to poor, debt-distressed African countries, selected by Her Majesty's Government, which are adhering to an IMF/IBRD-endorsed economic reform programme, and are pursuing good government policies.

DEFENCE

Battle Tank Khalid

Mr. Cousins: To ask the Secretary of State for Defence in which year the battle tank Khalid was first marketed; and if he will make a statement on its application.

Mr. Aitken: This is a matter for the company concerned.

Chemical Weapons

Mr. Cousins: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Blaenau Gwent of 25 March, *Official Report*, columns *471-72*, regarding protection against chemical and germ warfare, if he will estimate the cost of *(a)* protective clothing and equipment, *(b)* anti-contamination equipment and *(c)* medical counter measures against chemical and biological attacks during the period April 1990 to April 1992.

Mr. Hanley: The expenditure incurred on clothing and equipment to protect against chemical and biological attack during the period April 1990 to April 1992 is set out in the table.

	£ million
Protective clothing	26·5
Protective equipment	18·4
Detection equipment	24·6
Decontamination equipment	0·9
Total	70·4

As previously advised in response to the hon. Member's questions of 12 July 1993, *Official Report*, column *366*, 19 July 1993, *Official Report*, column *87* and 26 July 1993, *Official Report*, column 744, details relating to medical counter-measures against chemical and biological attacks are classified.

PINDAR Bunker

Mr. Cohen: To ask the Secretary of State for Defence what was the cost of the equipment installed in the PINDAR bunker.

Mr. Hanley: The cost of the equipment installed in the PINDAR bunker was approximately £60,000,000. The cost of the systems includes hardware, software development, software, documentation, testing and installation.

Mr. Cohen: To ask the Secretary of State for Defence what is the annual running cost of the PINDAR bunker.

Mr. Hanley: The average cost of the PINDAR bunker including staff costs, maintenance and support is £7,320,000.

Submarine Nuclear Reactor Cores

Mr. Cohen: To ask the Secretary of State for Defence what communications he has had with the nuclear transport licensing authorities regarding the temporary use of commercial containers to transport used submarine nuclear reactor cores.

Mr. Aitken: The contract to procure two commercial containers to transport used submarine nuclear reactor cores requires the contractor to provide the containers fully licensed for the purpose required. As such the request and approval of a licence is a matter between the contractor and the nuclear licensing authority.

Aldermaston

Mr. Cohen: To ask the Secretary of State for Defence what functions the A45 building at Aldermaston will carry out once the A90 building is fully operational.

Mr. Aitken: It is not our general policy to disclose details of the role and function of individual buildings at Atomic Weapons Establishment Aldermaston. Howevever, manufacture of a variety of components and assemblies not being transferred to building A90 will continue to be produced in A45.

Mr. Llew Smith: To ask the Secretary of State for Defence if he will make a statement on the radiation leak at AWE Aldermaston on 24 March.

Mr. Aitken: On 24 March 1994 during planned maintenance in a laboratory a quantity of radioactive material was disturbed. Monitoring of protective clothing worn by the two individuals involved revealed that there was slight radioactive contamination on their overshoes. Subsequent monitoring by AWE medical staff has confirmed that the two individuals received radiation dose levels equivalent to a small fraction of the annual permissible dose limit. External monitoring outside the building has confirmed that there was no release of radioactive material into the environment. As part of normal procedure the Health and Safety Executive has been informed.

Mr. Cohen: To ask the Secretary of State for Defence when the last full safety assessment of the A45 building at Aldermaston was made.

Mr. Aitken: The safety of all buildings at AWE Aldermaston, including A45, is under constant review. A full safety assessment of building A45 was conducted in late 1988 and further safety reviews of the facility have been carried out at regular intervals.

Ammunition

Mr. Cousins: To ask the Secretary of State for Defence what use has been made by United Kingdom forces since 1981, of 155 mm ammunition rounds.

Mr. Hanley: There are two types of 155 mm ammunition currently in use with the British Army. They are the United States designed M107 and the European designed—United Kingdom/Germany/Italy–L15. Although records of usage are not available for the period in question, it is estimated that some 44,000 L15 rounds have been used since 1990 and some 223,000 M107 rounds since 1985.

Mr. Cousins: To ask the Secretary of State for Defence whether British tank forces use 105 mm and 120 mm rounds.

Mr. Hanley: No, to the former; yes, to the latter.

Service Pensions

Mr. Lidington: To ask the Secretary of State for Defence what is his estimate of the cost to public funds which would be incurred by uprating all service pensions in payment to the level of such pensions awarded today.

Mr. Hanley: The information which would be necessary to make this calculation is not held centrally, and could be obtained only at inordinate cost.

Optical Surveillance Technology

Mr. Cousins: To ask the Secretary of State for Defence whether satellite and related optical surveillance technology represents a strategic national security interest.

Mr. Hanley: Yes.

David Hart

Mr. Cohen: To ask the Secretary of State for Defence whether David Hart has any access to *(a)* confidential papers and *(b)* facilities and resources of his Department.

Mr. Hanley: Mr. David Hart is one of a number of advisors from outside the Ministry of Defence who provide informal advice to the Secretary of State, and who are involved in the work of the defence cost study. These outsiders may see classified papers under strictly controlled arrangements where this is directly relevant to the work they are doing. Such advisors have no independent call on the facilities and resources of the Department, although they do discuss matters with Departmental officials.

Offset Programme

Mr. Cousins: To ask the Secretary of State for Defence if projects approved as part of the offset programme are subject to export licence, COCOM and missile technology control regime controls.

Mr. Aitken: Yes.

Mr. Cousins: To ask the Secretary of State for Defence on what dates delegations to Saudi Arabia were organised by the Offset Office; and if he will list the members of those delegations.

Mr. Aitken: The British Offset Office has arranged two high-level visits to Saudi Arabia to promote Al Yamamah Offset. The members of the first delegation, which visited from 16-21 February 1990, were:

Mr. Roy Allen	ICI
Mr. Cedric Brown	British Gas
Sir James Craig	Saudi British Bank
Mr. Alec Daly	GKN
Sir Ronald Grierson	GEC
Mr. George Moody-Stuart	Booker Tate
Mr. Alan Nickalls	NEI International Ltd.
Mr. Gilbert Phillips	Pilkington
Mr. Michael Rouse	British Aerospace
Mr. Richard Turner	STC

The second delegation visited from 3 to 9 May 1991. Its members were:

Mr. Richard Barnes	British Aerospace
Mr. Tony Belisario	Dowty Defence and Air Systems
Mr. Antony Bruce	John Brown
The Hon. David Douglas-Home	Morgan Grenfell International
Mr. John Elliott	Burmah Castrol
Mr. John Hill	Wessex Water
Mr. John Lawrence	Thorn Security
Mr. Jake Stewart	British Steel
Dr. Brian Tempest	Glaxo
Mr. Damien Turner	British Aerospace
Mr. Peter Usher	Vosper Thornycroft UK

In addition the British Offset Office organises ad hoc visits to Saudi Arabia for companies as required.

Mr. Cousins: To ask the Secretary of State for Defence what is the membership of the British Offset Committee in each year that committee has existed, together with the principal business interest of the private sector members.

Mr. Aitken: The Al Yamamah Offset Committee met for the first time in March 1987. Its members were:

Chairman
Sir Colin Chandler—Head of Defence Export Services, MOD

Members
The Hon. David Douglas-Home—(Morgan Grenfell International Ltd) representing COMET—Mr. Alan Titchener
DTI—Dr. Maurice Dixson—British Aerospace
Dr. David Mitchell—Rolls Royce
Mr. Philip Curry—MOD

The following changes to membership took place at subsequent meetings.

December 1987
Mr. John Weston (British Aerospace) replaced Dr. Dixson.
Mr. Colin Craig (Schroder Asseily) joined the Committee; Mr. Curry (MOD) left the Committee.

September 1988
Mr. Ian Dixon (DTI) replaced Mr. Titchener.
Mr. Richard Spink (FCO) joined the Committee.

February 1990
Sir Alan Thomas (MOD) replaced Sir Colin Chandler.
The Hon. David Gore-Booth (MOD) joined the Committee.
Mr. Michael Rouse (BAe) replaced Mr. Weston.
Mr. Petter (DTI) replaced Mr. Dixon.

May 1991
Mr. Michael Janner (MOD) replaced Mr. Richard Spink.

April 1992
Mr. Damien Turner (British Aerospace) replaced Mr. Rouse.

September 1992
Mr. John Hill (Saudi British Bank) replaced The Hon. David Douglas-Home as representative of COMET.

May 1993
Dr. Noel Brehony (Rolls Royce) replaced Dr. Mitchell.

December 1993
Mr. Ian Cliff (DTI) replaced Mr. Petter.
Mr. David Hewitson (British Aerospace) replaced Mr. Turner.

Mr. Cousins: To ask the Secretary of State for Defence if he will list the projects *(a)* approved and *(b)* commenced under the offset office programme.

Mr. Aitken: Projects currently approved, but not yet commenced, under the Al Yamamah offset programme are:

Missile Engineering Facility
Rolls Royce participation in the Middle East Propulsion Company
Oil seed manufacture
Materials handling systems
Lightweight marble and granite manufacture
Water treatment equipment

In addition, the following projects have commenced implementation:

Glaxo pharmaceutical plant
Tate and Lyle sugar refinery
Vocational training facility
British Aerospace participation in Aircraft Accessories and Components Company (AACC)

Mr. Cousins: To ask the Secretary of State for Defence what links exist between the Offset Office and the Export Credits Guarantee Department; and whether approval under the offset programme is always accompanied by Export Credits Guarantee Department approval.

Mr. Aitken: No special links exist between the Al Yamamah Offset Office and the Export Credits Guarantee Department. Cover arrangements are a matter for ECGD and participants in individual projects.

Mr. Cousins: To ask the Secretary of State for Defence when his Department set up an Offset Office for Saudi Arabia; and what the costs of this office have been in each succeeding year.

Mr. Aitken: The British Offset Office was set up in 1987. It forms part of the Saudi Armed Forces Project Office in the Ministry of Defence, the costs of which are met by the Government of Saudi Arabia.

Falkland Islands Flights

Mr. Wiggin: To ask the Secretary of State for Defence if he will list the flights on which seats were for sale to civilians to and from the Falkland Islands in 1992 and 1993 and to date in 1994, and which arrived either at RAF Mount Pleasant or at RAF Brize Norton more than two hours late.

Mr. Hanley: The information requested is available only for flights into RAF Mount Pleasant, and is as follows:

	1992	*1993*	*[1]1994*
Number of flights with seats for sale to civilians	92	80	21
Number delayed by two hours or more	23	13	5

[1] To date.

Information on the number of flights from the Falkland Islands arriving at RAF Brize Norton more than two hours late is not recorded centrally and figures could be provided only at disproportionate cost. Because of the length of the route, the unpredictable weather in the Falkland Islands and the limitations of en-route services such as air traffic control, a greater level of delays can be expected on the United Kingdom to Falkland Islands route than on many more widely used routes.

IMS Ltd.

Mr. Cousins: To ask the Secretary of State for Defence what records are maintained of the business activities of former employees of International Military Services Ltd.

Mr. Aitken: None.

Conditions and Allowances Review

Mr. Menzies Campbell: To ask the Secretary of State for Defence what savings he envisages will be made through the review of conditions and allowances in the armed forces.

Mr. Hanley: As is made clear in the terms of reference for this independent review, set out in my answer to the hon. Member for Wimbledon (Dr. Goodson-Wickes) on 30 March, *Official Report*, columns *752-53*, the primary purpose is not cost cutting but to ensure that we have structures appropriate to the needs of the services in the 21st century. No estimate has therefore been made of the scope for any savings but the independent review is, naturally, also required to identify the resource implications of its proposals and to seek to contribute to the reduction over the longer term of the overall resource cost of manpower.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what external consultancies will be assisting in the review of conditions and allowances in the armed forces.

Mr. Hanley: A minor consultancy to advise on the scope of the independent review of service career and manpower structures and terms and conditions of service, and on the interrelationships between the different aspects of the review, has already reported. The matter of what further consultancy assistance may be required is primarily one for the review chairman, but my Department is making arrangements to ensure that such assistance can be commissioned at short notice as and when requirements are identified.

Gulf War Syndrome

Mr. Llew Smith: To ask the Secretary of State for Defence what opportunities will exist for United Kingdom citizens including serving or former members of the armed forces involved in Operation Granby in the Gulf war in 1991, to claim for damages for deleterious health effects from the United Nations Compensation Committee.

Mr. Hanley: The United Nations Compensation Commission—UNCC—will consider, against established criteria, claims from United Kingdom citizens suffering from deleterious health effects directly caused by Iraq's unlawful invasion and occupation of Kuwait between 2 August 1990 and 2 March 1991. It will require evidence to show that there is a direct causative link between the symptoms of the claimant and the Gulf conflict.

This right to claim extends to members of the allied coalition armed forces, who were prisoners of war and whose loss or injury resulted from mistreatment in violation of the international humanitarian law, including the Geneva Conventions of 1949. Most of the British prisoners of war held captive during the Gulf conflict have put in claims, as have members of the British liaison team, and their dependents, who were in Kuwait at the time of the invasion.

Campaign for Nuclear Disarmament

Mr. Livingstone: To ask the Secretary of State for Defence when he intends to reply to the letter from CND which was handed in following the demonstration on 15 March at Porton Down; and if he will place a copy of his reply in the Library.

Mr. Hanley: This is a matter for the Chemical and Biological Defence Establishment under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from Graham Pearson to Ken Livingstone, dated 19 April 1994:

1. Your Parliamentary Question to the Secretary of State for Defence asking when he intends to reply to the letter from CND which was handed in following the demonstration on 15 March 1994 at Porton Down has been passed to me to reply as Chief Executive of the Chemical and Biological Defence Establishment.
2. There was no demonstration at Porton Down on 15 March 1994 when two representatives of the Salisbury Branch of CND visited the Chemical and Biological Defence Establishment on 16 March 1994 to mark the anniversary of the use of chemical weapons on the civilian population of Hallabja. They were invited into the Establishment and handed over a letter dated 16 March 1994 addressed to myself as Director General.
3. I replied to the letter on 8 April 1994 and am making arrangements for a copy to be placed in the Library.

Gulf Trust

Dr. David Clark: To ask the Secretary of State for Defence (1) what is the current amount of money in the Gulf Trust; and if he will make a statement;

(2) what criteria are used to determine whether or not payments are made from the Gulf Trust; and if he will make a statement;

(3) how much money was received and paid out by the Gulf Trust in *(a)* 1990-91, *(b)* 1991-92, *(c* 1992-93 and *(d)* 1993-94; and if he will make a statement;

(4) what consideration he has given to seeking to alter the criteria under which payments are made from the Gulf Trust; and if he will make a statement.

Mr. Hanley: My noble Friend the Under-Secretary of State for Defence will write to the hon. Member.

Contractors

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Cardiff, West (Mr. Morgan), *Official Report*, columns *473-74*, if he will list those contractors that have quality management system certifications which have been *(a)* subject to assessment by his Department or *(b)* can be shown to be acceptable to the corresponding ministry in another NATO country.

Mr. Aitken: Approximately 1,000 United Kingdom defence contractors hold quality system certification following assessment by MOD. They are listed in the "United Kingdom Register of Quality Assessed Companies" maintained and issued by the Department of Trade and Industry. The DTI register also identifies those United Kingdom contractors who hold quality system certification granted by third party certification bodies holding appropriate accreditation from the National Accreditation Council for Certification Bodies.

Each NATO MOD is responsible for identifying contractors with acceptable quality management systems, details of which are available to United Kingdom MOD, on request.

Rwanda

Dr. David Clark: To ask the Secretary of State for Defence to what extent his staff have been involved in United Nations contingency planning for United Nations sanctioned operations in Rwanda; and if he will make a statement.

Mr. Hanley: Ministry of Defence staff have not been involved in United Nations contingency planning sanctioned operations in Rwanda.

Dr. David Clark: To ask the Secretary of State for Defence what discussions he has had with *(a)* his NATO counterparts, and *(b)* his UN counterparts relating to the situation in Rwanda; and if he will make a statement.

Mr. Hanley: My right hon. and learned Friend the Secretary of State for Defence has not had any discussions with either his NATO or UN counterparts relating to the situation in Rwanda.

Airworks plc

Dr. David Clark: To ask the Secretary of State for Defence what problems have arisen in the contract awarded to Airworks plc to fit defensive systems to Hercules aircraft; and if he will make a statement.

Mr. Aitken: Varying degrees of minor repairable damage was caused to 11 Hercules aircraft; rectification will be complete shortly, at the contractor's expense, and no long-term operational or airworthiness concerns are likely to arise from this problem.

Dr. David Clark: To ask the Secretary of State for Defence what is the number and nature of current contracts his Department has with Airworks plc; and if he will make a statement.

Mr. Aitken: My Department currently has some 41 contracts with Airworks plc. Details of the subject matter of all those contracts are not held centrally. However, the company is recognised as a supplier of a wide range of services, such as repair, maintenance, modification and ancillary tasks, in support of aircraft, rotorcraft, simulators and training aids, radio, radar, electronics, avionics and test equipment.

Recruitment Targets

Sir Nicholas Fairbairn: To ask the Secretary of State for Defence if he will set out for each service the annual targets for recruitment in 1993-94 of officers and other ranks and the extent to which these targets have been achieved.

Mr. Hanley *[holding answer 14 February 1994]:* The recruiting targets for the year ending 5 April 1994, and achievements in recruitment up to January 1994, the latest date for which figures are available, are as follows:

	Target	*Achieved*	*Percentage achieved*
Royal Navy Officers			
Officers	478	285	60
Other ranks	1,439	928	64
Army			
Officers	1,005	664	65
Other ranks	8,992	6,702	75
Royal Air Force			
Officers	328	235	72
Other ranks	696	537	77

Territorial Army

Mr. Braizier: To ask the Secretary of State for Defence what plans he has for the Territorial Army to contribute to operational commitments undertaken by the regular Army.

Mr. Rifkind: Further to my announcement of 17 June 1993, *Official Report*, columns 1009-11, we plan to deploy a Territorial Army platoon in support of the regular Army in the Falkland Islands from July to November this year and a TA company as part of the Falkland Islands garrison from March to July next year. Both deployments will represent a pilot scheme to test the use of the TA in this way and will, if successful, facilitate the wider use of our volunteer reserves in circumstances short of war.

Written Answers to Questions

Wednesday 20 April 1994

HOME DEPARTMENT

Prisoners (Police Cells)

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many prisoners were being held in police cells in England and Wales at the latest date available.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Lynne Jones, dated 20 April 1994:

The Home Secretary has asked me to reply to your recent Question about the number of prisoners being held in police cells in England and Wales.

On 17 April 1994, the latest date for which complete information is available, 315 prisoners were held in police cells in England and Wales.

Crime Statistics

Mr. David Nicholson: To ask the Secretary of State for the Home Department how many offences were reported to the police in each of the last five years involving sexual abuse or serious ill treatment of children aged under 16 years by stepfathers or men cohabiting with the child's mother.

Mr. Maclean: The information is not collected centrally.

"Police Stop" Video

Mr. Mandelson: To ask the Secretary of State for the Home Department (1) what reasons he has been given for actuality film of police car chases being supplied by local police forces to the commercial producers of the video "Police Stop"; and what form of payment was made for this transaction;

(2) when the hon. Member for Hartlepool can expect to receive a reply to his letter of 21 March concerning the co-operation given by the police in the commercial production of the video "Police Stop";

(3) if he will request local police forces in future to stop providing film footage of police car chases and crashes to commercial video producers.

Mr. Charles Wardle: My right hon. and noble Friend Lord Ferrers replied to the hon. Member's letter on 13 April. The supply of informaiton from police records, including video material, is an operational matter which is for the discretion of individual chief officers of police. The traffic committee of the Association of Chief Police Officers has take a close interest in the issue and will be considering it in full when the committee meets on 11 May. I understand that the information was supplied for the purpose of promoting road safety and that none of the police forces concerned received money for the supply of footage.

Passports

Mr. Hunter: To ask the Secretary of State for the Home Department if he will take measures to allow British citizens to continue to use a United Kingdom rather than a European passport if they so wish.

Mr. Charles Wardle: Old-style British passports remain valid until their normal date of expiry, but are then replaced by new-style British passports which are machine readable and in a common format agreed with our European Community partners. We have no plans to change the present arrangements.

Car Crime

Mr. Nigel Evans: To ask the Secretary of State for the Home Department (1) what steps the Home Office is taking to reduce car crime, with particular reference to new initiatives taken within the last six months;

(2) what estimates the Home Office has regarding the likely incidence of car crime in 1994-95 and 1995-96;

(3) how many police hours were committed nationally to covering incidents of vehicle crime in each year since 1990;

(4) what was the estimated cost to British car owners of vehicle crime in each year since 1990.

Mr. Charles Wardle: The Home Office is continuing its car crime prevention campaign in 1994, with both media advertising and behind the scenes activities designed to reduce the opportunities for this type of crime.

In addition, the advisory committee on car crime prevention has now been brought under the auspices of the national board as a working group and continues to look at devising new ways of improving vehicle security. We are also continuing to promote the secured car parks initiative and I urged major car park operators to participate in the scheme when I met them on 2 February to discuss car park security.

It is not possible to estimate what the likely incidence of car crime will be in 1994-95 and 1995-96, but I am pleased to be able to report that vehicle crime as a whole went down by almost 2 per cent. in 1993. I hope that this downward trend will continue.

Information as to how many police hours were committed nationally to covering incidents of car crime in each year since 1990 is not available.

Similarly, information as to the estimated cost of vehicle crime to British car owners over the same period is not available in the form requested. However, the British Crime Survey found that in 1991 the net losses to victims of all types of thefts involving cars was somewhere in the region of £775 million, excluding insurance and security costs.

Parish Constables

Mr. Mike O'Brien: To ask the Secretary of Sate for the Home Department what was the total cost of advertising and promoting the parish constable initiative incurred by his Department.

Mr. Charles Wardle: There has bneen no formal advertising or promotional activity. The parish constables initiative was promoted through exchanges between the Home Office and police forces and parish councils in the course of normal business.

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department what extra resources his Department has provided to fund the provision of parish constables.

Mr. Charles Wardle: I refer the hon. Member to the answer that I gave him on 18 April at columns *352-54*.

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department what representations he has had from councils to provide funding for the provision of parish constables; and what has been his response.

Mr. Charles Wardle: The only representations of this kind that have been received from parish councils have suggested that the special constables serving as parish special constables, or the members of the public serving as wardens, should be paid either by the state or out of council funds. In the case of parish special constables, this would be contrary to the tradition of the special constabulary. Special constables volunteer their time and are not paid, although they receive allowances and out-of-pocket expenses for their hours of duty. This has not proved an obstacle to take-up of the initiative. More than 40 schemes are now up and running.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for the Home Department how many parliamentary questions to his Department in the last five years have not been answered because of disproportionate costr j 2-6 or because the information requested was not held centrally; how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Howard: The number of answers given to questions to my Department in the five calendar years 1989-93 which the POLIS database has been able to identify as fitting the hon. Member's criteria is 479. Information on how many of these questions could now be answered and details of the questions and the hon. Members who tabled them could be obtained only at disproportionate cost.

Police, North Yorkshire

Mr. Bayley: To ask the Secretary of State for the Home Department what has been *(a)* the establishment and *(b)* the number of police officers in post in North Yorkshire on 1 April 1974 and on the same date each year since then up to and including 1 April 1994.

Mr. Charles Wardle: Information on police strength is collected at the end of each month. The figures set out in the table give the information requested as at 30 April in each year. Data for April 1994 are not yet available.

Establishment and strength of the North Yorkshire police from 1974 to 1994

Years as at 30 April	Establishment	Strength
1974	1,277	1,183
1975	1,277	1,246
1976	1,328	1,309
1977	1,328	1,294
1978	1,328	1,271
1979	1,328	1,337
[1]1980	1,368	1,355
1981	1,368	1,352
1982	1,368	1,361
1983	1,368	1,362
1984	1,368	1,358
1985	1,368	1,348
1986	1,368	1,365
1987	1,368	1,362
1988	1,368	1,370
1989	1,383	1,363
1990	1,408	1,380
1991	1,408	1,380
1992	1,418	1,389
1993	1,418	1,384
[2]1994	1,418	1,326

[1] The North Yorkshire authority did not ask for an increase in establishment between 1980-81 and 1987-88.
[2] Figures as at February.

Polling Booths (Disabled Access)

Mr. Sheerman: To ask the Secretary of State for the Home Department what new steps he is taking to ensure that disabled persons have full access to polling booths during local, national and European elections.

Mr. Peter Lloyd: We regularly remind local authorities and returning officers about their obligation to choose, wherever possible, buildings which provide access for the disabled, and we have included further advice in our guidance for acting returning officers at the forthcoming European parliamentary elections. This matter is also being considered as part of our post-election review.

Temazepam

Ms Quin: To ask the Secretary of State for the Home Department in how many cases of violent crime abuse of the drug Temazepam has been found to be a factor in the last three years; and if he will make a statement.

Mr. Maclean: The information is not collected centrally.

Ms Quin: To ask the Secretary of State for the Home Department what plans he has to reschedule the drug Temazepam in capsule and tablet form; and if he will make a statement.

Mr. Maclean: The Home Office carried out a public consultation exercise on this proposal last year. The advisory council subsequently considered the responses to this consultation, and I am currently considering the council's conclusions in consultation with ministerial colleagues. I plan to reach a decision shortly.

Bosnian Refugees

Mr. Worthington: To ask the Secretary of State for the Home Department (1) how many people from Bosnia have sought refugee status; and how many have been granted this in each year since 1992;

(2) how many people from Bosnia are currently living in the United Kingdom because of insecurity in their homeland; and if he will give a breakdown of their current status regarding their right to stay.

Mr. Charles Wardle *[holding answers 19 April 1994]:* The available information on asylum applications by nationals of the former Yugoslavia, and on decisions made, for the period 1 January 1992 to 31 March 1994 are given in the attached table; data for Bosnians are not separately identifiable in the statistics. The large majority of applications made in the period are under consideration and the applicants are being allowed to remain in the meantime.

In addition to consideration of asylum applications, the Government have, under arrangements announced in November 1992 and June 1993, offered to receive 1,000 particularly vulnerable individuals from the former Yugoslavia, and their close dependants, an estimated total of 4,000 people in all. As at 12 April 1994, 626 particularly vulnerable individuals and 849 dependants had arrived under these arrangements. Prior to this, 68 sick and wounded ex-detainees from Bosnia arrived in September 1992.

Decisions[1] on applications[1] received for asylum in the United Kingdom from nationals of the former Yugoslavia, excluding dependants, 1 January 1992 to 31 March 1994
Number of principal applicants

	1992	*1993*	*January 1994 to March 1994*
Asylum applications[1]	5,635	1,830	390
Decisions[2 3]	130	180	270
Recognised as a refugee and granted asylum	*	55	220
Not recognised as a refugee but granted exceptional leave to remain[4]	*	55	220
Refusals	125	125	45
Refused asylum and exceptional leave after full consideration	—	10	25
Refused under para 180F[5]	65	80	10
Refused on safe third country grounds[6]	60	30	5

[1]Provisional figures rounded to the nearest 5 with *=1 or 2.
[2]Figures exclude information on applications made overseas.
[3]Decisions do not necessarily relate to applications made in the period.
[4]Usually granted for a year in the first instance, subject then to further review.
[5]For failure to provide evidence to support the asylum claim within a reasonable period, including failure to respond to invitation to interview to establish identity (para. 101 prior to 26 July 1993).
[6]Refused on the grounds that the applicant had arrived from a safe third country.

TREASURY

VAT on Fuel

Mr. Betts: To ask the Chancellor of the Exchequer what considerations led him to apply differential treatment to individual and district heating systems in regard to the levying of VAT on domestic fuel.

Sir John Cope: There is no special VAT treatment for supplies of heat made under a district heating scheme. However, where landlords supply their tenants with heat under such a scheme and make a flat rate charge for both accommodation and heat then, in VAT terms, there is only a single supply of heated accommodation. In such cases the VAT liability of this single supply will be determined by the principal element, the accommodation. This has always been the position and follows established VAT supply principles.

Mr. Martyn Jones: To ask the Chancellor of the Exchequer what estimate he has made of the extent to which value added tax will be charged on any fuel used before 1 April, in bills sent out shortly after 1 April; and if he will make a statement.

Sir John Cope: There are transitional arrangements that enable suppliers to apportion bills so that VAT is charged only on gas and electricity calculated as used after the new rate came into force.

Bank Notes (Design)

Mr. French: To ask the Chancellor of the Exchequer what plans he has to change the design, size and colouring of £10 or £20 notes.

Sir John Cope: The design of Bank of England banknotes is the responsibility of the Bank. I understand that it has no plans to make any further changes to the £10 and £20 notes. New versions with clearer numerals were introduced last year. The size differences have been maintained in order to help the blind and partially-sighted. The colours are predominantly different, especially in the bold coloured symbols and around the portraits on the reverse of the notes.

Mr. French: To ask the Chancellor of the Exchequer what consideration is given when introducing new bank notes to the needs of the blind and the elderly.

Sir John Cope: Design of Bank of England bank notes is the responsibility of the Bank of England. The Bank consults representatives of the blind, the partially sighted and the elderly about the design. In the light of advice from these groups, the Bank has maintained differences in the heights and widths for each denomination in the new series of notes and introduced a different bold coloured symbol on the front of each note to assist the partially sighted.

Trinidad Terms

Mr. Tom Clarke: To ask the Chancellor of the Exchequer if he will list the countries which have benefited to date from the Trinidad terms; if he will specify for each of these countries how much debt has been written off in total, and how much has been written off by the United Kingdom; if he will list the countries which will be coming up for debt relief under the Trinidad terms in the near future; and if he will indicate which countries have started negotiating the second stage of their Trinidad terms agreement.

Mr. Nelson: To date, 22 countries have benefited from a reduction in the burden of their official bilateral debt under Trinidad terms. They are: Benin, Bolivia, Burkina Faso, Central African Republic, Cote D'Ivoire, Ethiopia, Equatorial Guinea, Guinea Republic, Guyana, Honduras, Mali, Mauritania, Mozambique, Nicaragua, Niger, Senegal, Sierra Leone, Tanzania, Togo, Uganda, Vietnam and Zambia.

Figures for the debts owed to individual creditors, or the debts cancelled for any individual country are confidential. We cannot publish these figures without the consent of the authorities in both the debtor and creditor countries. But in total, it is estimated that over the lifetime of these agreements over $7¼ billion of debt will be restructured and around $2¾ billion will be forgiven. The United

Kingdom's share of the debt and debt service forgiven is estimated to be over $200 million. However, such estimates are liable to revision since, for several of the debtor countries, discussions over the detailed terms are still underway.

The merits of all future requests for debt rescheduling will be considered by the Paris Club creditors on a case by case basis. Thus it is not possible to say which countries might obtain debt relief under Trinidad terms in the future. As yet, no countries have begun negotiating for reductions of their stock of official bilateral debts with the Paris Club.

EC Central Bank

Sir Thomas Arnold: To ask the Chancellor of the Exchequer if he will make a statement about the recent meeting of EC finance ministers with EC central bank governors.

Sir John Cope: EC central bank Governors were invited to the informal meeting of EC Economic and Finance Ministers held in Greece on 9 April. The main item of discussion was follow-up work to the Commission's White Paper on "Growth, Competitiveness and Employment." As is the practice for informal meetings of this sort, there were no formal Council conclusions.

VAT Registration Fraud

Mrs. Mahon: To ask the Chancellor of the Exchequer what is his estimate of the amount saved or collected due to uncovering of value added tax registration fraud due to local knowledge of local registration staff in each constituency in England and Wales.

Sir John Cope: False VAT registration by bogus business for the purpose of obtaining false VAT repayments is treated as criminal fraud. Of the reported cases, Customs are unable to identify how many were detected specifically as the result of local knowledge of registration staff in local VAT offices.

ATTORNEY-GENERAL

British National Party

Mr. Shore: To ask the Attorney-General whether he has received a report from the Metropolitan police into the alleged electoral malpractices of the British National party in leaflets put out in Millwall on the 1 October 1992 and 16 September 1993 local by-elections; and if he will make a statement.

The Attorney-General: The Crown Prosecution Service has been kept informed of the progress of the Metropolitan police inquiries following a complaint made by the hon. Member for Blackburn (Mr. Straw). The investigation is continuing and the CPS expects to receive a report when it is concluded.

SOCIAL SECURITY

Computer Error, Benefits Agency

Mr. Cann: To ask the Secretary of State for Social Security what estimate he has made of the number of people not in receipt of severe disablement premium because of computer error by the Benefits Agency; how long this problem has existed; what is being done to rectify it; what efforts are being made to trace those concerned; what his Department's policy is towards backdating payments to the date when entitlement commenced; and if he will make a statement.

Mr. Hague: The administration of income support is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Michael Bichard to Mr. Jamie Cann, Dated 19 April 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question in which you enquire about suggestions that Benefits Agency customers with entitlement to a severe disability premium (SDP) have not received it due to a computer error.

I would first of all like to explain that the problem did not arise from a fault with the Income Support Computer System (ISCS). It has always been possible to include the SDP in system produced payments of Income Support if entitlement existed. The problem arose because the complexity of the criteria necessitated staff making further enquiries in cases with potential entitlement.

This was because it was not possible to obtain all of the information to determine entitlement on the intial Income Support claim form; inclusion of all the relevant questions would have increased its size and complexity unacceptably, particularly for the majority of customers from whom the information was not required.

Inevitably potential entitlement was sometimes overlooked, further enquiries were not always made and as a result some awards of the SDP missed.

In order to improve the initial consideration of claims a change was introduced to the ISCS on 13 December 1993. It will now identify a case with potential entitlement to the SDP as claim details are entered and issue an appropriate enquiry to the customer, removing the need for staff to do this. Similarly, potential entitlement is also identified when reviewing existing cases.

Corrective action has been taken on all cases identified and full areas have been considered and paid as appropriate. Arrears are considered for any past period since 1988 when the premium was introduced, in cases where the award of the SDP was appropriate.

We are considering what further action may be necessary to establish the extent of the problem and identify any further cases which may not have been correctly awarded the SDP. If any are identified enquiries will be made before they are referred to the adjudicating authorities who will consider whether, and from when, the SDP can be paid.

I should explain that all claims to social security benefits are decided in the first instance by an Adjudication Officer who applies statute and caselaw to a customers circumstances before making a decision about entitlement. If a person disagrees with their decisions they have the right of appeal to the Independant Tribunal Service. There is a further right of appeal, but only on a point of law, to the Social Security Commissioners.

These authorities, appointed in consequence of an Act of Parliament, are independant of both the Department of Social Security and the Benefits Agency. Consequently no Government Minister or official can comment on their decisions or intervene in matters for which they are responsible.

I hope that you find this reply helpful.

Appeal Tribunals

Sir Malcolm Thornton: To ask the Secretary of State for Social Security what action he is taking to remove legislative barriers to improved handling of appeals to social security appeal tribunals, disability appeal tribunals and medical appeal tribunals.

Mr. Hague: Amendments to the social security adjudication regulations have been laid today to make a

number of changes which will streamline the handling of appeals by the independent tribunal service. The main purpose of these minor and technical amendments is to ensure that before a date is arranged for an appeal hearing all necessary preliminary work can be completed.

Pensions

Mr. Denham: To ask the Secretary of State for Social Security what is the average value of weekly state pension paid *(a)* four weeks in arrears and *(b)* 13 weeks in arrears.

Mr. Hague: The information is not available.

Mr. Denham: To ask the Secretary of State for Social Security what percentage of the population of working age in Britain is *(a)* currently contributing to the state earnings-related pension scheme or *(b)* currently opted out of SERPS and is earning above the national insurance minimum contributions level.

Mr. Hague: During 1991-92, the latest date for which information is available, of the population of working age in Great Britain with earnings above the national insurance lower earnings level:

(a) 15·4 per cent. paid national insurance contributions to count towards the state earnings-related pension scheme;

(b) 34·2 per cent. were contracted out of SERPS, including those who are members of an appropriate personal pension scheme;

(c) 3 per cent. worked in both contracted in and contracted out employments.

Source: 1 per cent. sample of the national insurance recording system and Office of Population Censuses and Surveys mid-1992 population estimates.

Mr. Denham: To ask the Secretary of State for Social Security how many pensioners receive their state pension via automated credit transfer *(a)* four weeks in arrears and *(b)* 13 weeks in arrears.

Mr. Hague: At March this year, an estimated 2,550,000 pensioners received their state pension by automated credit transfer four weekly in arrears; and an estimated 85,000 received their state pension by automated credit transfer 13-weekly in arrears.

Benefits (Habitual Residence Test)

Mr. Madden: To ask the Secretary of State for Social Security, pursuant to his answer of 12 April, *Official Report*, column *164*, what views his Department's legal advisers have expressed on his proposals applying an habitual residence test to the payment of benefit.

Mr. Hague: The Department's legal advisers believe that the proposals are in accordance with Community law.

TRADE AND INDUSTRY

Aero-engine Development

Mr. Robert Ainsworth: To ask the President of the Board of Trade what analysis he has undertaken into the relative Government support received by Rolls-Royce, Pratt and Witney and General Electric concerning aero-engine development.

Mr. Sainsbury: The United States aero-engine industry receives no direct financial support from the United States Government. However, indirect support, primarily from NASA and the Department of Defence for research and development, is estimated by the United Kingdom industry to be approximately $760 million per annum. Due in part to the high level of indirect support provided by the United States Government to its aircraft industry, the United Kingdom has been seeking a new GATT agreement on trade in civil aircraft to provide strict and fair limits on all classes of Government support for the aerospace industry.

Currently Rolls-Royce receives around £5 million under a number of DTI schemes. The Ministry of Defence, including the Defence Research Agency, currently spends around £51 million with Rolls-Royce on aero-engine research technology demonstration and development contracts.

Rolls-Royce

Mr. Robert Ainsworth: To ask the President of the Board of Trade what level of repayments of launch aid have been made by Rolls-Royce to the Exchequer in each year since 1986.

Mr. Sainsbury: Launch aid repayments made by Rolls-Royce for each year since 1986 are as follows:

Year	*£ million*
1986-87	22·2
1987-88	25·2
1988-89	21·5
1989-90	31·9
1990-91	17·3
1991-92	27·3
1992-93	33·6

Mr. Robert Ainsworth: To ask the President of the Board of Trade how much Government assistance has been given to Rolls-Royce since 1986.

Mr. Sainsbury: Approximately £196 million has been provided to Rolls-Royce under a number of schemes since 1986.

Fireworks

Mr. Matthew Banks: To ask the President of the Board of Trade how many firework-related injuries were referred to hospitals in the period around 5 November 1993.

Mr. McLoughlin: According to reports from accident and emergency units in hospitals in England, Wales and Scotland, 1,058 people required treatment for injuries caused by fireworks, an increase of 12 per cent. over the total number of injuries reported in 1992.

A breakdown of the figures for 1993 and for the previous four years by region, type of injury and kind of firework involved is being placed today in the Libraries of both Houses of Parliament.

Virtually half the injuries were due to illegal misuse of fireworks in the streets or public places—338—and to sparklers—189. Injuries in the 16 to 20-year age group were 12 per cent. lower than in 1992.

Notwithstanding annual average sales of 100 million fireworks, I remain concerned at the number of firework injuries.

My Department is in touch with representatives of the fireworks industry and of enforcement authorities to discuss ways in which firework injuries can be reduced.

Export Credits Guarantee Department

Mr. Matthew Banks: To ask the President of the Board of Trade if the ECGD will become a next steps agency.

Mr. Heseltine: ECGD's status has recently been reviewed as part of the Government's ongoing next steps programme. In the light of this Ministers have concluded that ECGD's current status as a separate Government Department remains best suited, in present circumstances, to the achievement of its aims and objectives. This conclusion reflects, in part, the continuing high level of ministerial involvement in ECGD's business. The circumstances bearing on this conclusion will be considered again in three years' time to determine whether there has been any material change which would justify a further formal status review.

Coal Industry (Mine Plans)

Mr. Ronnie Campbell: To ask the President of the Board of Trade what is the current location of the abandoned mine plans for the Northumberland, Durham and Cumberland coalfields.

Mr. Eggar: I understand that British Coal holds abandoned mine plans, on behalf of the Health and Safety Executive, at Bretby in Staffordshire.

Consultants

Mr. Cousins: To ask the President of the Board of Trade whether consultants retained by him on the review of the Warren Springs laboratory of AEA Technology have advised him of conflicts of interest.

Mr. Heseltine: No.

Generating Industry (Government Support)

Mr. Dafis: To ask the President of the Board of Trade what was the total financial support from the Government during 1993, direct and indirect, including research, given to *(a)* coal-fired power generation, *(b)* nuclear power, *(c)* gas-fired power generation, *(d)* oil-fired power generation, *(e)* wind power and *(f)* wave power.

Mr. Eggar: Financial support is given to the power generation industry through the fossil fuel levy. In 1992-93 the levy raised £1,348 million: of this some 98 per cent. went to nuclear power generators, and 2 per cent. to renewable generators. The proportion of levy receipts going to renewable generators is expected to increase during the 1990s, as more renewable generating plant is commissioned.

Information on the Government's expenditure on energy research and development is published in "Trade and Industry—The Government's Expenditure Plans 1994-95 to 1996-97", Cm 2504, a copy of which is in the Library of the House. The estimated outturn for 1993-94 expenditure on R and D on renewables and novel sources of energy given at page 57 includes £7·31 million for wind power and £0·196 million for wave power.

Wind Energy

Mr. Ron Davies: To ask the President of the Board of Trade if he will list the location of those proposals for wind energy submitted for the new round of contracts under non-fossil fuel obligation 3 which are sited in Wales; and if he will give *(a)* the size, *(b)* the proposers and *(c)* other details of each such proposed new site in Wales.

Mr. Eggar: This is a matter for the appropriate regional electricity companies and their agent, the Non-Fossil Purchasing Agency Ltd, which is co-ordinating applications from generators seeking contracts under the proposed third renewables order.

City (Short-termism)

Mr. Elletson: To ask the President of the Board of Trade what measures his Department will take to deal with the short-termism of the City.

Mr. Sainsbury: Although the issue is unproven, there is a perception that short-termism exists. A lack of effective dialogue between companies and their shareholders may lead to short-term attitudes; by companies with regard to their investment decisions, and investors with regard to their shareholdings. My Department will continue to support initiatives which can lead to an improved level of understanding between the City and industry.

Regional Electricity Companies

Mr. Gunnell: To ask the President of the Board of Trade what advice he has given Professor Littlechild concerning the potential subsidisation of the retail activities of regional electricity companies through their electricity supply functions.

Mr. Eggar: This is a matter for the Director General of Electricity Supply. It is a condition of regional electricity companies' licences that they may not cross-subsidise between their separate businesses.

Mr. Gunnell: To ask the President of the Board of Trade how many complaints have been received by his Department from customers of regional electricity companies who believe that through the price of electricity they subsidise the retail activities of those companies.

Mr. Eggar: Over the last financial year, 1993-94, the Department of Trade and Industry has received no complaints from consumers on this matter.

Mr. Gunnell: To ask the President of the Board of Trade what information is collected by OFFER concerning the retail activities of regional electricity companies.

Mr. Eggar: The Director General of Electricity Supply has no power to intervene in the running of the regional electricity companies' retail businesses. A condition in their licences ensures that the RECs may not cross-subsidise between their separate businesses, and the Director General has a duty to collect information to ensure that this is the case.

Mr. Hain: To ask the President of the Board of Trade what was the total amount received from the flotation of the regional electricity companies; and what is their total current value.

Mr. Eggar: Proceeds from the sale of shares in the RECs was £5,040 million. In addition the companies were floated with a debt to the Government of £2,815 million.

Some of this debt has already been paid back to the Treasury and some has yet to be redeemed. Total proceeds of the sale, therefore, will amount to £7,855 million.

As with most other public limited companies the current values of the regional electricity companies are publicly quoted and vary on a day to day basis.

Figures are given to the nearest million pounds.

National Grid

Mr. Hain: To ask the President of the Board of Trade what is the esimated value of the National Grid following demerger from the regional electricity companies.

Mr. Eggar: This is a commercial matter for the current owners of the company to assess.

Coal Industry Bill

Mr. Mullin: To ask the President of the Board of Trade, pursuant to his answer of 12 April, column *106*, if he will place in the Library a copy of the National Rivers Authority's response to the consultation exercise on the Coal Authority explanatory note and draft model licensing and leasing documents.

Mr. Eggar: The response has been placed in the Library of the House.

Arms Exports (Indonesia)

Mrs. Bridget Prentice: To ask the President of the Board of Trade (1) if he will make it his policy to halt immediately all arms exports to Indonesia if it is established that weapons or military vehicles which have been manufactured in Britain and exported to Indonesia are being used against the people of East Timor;

(2) what guarantees he has received from the Indonesian Government that British aircraft and weapons which have been exported to Indonesia will not be used against the people of East Timor.

Mr. Heseltine: Specific assurances have been given to the Government in respect of Hawk aircraft sales.

Because all applications for licensable goods are subject to strict controls and are scrutinised on a case by case basis, no further asssurances or guarantees have been deemed necessary.

If we believe that a prospective purchase of military goods is likely to be used for repressive purposes against a civilian population, the application is rejected.

If there is any evidence of British military equipment being used for repressive purposes against civilians I shall certainly consider it.

HOUSE OF COMMONS

Cleaners

Mr. McMaster: To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, how many cleaners are employed within the House and its associated offices; how many hours on average each cleaner works; and what is the hourly rate of pay for each grade of cleaner.

Mr. Beith: The House currently employs one full-time cleaner working 37 hours per week and 69 part-time cleaners working 17 hours per week in the Serjeant at Arms Department and one part-time cleaner in charge working 30 hours per week and four part-time cleaners working 28¼ hours per week in the Department of the Library. In negotiations recently concluded between management and the relevant trade union representatives, the number of part-time cleaners in the Serjeant's Department will, over time, be reduced to 62 by natural wastage.

The hourly rate of pay of the cleaners is £4·7044 per hour, rising to £4·78 after five years' service, and that of the cleaner in charge is £4·94/£5·37 depending on length of service, rising to £5·56 after three years' satisfactory service and £5·75 after a further three years satisfactory service.

Exhibitions (Upper Waiting Hall)

Mr. Simon Hughes: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition relating to education in developing countries to be displayed in the Upper Waiting Hall.

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 16 May to Friday 20 May.

PUBLIC ACCOUNTS COMMISSION

Government Agencies

Mr. Shersby: To ask the Chairman of the Public Accounts Commission what funds are being made available to the National Audit Office to investigate the work of Government agencies.

Sir Peter Hordern: The National Audit Office's budget of £36·5 million for 1994-95 includes provision both for financial audit of Government Departments, executive agencies, and a wide range of other public sector bodies, and for value for money investigations. As my hon. Friend will know, the forward investigation programme of the National Audit Office is a matter for the Comptroller and Auditor General and the Public Accounts Committee.

Register of Members' Interests

Sir Ralph Howell: To ask the Lord President of the Council, pursuant to his answer of 14 March, *Official Report*, column *513*, for what reason the original HMSO estimate for the printing and publishing costs of the December 1992 Register of Members' Interests, HC 325 of 1992-93 was incorrect; by what percentage the revised figure differs from the previous estimate; what is the basis for those estimated costs and their revision; and if he will make a statement.

Mr. Newton: Responsibility for the subject in question has been delegated to Her Majesty's Stationery Office under its chief executive. I have asked him to write to the hon. Member direct.

Letter from Mr. P. Freeman to Sir Ralph Howell, dated 19 April 1994:

As you are aware, your Parliamentary Question to the Lord President of the Council, about the HMSO estimates for the printing and publishing costs of the December 1992 Register of Members' Interests has been referred to me for reply.

Regrettably, the cause for the error in the costs quoted in the Register was a calculation mistake which occurred within HMSO. In order to prevent any repetition, our verification procedure has been strengthened.

The revised cost estimate is 150 per cent. of the former incorrect figure. The production costs of preparation, pre-press, printing, finishing, packing and distribution provide the principle basis for HMSO cost estimates; publishing costs are normally calculated as a percentage addition.

Please let me know if I can help further.

TRANSPORT

M25

Sir Cranley Onslow: To ask the Secretary of State for Transport (1) when he expects to be in a position to publish his proposals for additional capacity on the M25 between junctions 10 and 12;

(2) what criteria his Department is using in preparing the design of any proposals to provide additional capacity on the M25 between junctions 10 and 12; and what possibilities are being examined.

Mr. Key: These questions relate to operational matters of the Highways Agency. I have asked the chief executive, Mr. Lawrie Haynes, to write to my right hon. Friend.

Letter from Mr. L. Haynes to Sir Cranley Onslow, dated 19 April 1994:

The Minister for Roads and Traffic, Mr. Robert Key, has asked me to write to you in reply to your recent Parliamentary Questions about the provision of additional capacity between junctions 10 and 12 of the M25.

Consultants have been asked to investigate options for increasing the capacity of this section of the motorway beyond dual four lanes to meet the traffic needs of this busy section of the M25 taking into account of environmental and economic constraints.

Following the recent Roads Review, this scheme is in the Priority 2 category. It is necessary, therefore, to reassess the programme. This process is not expected to take very long but until it has been completed I am afraid I am unable to say when any proposals could be published. I will write to you again then.

Highway Scheme Funding

Ms Corston: To ask the Secretary of State for Transport if he will list the highway schemes funded under section 272 of the Highways Act 1980, in 1990-91, 1991-92 and 1992-93 showing *(a)* the total cost of each scheme, *(b)* the amount of the grant under section 272 and whether it was a grant or a loan, *(c)* to whom the grant or loan was authorised, *(d)* the reasons for using this procedure and *(e)* a description of the scheme.

Mr. Key: Details of the highway schemes that the Department agreed in principle would be funded under section 272 of the Highways Act 1980 in 1990-91, 1991-92 and 1992-93 are as follows:

Year	*Route/Scheme*	*Total cost (£ million)*	*Grant or Loan*	*To whom grant or loan authorised*	*Scheme description*
1990 to 1991	A606 Little Wymondley bypass, Hertfordshire	11·3	100 per cent. grant	Hertfordshire county council	Dual two-lane all-purpose bypass
1990 to 1991	A418 Wing bypass, Buckinghamshire	18·3	100 per cent. grant	Buckinghamshire county council	Dual two-lane all-purpose bypass
1990 to 1991	A134 Fornham St. Martin, Suffolk	4·2	100 per cent. grant	Suffolk county council	Dual two-lane all-purpose bypass
1991 to 1992	A6(M) M56 (Manchester airport link) central section, Cheshire	14·8	100 per cent. grant	Cheshire county council	Part of dual carriageway A34 Wilmslow and Handford bypass
1991 to 1992	A16 Market Deeping/Deeping St. James bypass, Lincolnshire	5·8	100 per cent. grant	Lincolnshire county council	Dual two-lane all-purpose bypass
1992 to 1993	A12 Lowestoft eastern relief road, Suffolk	3·57	100 per cent. grant	Suffolk county council	Single carriageway relief road

Section 272 grants were awarded to these schemes because the Department intends to trunk the route and these improvements would offer significant benefits to the road network.

Rail Services, South-West

Mr. Harvey: To ask the Secretary of State for Transport what representations his Department has received in 1994 from north Devon about the future of rail services in the south-west.

Mr. Freeman: My Department has received two representations from north Devon about the future of rail services in the south-west. Both concerned the future of the Exeter to Barnstaple line.

Transport Council

Mr. Lester: To ask the Secretary of State for Transport what were the results of the Transport Council held in Luxembourg on 18 April.

Mr. MacGregor: The Transport Council met in Luxembourg on 18 April. I represented the United Kingdom.

The Council had further discussions following the wise men's report on the airline industry. The Commission will present an action plan to the June Council. There is increasing support for the United Kingdom position on the need to implement in full the third aviation package and to have new Commission guidelines to deal with state aids.

Although there was some support for the United Kingdom view that the work on the opening of negotiations on air and road transport agreements with

Switzerland should be resumed, further discussion was postponed until after the General Affairs Council in May has considered the wider implications of the recent Swiss referendum on lorry transit.

The Council asked for the draft directive on Community railway licensing to be further developed. Most member states, including the United Kingdom, favoured restricting its scope to operators of international services. More detailed discussions will take place before the proposal returns to the Council.

The Council remitted for further consideration by officials a proposed directive on transport of dangerous goods by road which seeks to extend to transport within a member state the provisions of a European agreement on such transport internationally.

The Council instructed the Commission to open negotiations on road transit with Bulgaria, Hungary and Romania; and asked officials to consider further a mandate for wider negotiations on road transport with central and eastern European countries.

The Commission reported on progress on the continuing negotiations with east European countries on an agreement for the inland waterway sector. The Commission presented its proposal for a decision establishing guidelines for trans-European transport networks covering all modes of transport. I welcomed the proposal while highlighting the United Kingdom concern that trans-European network funding should not distort competition. I also mentioned that the United Kingdom would be likely to request changes to the United Kingdom network following the United Kingdom national roads programme review.

Other matters mentioned included Commission discussions with the United States of America on aviation and maritime issues and progress in the working groups on road safety. I undertook to send colleagues copies of the Donaldson report on the protection of the United Kingdom coastline from pollution from shipping when it is published. I propose to place it on the agenda for the next Council in June.

No votes were taken on any of the items.

Sites of Special Scientific Interest

Mr. Austin-Walker: To ask the Secretary of State for Transport how many sites of special scientific interest will have been saved by the recent Government announcements in relation to the roads programme.

Mr. Key: As a result of our recent review of the national road programme for England, eight sites of special scientific interest which could have been affected directly or indirectly by road schemes are no longer affected.

A5

Sir David Madel: To ask the Secretary of State for Transport when the second public inquiry into the Sheep lane junction on the A5 north of Dunstable will commence; and if he will make a statement.

Mr. Key *[holding answer 18 April 1994]:* The development of this scheme is now an operational matter for the Highways Agency. The chief executive has written to my hon. Friend about the revised proposals for the Sheep lane junction.

Letter from Mr. L. Haynes to Sir David Madel, dated 19 April 1994:

Robert Key, Minister for Roads and Traffic, has asked me to reply to your question about development plans for the A5, Sheep Lane junction as responsibility for taking the scheme forward will now rest with the Highways Agency.

As I think you know, the Inspector at the first Public Inquiry rejected the Department's proposals for improvement of the junction by means of grade separation and recommended, instead, a roundabout solution. The Secretaries of State for the Environment and Transport accepted this and a roundabout scheme is now being developed by the Agency's Eastern Regional Office.

An option report is expected within the next 6 weeks. Following this, we should be in a position to publish draft Orders in the Autumn. The publication process will ensure that all those with an interest in the scheme will be able to register their views.

It is too soon to say whether a Public Inquiry will be necessary as this will depend on the weight and nature of objections received. If one is required then it is likely to be held around six months after publication of the draft Orders.

Progress thereafter will depend on satisfactory completion of statutory procedures and availability of funds.

I shall ensure that you are kept informed of key stage developments.

Air Traffic Services

Mr. Dunn: To ask the Secretary of State for Transport if he has now received the report from the working group of officials on the options for privatisation of the national air traffic services of the Civil Aviation Authority; and if he will make a statement.

Mr. MacGregor: I have received the working group report, which I am currently considering, and I hope to announce my response shortly.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Transport how many parliamentary questions to his Department in the past five years have not been answered because of disproportionate cost or because the information requested was not held centrally; how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Norris: The number of questions to the Department that were not answered due to disproportionate cost or because the information was not held centrally over the last five years was 88.

The number of such questions that could now be answered due to increased computerisation and other changes to operational systems could be calculated only at disproportionate cost.

OVERSEAS DEVELOPMENT ADMINISTRATION

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what support the United Kingdom Government are giving towards de-mining activity in Somaliland; and where de-mining activity is currently taking place in Somalia.

Mr. Lennox-Boyd: We are not funding de-mining work currently. We provided almost £700,000 to support

work in north-west Somalia from November 1991 to May 1993. We understand UNOSOM II is supporting 14 local mine clearance schemes and plans to expand them and to open a de-mining training school in Mogadishu.

Aid and Trade Provision

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs on which dam and large-scale power projects approved for ATP assistance in the last five years there has not been a full environmental impact assessment.

Mr. Lennox-Boyd: All ODA projects, including ATP projects, are subject to environmental assessment according to the guidelines and procedures described in our Manual of Environmental Appraisal, first issued in 1989, a copy of which is in the Library of the House. If on initial screening the proposed development registers any significant environmental impacts then we would take further steps to ensure a more detailed environmental appraisal, or environmental impact assessment, is carried out.

The following two projects were not subject to more detailed environmental appraisal: gas turbines, Philippines; scattered diesels, Indonesia. Both projects were approved before the ODA guidelines on environmental appraisal came into being.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs how many refugees are estimated to be fleeing Rwanda; and what response is being made by the international community.

Mr. Lennox-Boyd: The office of the United Nations High Commissioner for Refugees estimated, as of 15 April 1994, that some 26,000 people had fled Rwanda, 12,000 of whom were Burundi refugees who had sought refuge in Rwanda; 9,000 Rwandese refugees are reported to have fled to Zaire. The situation, however, is in a state of flux. Britain has so far committed some £820,000 in humanitarian aid as our share of the international response. Details of responses by other donor countries are not yet available.

PRIME MINISTER

Council of Ministers

Mr. Spearing: To ask the Prime Minister, pursuant to his answer of 12 April, *Official Report*, column *29*, concerning the powers of Her Majesty's Government within the Council of Ministers of the European Community, which articles listed refer to *(a)* obligatory duties or action as required by the treaties and *(b)* optional actions.

The Prime Minister: Whether the treaty requires the Council to act, or gives it a discretion whether or not to act, specific proposals for action made under the articles listed in my previous answer require the unanimous agreement of the Council.

Friendly Countries

Mr. Byers: To ask the Prime Minister, pursuant to his answer of 31 March, *Official Report*, column *908*, regarding friendly countries, which countries and Governments are presently regarded as sharing the United Kingdom's objectives.

The Prime Minister: I have nothing to add to the reply that I gave to the hon. Member on 31 March at column *908*.

Appointments

Mr. Milburn: To ask the Prime Minister if he will list the current members of the Advisory Committee on Business Appointments.

The Prime Minister: The members of the Advisory Committee on Business Appointments are:

The right hon. the Lord Carlisle of Bucklow QC—*Chairman*
The Lord Bridges GCMG
Sir John Blelloch KCB
Sir Trevor Holdsworth
Sir Charles Huxtable KCB CBE
Sir Robin Ibbs KBE
The right hon. Peter Shore MP
The right hon. the Lord Thomson of Monifieth KT

I have recently appointed the right hon. Member for Bethnal Green and Stepney (Mr. Shore) and Sir John Blelloch, following the retirement at the end of their appointments of Lord Merlyn-Rees and Sir Patrick Nairne.

ENVIRONMENT

Local Government Reorganisation

14. **Mr. Dalyell:** To ask the Secretary of State for the Environment what arrangements he has made to issue guidelines in relation to the liaison between local authorities and local water authorities after local government reorganisation.

Mr. Baldry: None. It is a matter for a local authority and a local water company what links are established between them, provided that they comply with statute. That applies whether local government structure is reorganised in their area or not.

18. **Mr. McFall:** To ask the Secretary of State for the Environment what further representations he has received on local government reforms.

Mr. Curry: My right hon. Friend receives a number of representations from time to time relating to the reform of local government in England. Local government in Wales is the responsibility of my right hon. Friend the Secretary of State for Wales.

Rio Earth Summit

19. **Mr. Faulds:** To ask the Secretary of State for the Environment what plans he has to make further announcements about the process of taking forward the United Nations Conference on Environment and Development, the Rio earth summit.

Mr. Atkins: The Government published in January this year a comprehensive strategy on sustainable development and national plans on climate change, biodiversity, and

forests. We are taking a full part in international action to follow up the earth summit, including preparations for the next meeting in May of the United Nations Commission on Sustainable Development.

21. **Mr. Thurnham:** To ask the Secretary of State for the Environment what steps he is taking to review private rented housing.

Sir George Young: The private rented sector has already expanded considerably since deregulation in 1989. We have in hand a number of other initiatives to ensure that this revival continues.

Out-of-town Shopping Developments

22. **Mr. Brandreth:** To ask the Secretary of State for the Environment what representations he has received concerning his policy on out-of-town shopping developments; and if he will make a statement.

Mr. Gummer: We have received a number. The majority have been supportive of our policy of encouraging shopping development in or next to existing town centres and concentrations of people.

Listed Buildings

23. **Mr. Carrington:** To ask the Secretary of State for the Environment what proposals he has to alter the planning regulations to give additional protection to listed buildings; and if he will make a statement.

Mr. Curry: Provisions in schedule 3 to the Planning and Compensation Act 1991 considerably strengthened the regime for enforcing listed building control. We will consider any additional provisions that my hon. Friend wishes to propose.

Right to Buy

24. **Mr. Campbell-Savours:** To ask the Secretary of State for the Environment what plans he has to review the law relating to the right to buy.

Sir George Young: I have no plans for a major review. I am, however, considering one or two minor clarifying amendments for introduction when a suitable opportunity arises.

Markets

25. **Sir Michael Neubert:** To ask the Secretary of State for the Environment what recent representations he has received on the licensing of markets; and if he will make a statement.

Mr. Baldry: Ministers receive representations on the licensing of markets from time to time.

Local Authority Capital Investment

26. **Ms Glenda Jackson:** To ask the Secretary of State for the Environment what proposals he has for changing the methods of financing capital investment by local authorities.

Mr. Curry: The system established by the Local Government and Housing Act 1989 fosters an appropriate pattern of investment while maintaining control of public expenditure.

Coal Mines (Water Pollution)

27. **Mr. Enright:** To ask the Secretary of State for the Environment what recent discussions he has had with the National Rivers Authority about the impact on watercourses of closed coal mines.

Mr. Atkins: My Department maintains regular contact with the National Rivers Authority about this and other issues.

Local Government (Royal Commission)

28. **Mr. Austin Mitchell:** To ask the Secretary of State for the Environment if he will appoint a Royal Commission on local government.

Mr. Curry: No. My right hon. Friend sees no reason for the appointment of such a commission.

Sewage Sludge Dumping (North Sea)

29. **Mr. Cousins:** To ask the Secretary of State for the Environment if he will review the need for a derogation from the European Union requirement to end North sea sewage sludge dumping.

Mr. Atkins: The Urban Waste Water Treatment Directive does not provide for a derogation from the requirement to ban dumping of sewage sludge at sea by the end of 1998.

Council Tax

30. **Dr. Spink:** To ask the Secretary of State for the Environment what the average council tax is for a band D property.

Mr. Baldry: The average headline council tax for a band D property for English authorities, based on information returned to my Department, is £580. This represents an increase of 2·2 per cent. on the 1993-94 average which was £568. Most households pay band C or less. The comparable band C figure for 1994-95 is £516.

38. **Mr. Batiste:** To ask the Secretary of State for the Environment if he will make a statement on the differences in council tax levels between local authorities.

Mr. Baldry: The average headline council tax (band C, two adults) ranges from £218 set by Westminster to £770 set by Liverpool. The average headline council tax (band C, two adults) for Conservative-controlled authorities is £429 while the average for Labour-controlled authorities is £560.

Local Authority Rents

31. **Mr. Pope:** To ask the Secretary of State for the Environment if he will publish the average level of rent set by each local authority for the years 1993-94 and 1994-95.

Sir George Young: The information so far available to my Department from local authorities' returns has been placed in the Library. It represents returns from 329 of the 366 housing authorities in England. My Department's estimate of the average council rent for 1994-95 is £35·70, an increase of £2·00 a week on 1993-94.

34. **Mr. Raynsford:** To ask the Secretary of State for the Environment if he will list the five London boroughs

with the highest average council house rents, and the five lowest; and if he will give the political control of each of those councils.

Sir George Young: Local authorities report information on average rents on housing revenue account claim forms. The London boroughs with the five highest and five lowest average rents for 1994-95, based on the latest available information, are as follows:

	Average weekly rent 1994-95 (£)	*Political control*
Redbridge	63·75	Conservative
Harrow	62·97	Conservative
Westminster	61·43	Conservative
Kensington and Chelsea	60·28	Conservative
Kingston upon Thames	60·27	No overall control
Hounslow	39·97	Labour
Newham	39·88	Labour
Tower Hamlets	37·71	Liberal Democrat
Havering	36·91	No overall control
Barking	33·15	Labour

Rent levels reflect a number of factors, including the arrangements for setting guideline rents for HRA subsidy purposes. These arrangements are related to capital values, which generally lead to higher rent levels in areas where the average value of council dwellings are higher.

London (Quality of Life)

32. **Mr. Cohen:** To ask the Secretary of State for the Environment what assessment he made of the responses to his London questionnaire on the changes in the quality of life for Londoners over the past 10 years.

Mr. Gummer: Our analysis of the responses did not reveal any comments on changes in the quality of life for Londoners over the past 10 years.

Local Government Powers

33. **Mr. Grocott:** To ask the Secretary of State for the Environment what plans he has to devolve power from central to local government.

Mr. Curry: The distribution of power between central and local government is guided by the principle of subsidiarity, which requires responsibility to be delegated to the level which is most consistent with competence, practicality and cost-effectiveness.

Energy Conservation Bill

35. **Mrs. Maddock:** To ask the Secretary of State for the Environment how many letters he has received concerning the Energy Conservation Bill; what proportion are in favour; and if he will make a statement.

Mr. Atkins: My Department has received some 500 letters in support of the Energy Conservation Bill.

Planning Policy Guidance

36. **Mr. Garnier:** To ask the Secretary of State for the Environment if he will make a statement about the implementation of planning policy guidance notes 6 and 13.

Mr. Gummer: These planning policy guidance notes play a key role in our sustainable development strategy by helping to maximise the potential of existing centres, and encouraging development in locations where there can be a choice of means of access—and which can help to reduce the need to travel. It is for local authorities to reflect this approach in their plans and planning decisions in the first instance. The principles will also apply to decisions on planning appeal and call-in.

Local Government Reorganisation (Cleveland)

37. **Mr. Bates:** To ask the Secretary of State for the Environment what representations he has received about local government reorganisation in Cleveland; and if he will make a statement.

Mr. Curry: We have received more than 300 representations about local government reorganisation in Cleveland since the Local Government Commission issued its final report last November. When we lay an implementation order for Cleveland we shall place a summary of these in the Library. Individual representations will be made available if requested unless the writers intended their views to be treated in confidence.

Charles House

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what is the estimated total cost of the refurbishment of Charles house, London W14.

Sir George Young: This property, with an area of 33,000 sq. metres, is held on a lease expiring in June 2010 at an historically low rent. The refurbishment is being undertaken jointly by Property Holdings and Inland Revenue (the major occupier) at a total cost of £3·7 million, inclusive of fees and VAT. It will upgrade the accommodation to provide good value central London offices and at the same time enable the surrender of other premises showing an estimated annual saving of £4·3 million.

London Consultation Paper

Mr. Raynsford: To ask the Secretary of State for the Environment how many of the responses to the consultation paper on "London: Making the Best Better", raised topics on which responses were not specifically invited; and if he will list each such topic, indicating the level of support from the public which it attracted.

Sir George Young: Question 1 of the questionnaire in "London: Making the Best Better" invited respondents to select aspects of London they appreciate from a list of 62 topics, with space to write in other aspects if they wished. All the other questions were open-ended and gave respondents free rein to raise the issues which concerned them about London. Distinctions between topics on which views were or were not specifically invited did not, therefore, arise and all the views expressed were taken into account in the analysis.

Housing Renovation Grants

Mr. Loyden: To ask the Secretary of State for the Environment what plans he has to increase or extend the availability of housing renovation grants.

Sir George Young: We will announce our conclusions on the future of private sector renewal programmes following last year's consultation exercise in due course.

Public Sector Housing Development

Mr. Harry Greenway: To ask the Secretary of State for the Environment how much land he expects to be used for public housing for *(a)* council and *(b)* housing association development during the current year; at what cost to public funds; and if he will make a statement.

Sir George Young: New house building by local authorities is now negligible. Housing associations are now the main providers of new social housing.

Forecasts of the amount of land expected to be used for the provision of social housing, and the cost to public funds of the land, are not collected by the Housing Corporation or the Department. Housing association bids for funds from the Housing Corporation's approved development programme take into account the total cost of a scheme including any requirement to purchase land but do not identify the cost of the land separately.

Urban Development Corporation

Mr. Byers: To ask the Secretary of State for the Environment how much has been spent on consultants' fees by each urban development corporation since the corporations' inception.

Mr. Baldry: Urban development corporations contract our project management, legal, planning, architectural and engineering design and a range of other services to private sector consultants. In addition consultants are commissioned to produce reports, although this represents only a small proportion of the total expenditure. Expenditure from inception to 31 March 1994 on consultants' fees is as follows:

Urban development corporation	*£ million*
Birmingham heartlands	0·54
Black country	27·68
Bristol	6·40
Central Manchester	6·00
Leeds	4·93
London docklands	[1]52·70
Merseyside	24·40
Plymouth	0·58
Sheffield	11·14
Teesside	[2]26·92
Trafford Park	22·03
Tyne and Wear	25·49

[1] Figures from 1 April 1990 to 31 March 1994—project consultancies only. Figures from inception to 31 March 1990 not available.
[2] Figures up to 31 March 1993.

Coalfield Areas Fund

Dr. Wright: To ask the Secretary of State for the Environment if he will give figures on the distribution of the coalfield areas fund and on the share of the fund that is being made available in relation to the closure of Littleton colliery in south Staffordshire.

Mr. Baldry: The full £5 million available under the Coalfield Areas Fund was allocated last year, in response to bids from local authorities, as follows:

DOE Region and Authority	*Bids approved (£)*
Merseyside	
St. Helens MBC (Parkside/Sutton Manor)	150,000
North West	
Wigan MBC (Parkside)	120,000
North	
Easington DC (Vane Tempest/Easington)	164,000
Durham Co.C (Vane Tempest/Easington)	86,000
West Midlands	
Stoke-on-Trent Ci C (Trentham)	560,400
Staffordshire Co. C (Trentham)	266,000
East Midlands	
Ashfield DC (Silverhill)	336,108
Rushcliffe BC (Cotgrave)	293,232
Nottinghamshire Co. C (Coalfield area/Cotgrave/ Bevercotes/Clipstone)	384,500
Bolsover DC (Bolsover/Shirebrook)	544,393
Newark and Sherwood DC (Clipstone)	72,756
Chesterfield BC (Bolsover)	214,000
Bassetlaw BC (Bevercotes)	193,800
Mansfield DC (Coalfield area/Clipstone/Shirebrook)	359,800
Derbyshire Co. C (Coalfield Area)	50,500
Yorkshire and Humberside	
Doncaster MBC (Rossington/Markham Main)	648,150
Wakefield MDC (Sharlston)	288,000
Rotherham MBC (Maltby)	291,000
Total	5,022,639

Although communities affected by the closure of Littleton colliery have not been assisted by the Coalfield Areas Fund, they will benefit from other elements of the Government's £200 million package of assistance announced last year by my right hon. Friend the President of the Board of Trade.

Urban Waste Water Directive (Torbay)

Mr. Steen: To ask the Secretary of State for the Environment what assessment he has made of the kinds of tidal movements in Torbay; and if he will categorise the bay as less sensitive under the urban waste water directive.

Mr. Atkins: I refer my hon. Friend to the answer that I gave him on 18 April at column *361*.

Local Government Finance

Mr. Betts: To ask the Secretary of State for the Environment if he will list for each local authority, together with an indication of political control, *(a)* the budget submitted for 1994-95, *(b)* the spending at standard spending assessment, *(c)* the percentage over standard spending assessment which the budget represents, *(d)* the percentage over the 1993-94 budget which the 1994-95 budget represents, *(e)* the provisional cap and *(f)* the approved cap.

Mr. Baldry: I am arranging for the information to be placed in the Library of the House.

Dr. Lynne Jones: To ask the Secretary of State for the Environment what account he takes of the impact of fixed spending on capital financing costs in his policies on the capping of local authority expenditure.

Mr. Baldry: Provision for capital financing costs is included within authorities' standard spending assessments. In determining his principles for capping my right hon. Friend has regard to all relevant considerations. The cap proposed for any authority designated in accordance with those principles takes account of all the available information on its circumstances.

Dr. Lynne Jones: To ask the Secretary of State for the Environment, pursuant to his answer of 24 November, *Official Report*, columns *43-44*, in what way his final proposals on capital financing standard spending assessments took into account responses to the consultation on his original proposals.

Mr. Baldry: The Secretary of State considered carefully all the representations which we received during the consultation period, including those relating to the capital financing element, and any other relevant information before taking his final decisions on the 1994-95 revenue support grant settlement.

European Structural Funds

Mr. John Marshall: To ask the Secretary of State for the Environment when he will present to the European Commission the Government's proposals for directing future European structural funds assistance towards regions in England seriously affected by industrial decline; and if he will make a statement.

Sir George Young: I have arranged for the regional conversion plans for the nine regions in England designated by the Commission for assistance under structural funds objective 2 to be presented to the European Commission today. Funding under objective 2 contributes towards the development of regions (including employment areas and urban communities) seriously affected by industrial decline. The plans cover the period 1994-96, for which £1,195 million has been allocated to England.

The nine regions, with 1994-96 allocations, are North East England, £239 million; West Cumbria and Furness, £19 million; Yorkshire and Humberside, £243 million; East Midlands, £62 million; West Midlands, £287 million; Greater Manchester, Lancashire and Cheshire, £255 million; East London and Lee Valley, £57 million; Thanet, £11 million; and Plymouth, £22 million.

The plans have been lodged in time to ensure that the eligible date for expenditure on objective 2 programmes is 1 January 1994. Under the Structural Funds Regulations, the Commission is required to reach a decision on the plans within six months of receipt.

Rent Officers (Guidelines)

Mr. Battle: To ask the Secretary of State for the Environment if he will publish the guidelines issued to the rent officers to assist them in the setting of rent levels.

Sir George Young: When setting fair rents, rent officers follow the provisions of section 70 of the Rent Act 1977. When considering the reasonableness of market rents for housing benefit purposes, they follow the provisions of the Rent Officer (Additional Functions) Order 1990 (SI 428) as amended. The Secretary of State has no powers to issue guidelines about setting rents to rent officers, and has therefore not done so.

The Education Trust of the Institute of Rent Officers has established a working party to examine issues surrounding the determination of fair rents, and its report will be published during May.

Planning Applications

Mr. Bates: To ask the Secretary of State for the Environment what consideration he has given to the recommendations of the construction deregulation task force in relation to the contracting-out of the processing or planning applications and the introduction of a twin-tracking approach to technical assessment.

Mr. Baldry: The way in which planning authorities manage planning applications is best left to their discretion in the light of local circumstances. Planning authorities are already free to put the preliminary functions out to tender if they wish. But they must satisfy themselves that this would not compromise their statutory responsibilities, undermine the need to reach decisions on the basis of objective evidence or lead to conflicts of interest.

NATIONAL HERITAGE

Public Appointments

Mr. Vaz: To ask the Secretary of State for National Heritage what percentage of public appointments made by his Department in 1993 were of *(a)* Asians and *(b)* black people; and if he will list their names.

Mr. Sproat: In 1993, 146 appointments were made to the bodies for which the Department of National Heritage is responsible. Of these, two appointments were of Asian people and two of black people, representing 1·37 per cent. in each case or a total of 2·7 per cent.

It would not be appropriate to identify individual appointees in the way requested.

All-seater Stadiums

Mr. Ashton: To ask the Secretary of State for National Heritage if he will list all recent statements made by Ministers in his Department in respect of alteration of the policy of all-seater stadiums for premier league and first division football clubs.

Mr. Brooke *[holding answer 15 April 1994]:* There have been none. The all-seater policy remains unchanged.

FOREIGN AND COMMONWEALTH AFFAIRS

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the situation in Rwanda with particular reference to international action to end the violence.

Mr. Lennox-Boyd: The priority for the moment is to establish a cease-fire and create conditions in which the Arusha peace process and humanitarian relief efforts can be relaunched. The United Nations, countries of the region and the Organisation for African Unity are all playing a role in this.

European Treaties

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out the differences in content, format, text, or other respect between the treaty on European Union published as Cm. 1934 in May 1992, and the treaty published as Cm. 2485 in March 1994; and when he expects to present to Parliament, in a similar fashion, the consolidated and amended treaties establishing the European Economic Community, Coal and Steel Community, Atomic Energy Community and European Union together with their protocols and declarations.

Mr. Heathcoat-Amory: Cm. 1934 is the text of the treaty on European union, as signed at Maastricht, and presented to Parliament in may 1992 as part of the European Communities series. Cm. 2485 contains the same text, but was published in the treaty series in March 1994, following the treaty's entry into force, in accordance with normal practice. It includes the date of the treaty's entry into force and the dates of ratification by the 12 member states. The consolidated text of the treaty establishing the EC, as amended by the treaty on European union, has already been published by the office for official publications of the European Communities. It is available in the Library of the House and through HMSO. An accompanying volume containing the consolidated texts of the ECSC and EURATOM treaties will be published shortly.

Yugoslavia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what attitude the Russian Government are taking at the United Nations on the continuation of the sanctions against Serbia; and what assessment he has made of developments in this attitude.

Mr. Douglas Hogg: There have been no recent discussions of sanctions in the United Nations Security Council. The Russian Government have not proposed revoking any of the Security Council resolutions which impose sanctions against Serbia and Montenegro.

Cyprus

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had and with whom on the present talks taking place on the confidence-building negotiations on Cyprus; and if he will make a statement.

Mr. Heathcoat-Amory: Since the start of this year, my right hon. Friend the Foreign Secretary has discussed the United Nations Secretary-General's package of confidence-building measures for Cyprus with the Turkish Prime Minister, the Turkish, Greek and Cypriot Foreign Ministers, the United Nations Secretary-General and his Special Representative on Cyprus, the United States Secretary of State and with his European colleagues. Most recently I discussed Cyprus with the Cypriot Foreign Minister at the EC/Cyprus Association Council held in Luxembourg on 18 April.

We believe that the package offers substantial benefits to both communities. We welcome President Clerides' acceptance of the United Nations plan for its implementation and note that the Turkish Cypriot leader, Mr. Denktash, continues to have objections. My right hon. Friend the Prime Minister wrote to the Turkish Prime Minister on 6 April urging her to encourage Mr. Denktash to adopt a more constructive approach to the negotiations.

Kashmir

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Prime Minister of Pakistan on the issue of Kashmir.

Mr. Lennox-Boyd: My right hon. Friends the Prime Minister and the Foreign Secretary most recently discussed the issue of Kashmir with the Prime Minister of Pakistan at the Commonwealth Heads of Government meeting in Limassol on 22 October 1993. We have continued to be in regular communication with the Government of Pakistan on the issue.

Private Security Firms

Mr. George: To ask the Secretary of State for Foreign and Commonwealth Affairs how many private security firms have been employed by his Department for each of the last 10 years; what has been the annual value of the contracts; and if he will estimate how many guards have been employed for each of those years.

Mr. Goodlad: To the best of our knowledge, only one private security company has been employed by the FCO in this country in the past 10 years. Southern Security Guards Ltd. were employed between October 1992 and April 1993 to guard Wiston house conference centre. Two to four guards are employed at a cost of £2,998·52.

No central record is kept of security companies employed by our overseas posts.

Burma

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what international sanctions are applied to Burma; and what further action is being considered by Her Majesty's Government and international bodies.

Mr. Goodlad: The European Union suspended all non-humanitarian aid to Burma in 1988. In 1991, the EU imposed an arms embargo on Burma, and in 1992 it severed remaining defence links. We and our European partners continue to encourage like-minded countries to do the same.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what action was taken on Burma by the United Nations Commission on Human Rights at its recent meeting in Geneva; and what was the response of the Burmese Government.

Mr. Goodlad: The 1994 session of the United Nations Human Rights Commission in Geneva adopted a consensus resolution strongly criticising the human rights situation in Burma. The Burmese argued that the terms of the resolution were an unacceptable intrusion into Burma's domestic juridiction.

Human Rights

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to increase the resources available to the United Nations centre for human rights in Geneva.

Mr. Douglas Hogg: Last year the United Nations Secretary General proposed a large increase in funding for the United Nations human rights programme in 1994-1995. The United Nations General Assembly in 1993 recognised the need for further additional resources to fund the new High Commissioner for Human Rights. We welcomed both steps, and hope that they will be confirmed in the next few weeks. We will continue to support the efforts of the Secretary General to increase the resources available to the centre, if necessary through redeployment from areas of lesser priority.

Immigration Applications

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs when a decision is to be taken on an application made by Mr. Gulnamaz, ref: CON/3798, to the United Kingdom post in Islamabad; when the result of a DNA test required to consider the application by Mr. Gulnamaz was received by the post; and if he will make a statement.

Mr. Lennox-Boyd: Mr. Gulnamaz Din's most recent application for a British passport was refused and his fee refunded on 30 March 1993.

The British High Commission in Islamabad understands that Mr. Gulnamaz has opted for DNA testing and has an appointment to give a blood sample on 15 May. In the meantime, he will need to reapply for a passport. This can then be considered in the light of the test results. As explained in my letter of 7 May 1993, however, DNA testing cannot establish that Mr. Gulnamaz's claimed parents were married at the time of his birth. Mr. Gulnamaz's elegibility for British nationality is dependent on his legitimate descent from his claimed father.

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs when decisions are to be taken by the United Kingdom post in Islamabad on the applications, ref: IMM/4343, of Sabreen Jan, date of birth 13 November 1990, Amina Bibi, date of birth 1 April 1988 and Muchtaq Ahmed date of birth 15 December 1986 to enter the United Kingdom; when these children took DNA tests; and if he will make a statement.

Mr. Lennox-Boyd: DNA test results in respect of Sabreen Jan, Amina Bibi and Mushtaq Ali were received by the British High Commission in Islamabad on 16 July 1993. It was then necessary for the High Commission to ask the children's father, Mohammed Ishaq, for information about his domicile in order to ascertain whether the children had a claim to British nationality by descent from him.

He completed the domicile questionnaire on 17 January 1994 and this was then sent to the Foreign and Commonwealth Office for consideration. Althugh clarification of some points is needed, sufficient information is available for the High Commission to issue restricted-validity passports to the children. This will enable them to travel while the remaining details are resolved.

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs when a decision is to be taken on the application made by Mukhtaj Bibi, who was born on 1 November 1972, ref: IMM 67849, to enter the United Kingdom; and if he will make a statement.

Mr. Lennox Boyd: In the absence of any information about this case, I have asked the correspondence unit of the migration and visa department of the Foreign and Commonwealth Office to let the hon. Member have a substantive reply in due course.

Intelligence Services

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what the criteria will be for authorising publications by former members of the security and intelligence agencies, following the passage of the Intelligence Services Bill *[Lords]*.

Mr. Hurd: Former employees of the security and intelligence agencies who wish to publish books or articles, give interviews to the media or provide information for other writers or historians are bound by a duty of confidence to the Crown and are subject to section 1(1) of the Official Secrets Act 1989. These obligations are made clear to people when they take up employment with the agencies and when they leave. No former member of the agencies need be in any doubt about his obligations. The same arrangements would apply to a person notified under section 1(1)(b) of the OSA with respect to the period while the notification is or was in force. On 21 December 1988 at column 538 my right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten), then Minister of State, Home Office, set out the procedures for authorising disclosures under section 1(1) of what is now the Official Secrets Act 1989. He made it clear that such authorisation would be given only in exceptional circumstances.

The need to protect sensitive information is fully recognised in the Intelligence Services Bill, as it is in the Security Service Act 1989. The Bill defines strictly the circumstances under which information may properly be disclosed by the intelligence services including disclosure of records in accordance with the Public Records Act 1958 and 1967, which of course applies only to matters over 30 years old.

Authorisation for publication or other disclosure will accordingly be especially rare and exceptionai with regard to events which happened less than 30 years ago. In any case where a former member of the security and intelligence agencies or a person notified under section 1 (1) (b) as described above wishes to publish or otherwise disclose material relating to his official duties, whether older than 30 years or not, he will need to apply to his former employer for authority to disclose. But there may, in the case of older material, be more likelihood that there will be no objection to disclosure. Any applications made in good faith would be looked at on their individual merits, and would still be judged on whether disclosure of any particular piece of information would jeopardise national security, whether directly or indirectly. If not, the service would be able so to inform the prospective author and give him authority to make the disclosure, so that it would not be contrary to section 1 (1) of the Official Secrets Act 1989 nor in breach of his civil duty of confidence. Authorisation would imply only that there were no concerns about national security. It would not imply that the Crown had endorsed the publication or confirmed the accuracy of its contents. The Crown would reserve the right not to give authorisation in cases where an officer had committed breaches of the criminal law or his civil obligations.

HEALTH

NHS Reforms (London)

Ms Primarolo: To ask the Secretary of State for Health (1) what were the reasons for the publication of the leaflet on "NHS Changes in London"; what was the total cost of publication; and from whom legal advice was sought before publishing it;

(2) what means of assessment she used when drafting the leaflet "NHS Changes in London" of the questions which needed to be covered.

Dr. Mawhinney: The leaflet was produced to address and answer key questions about health services in London. It was cleared by officials in the normal way. The estimated cost of producing and distributing the leaflet is £150,000.

Amyl Nitrites

Dr. Spink: To ask the Secretary of State for Health what plans she has to declare the sale of those sex-enhancing drugs which alter physiological functioning, with particular reference to nitrites, illegal under the Medicines Acts; and if she will make a statement;

(2) what licensing, testing and quality controls and other regulations are applied to the manufacture and sale of the sex-enhancing drugs Rock Hard, Kix, Rush, Ram, Thunderbolt and other nitrites which are most commonly used to facilitate homosexual practices; and if she will make a statement.

Mr. Sackville: The Medicines Control Agency regulates human medicines in the United Kingdom in accordance with the Medicines Acts of 1968 and 1971 and Pharmaceutical Directives of the European Community. No alkyl nitrite is licensed as a medicinal product, and in consequence no product containing nitrite is currently subject to the statutory controls on the manufacture and supply of medicinal products.

Alkyl nitrites are not being promoted for sale explicitly as sexual stimulants. If they were, they would have to be licensed under the Medicines Act 1968, which defines interference with a physiological function as a medicinal purpose. The MCA will investigate all reports of unlicensed medicines, their advertising, labelling and sales, and take the appropriate enforcement action.

NHS Trusts

Mr. Milburn: To ask the Secretary of State for Health if she will list those trusts, by region, that have failed to *(a)* achieve a capital return of 6 per cent. or more, *(b)* break even and *(c)* operate within external financing limits in each year since their inception.

Mr. Sackville: The information requested for the years 1991-92 and 1992-93 will be placed in the Library. Information for 1993-94 will not be available until the annual accounts of trusts are audited.

The majority of trusts listed had technical issues which affected their ability to meet their financial duties. This does not imply any failure in financial control. In a number of cases the difference between actual financial performance and statutory target is deemed to be immaterial.

Junior Doctors

Mr. Jim Cunningham: To ask the Secretary of State for Health what are the average working hours of junior doctors this year *(a)* nationally and *(b)* in Coventry and the west midlands; and what the figures were for 1991-92 and 1992-93.

Dr. Mawhinney: Information on the number of hours worked by junior doctors is not available centrally. Figures for the average contracted hours of junior doctors and dentists are shown in the table. The figures for September 1993 are not yet available.

Mean contracted hours of junior doctors in England, West Midlands and Coventry as at 30 September 1991 and 1992

	1991	1992
England	80	75
West Midlands	84	76
Coventry	82	76

Mr. Jim Cunningham: To ask the Secretary of State for Health what plans she has for reducing the working hours of junior doctors; and what discussions she has had with the British Medical Association regarding this matter.

Dr. Mawhinney: Our targets for reducing junior doctors' hours are set out in the new deal guidance, copies of which are available in the Library. Regional office task forces support and monitor implementation of the new deal. They report regularly to a ministerial group. The medical profession is fully represented on that group.

The new deal is a joint initiative between the United Kingdom health departments, the medical profession and the national health service and was based on an agreement with representatives of consultants, junior doctors, the medical royal colleges and national health service management.

Mr. Jim Cunningham: To ask the Secretary of State for Health what representations she has received from organisations or members of the public regarding the working hours of junior doctors; and if she will name the organisations.

Dr. Mawhinney: There has been a great deal of interest, from organisations and members of the public, in the progress made to reduce junior doctors' hours since the launch of the new deal in 1991.

Listing all those making representations would involve disproportionate cost.

Health Information

Ms Primarolo: To ask the Secretary of State for Health what is the cost of running the NHS changes in London health information service telephone line.

Dr. Mawhinney: The line is operated by the already established health information services in the London area; no additional costs have been incurred.

Nurses (Smoking)

Ms Primarolo: To ask the Secretary of State for Health what plans she has to help nurses who smoke to give up smoking.

Mr. Sackville: This is a matter for all national health service authorities and provider units to pursue in accordance with the guidance, HSG(92)41, published in October 1992 on the introduction of smoking policies in the NHS. Copies of the guidance are available in the Library.

Immunisation

Ms Primarolo: To ask the Secretary of State for Health what assessment she has made of the relative cost of delivering immunisation by prefilled syringe and the traditional method of vial, syringe and needle.

Mr. Sackville: Requests for the provision of prefilled syringe presentations are being carefully monitored. At present, demand is only a small proportion of the totality in respect of vaccine supplied for the childhood immunisation programme. New contracts for most centrally purchased vaccines are due from 1 October 1994. The relative costs will be considered at the adjudication stage of the contracting procedures.

Ms Primarolo: To ask the Secretary of State for Health to which health authorities she has written requesting that they restart the Bacille-Calmette-Guérin immunisation programme.

Mr. Sackville: The Department has not written to any health authorities requesting that they restart the schools Bacille-Calmette-Guérin immunisation programme. The importance of the programme has been drawn to the attention of all regional health authorities through the regional review process; regions have been asked to consider carefully whether their arrangements to protect against tuberculosis are adequate. We are aware that some districts which have suspended their programme are reconsidering their policies.

Disciplinary Procedures

Mr. Matthew Taylor: To ask the Secretary of State for Health, pursuant to her answer of 16 March, *Official Report*, column *724*, when she plans to implement recommendation 14 of HC(90)9 on proceedings against doctors, to introduce arrangements for monitoring the new procedure; when the HC(90)9 procedure is to be reviewed and by whom; how public expenditure arising from the use of this procedure is monitored; and if she will make a statement.

Dr. Mawhinney: Employing authorities were asked to monitor the procedures in HC(90)9 in order to inform a review which commenced in April 1993. This review was carried out by a joint working party chaired by Dr. Graham Winyard, medical director of the national health service executive. The joint working party contained representatives of the medical profession, the Health Departments and national health service management. Information on the expenditure arising from the use of these procedures is not available centrally.

Mr. Matthew Taylor: To ask the Secretary of State for Health, pursuant to her answer of 16 March, *Official Report*, column *724*, what plans she has to set up systems for collecting information on disciplinary action on hospital doctors; and whether trusts have specific budgets to meet the legal costs when taking disciplinary proceedings against a doctor under the procedure HC(90)9.

Dr. Mawhinney: We have no plans to collect such information. Legal costs would be an expenditure item which trusts would recover in prices through the contracting system.

Mr. Matthew Taylor: To ask the Secretary of State for Health (1) pursuant to her answer of 16 March, *Official Report*, column *724*, how many doctors have been dismissed since 1990 on grounds of personal misconduct; and what was the total number of doctors dismissed from national health service posts since 1990;

(2) what changes there have been in the number of doctors *(a)* suspended, *(b)* subject to disciplinary hearing and *(c)* dismissed since 1990.

Dr. Mawhinney: Decisions on disciplinary action for hospital doctors and dentists rests with the employing authority or trust. This includes whether to suspend or dismiss a practitioner.

Pacemaker Leads

Mrs. Bridget Prentice: To ask the Secretary of State for Health when Meditronic was first licensed to sell pacemaker leads in the United Kingdom; and which leads were licensed, by date.

Mr. Sackville: There is no requirement for the licensing of medical devices intended for sale within the United Kingdom, including pacemaker leads.

The Department of Health has operated a voluntary registration scheme for manufacturers of medical devices since 1981; Meditronic was first registered on 10 October 1983.

Waiting Times

Mrs. Bridget Prentice: To ask the Secretary of State for Health (1) how many patients have been waiting *(a)* six months or more and *(b)* one year or more for in-patient operations in each London health authority;

(2) what is the latest number of patients awaiting *(a)* in-patient and *(b)* day-case treatment in each London district health authority.

Dr. Mawhinney: Information on waiting times for in-patient and day case treatment by district health authority and trust is given in "Hospital Waiting List Statistics: England". This is published twice yearly and copies are available in the Library.

Medico-legal Services (Charges)

Mr. Amess: To ask the Secretary of State for Health what is the average hourly fee charged by doctors acting in *(a)* a professional and *(b)* an expert capacity for preparing medico-legal reports to be presented in court;

(2) what is the average half-day fee paid to *(a)* professional medical witnesses and *(b)* expert medical witnesses for attendance at court.

Dr. Mawhinney: Fees are set by individual negotiation on each case and data are not available centrally.

Limb Defects

Mr. Patrick Thompson: To ask the Secretary of State for Health when the findings of the Office of Population Censuses and Surveys national analysis of the geographical pattern of limb reduction defects will be published.

Mr. Sackville: The Office of Population Censuses and Surveys has completed its analysis of the geographical pattern of limb reduction defects in England and Wales. It has concluded that there is no difference in prevalence in these malformations between coastal and non-coastal areas. The full text of the analysis will be placed in the Library and is being published in this week's edition of *The Lancet*.

Mobile Phones

Mr. Blunkett: To ask the Secretary of State for Health if she will list for each year from 1990 the expenditure on mobile phones by *(a)* region, *(b)* district health authority and *(c)* trust in England.

Mr. Sackville: Health authority and national health service trust financial returns do not identify expenditure for mobile telephones separately from other telecommunications expenditure.

Corporate Image Costs

Mr. Blunkett: To ask the Secretary of State for Health if she will list for each new regional health authority, the expenditure on a new corporate image in terms of *(a)* stationery, *(b)* publications, *(c)* signage, *(d)* livery, *(e)* logo design and *(f)* in total.

Dr. Mawhinney: I refer the hon. Member to the reply that I gave him on 31 March at columns *1049-50*. The new corporate identity which has been developed for the National Health Service Executive is a single common design for use by the headquarters and regional offices of the NHS Executive, and also by regional health authorities.

Performance Tables

Mr. Blunkett: To ask the Secretary of State for Health what is the allocated budget for the new NHS performance tables; and if she will indicate the value of the contract awarded to Phoenix Interface Technology Ltd.

Dr. Mawhinney: The budget for the first set of national health service performance tables is £300,000. This includes the cost of the contract for the initial data collection exercise which was awarded to Siemens-Nixdorf Information Systems Limited who subcontracted to Phoenix Interface Technology Ltd. The value of the contract was £16,423 plus value added tax. The initial non-recurring set-up costs have yet to be finalised.

Leaflets, London

Mr. Rendel: To ask the Secretary of State for Health in which constituencies the leaflet, "NHS Changes in London —answers to the Questions You've Been Asking", has been delivered; and what criteria were used in deciding on these constituencies.

Dr. Mawhinney: The leaflet distribution was targeted at households within the area bounded by the M25. Constituency boundaries were not taken into account in determining distribution.

"Bringing Up Children"

Mr. David Nicholson: To ask the Secretary of State for Health if she will make a statement on her Department's proposed booklet, "Bringing Up Children"; what distribution is intended; at what expense; and for what purposes.

Mr. Robin Squire: I have been asked to reply.

The updated parents charter will be distributed to every household in England at an estimated cost of £630,000. It will not be a guide for parents on bringing up children; rather it will explain how parents' rights have been strengthened, and choice extended, since the publication of the first parents charter in 1991.

DEFENCE

Belize

Mr. Spellar: To ask the Secretary of State for Defence if he will now reconsider the decision to withdraw the British garrison from Belize.

Mr. Hanley: We see no reason to change our plans for the evolution of the British military presence in Belize as announced on 13 May 1993. From 1 October 1994 we will continue to have a presence in Belize, in the form of the British Army training support unit Belize which will provide jungle training to British military units.

Germ Warfare

Mr. Llew Smith: To ask the Secretary of State for Defence what information he has received from his *(a)* Russian and *(b)* American counterparts regarding the current status of the research and development capability of Russia's germ warfare programme.

Mr. Hanley: The terms of the 1992 Russia—United States—United Kingdom trilateral agreement designed to address concerns about Russian non-compliance with the 1972 biological and toxin weapons convention, only allows for information to be exchanged on a confidential basis. It is not therefore possible to reveal details of information gained through this process.

AWE Aldermaston

Mr. Rendel: To ask the Secretary of State for Defence if he will make a statement on the incident that occurred at Atomic Weapons Establishment Aldermaston on 24 March 1994, and place in the Library a copy of the unclassified version of the local board of inquiry report into that incident when it is completed.

Mr. Aitken: I refer the hon. Member to my answer to the hon. Member for Blaenau Gwent (Mr. Smith) on 19 April at column *501*. Arrangements will be made for a copy of an unclassified version of the board of inquiry report to be placed in the Library in due course.

RAF Carlisle

Mr. Martlew: To ask the Secretary of State for Defence, pursuant to his answers of 14 January to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), *Official Report*, column *350*, and of 21 February to the hon. Member for East Lothian, *Official Report*, column *66*, how much has been spent on refurbishment at RAF Carlisle over the past *(a)* five and *(b)* 10 years; and if he will provide a breakdown of the spending on each element of the programmes of refurbishment and upgrading carried out in each of the last 10 years for which figures are available.

Mr. Hanley: I will write to the hon. Member.

Public Bodies

Mr. Kilfoyle: To ask the Secretary of State for Defence who are the members currently appointed to the advisory committee on conscientious objectors.

Mr. Hanley *[holding answer 28 January 1994]:* The information requested is as follows:

John W. Rogers QC (*Chairman*)
Hon. Mr. Justice Latham (*Vice Chairman*)
A. D. Collins QC (*Deputy Vice Chairman*)
M. M. Brooke
Professor J. Cheetham
B. J. S. Edmond
Mrs. J. A. Kirkpatrick
R. Hazell
D. J. Burt
Mrs. R. E. Nugee JP

"Statement on the Defence Estimates"

Dr. David Clark: To ask the Secretary of State for Defence (1) when he will be publishing the 1994 "Statement on the Defence Estimates"; and if he will make a statement;

(2) what publicity work will be carried out relating to the publication of the 1994 "Statement on the Defence Estimates"; and if he will make a statement.

Mr. Rifkind *[holding answer 18 April 1994]:* the "Statement on the Defence Estimates 1994" will be published and laid in the House on Tuesday 26 April. This will be followed by a press briefing and publication of a press notice.

EDUCATION

Pupil-teacher Ratio

Mrs. Bridget Prentice: To ask the Secretary of State for Education what is the current pupil-teacher ratio in *(a)* primary, *(b)* secondary and *(c)* special schools in each London borough.

Mr. Robin Squire: The information requested is shown in the table.

Pupil-teacher ratios in maintained primary, secondary and special schools in the London boroughs, January 1993

LEA	*Primary*	*Secondary*	*Special*
Corporation of London	15·2	—	—
Camden	20·8	15·6	3·9
Greenwich	20·4	16·7	6·4
Hackney	19·9	14·6	5·7
Hammersmith	19·8	15·1	5·4
Islington	19·8	15·0	4·9
Kensington and Chelsea	17·6	13·3	4·0
Lambeth	19·4	15·5	4·7
Lewisham	21·1	16·5	5·6
Southwark	21·6	16·9	4·8
Tower Hamlets	17·8	14·0	5·4
Wandsworth	19·9	14·7	5·4
Westminster	17·2	14·5	4·9
Barking	22·1	17·0	5·1
Barnet	21·1	15·0	5·1
Bexley	23·4	16·7	6·9
Brent	21·6	15·3	4·8
Bromley	23·3	16·3	5·9
Croydon	21·5	16·0	5·4
Ealing	20·7	15·3	5·2
Enfield	21·3	16·3	5·5
Haringey	20·8	14·5	4·8
Harrow	21·3	15·7	5·7
Havering	22·8	16·4	6·0
Hillingdon	22·0	15·8	7·5
Hounslow	20·5	16·4	5·9
Kingston upon Thames	22·5	15·8	6·2
Merton	19·6	15·5	5·2
Newham	24·1	16·6	4·5
Redbridge	23·0	17·2	4·7
Richmond upon Thames	20·3	16·5	5·4
Sutton	23·4	16·8	6·7
Waltham Forest	22·2	15·2	3·6

Student Grants

Mr. Luff: To ask the Secretary of State for Education what were the principal conclusions of the Gulbenkian Foundation survey into discretionary grants; and if he will make a statement.

Mr. Boswell: I refer my hon. Friend to the reply that I gave to the hon. Member for Altrincham and Sale (Sir F. Montgomery) on 13 April at column *196*.

Mr. Luff: To ask the Secretary of State for Education if he will place a copy of the report of the Gulbenkian Foundation on discretionary grants in the Library.

Mr. Boswell: A copy of the report is already available in the Library, placed there on publication by the Calouste Gulbenkian and Sir John Cass's Foundations.

Supply Teachers

Mrs. Bridget Prentice: To ask the Secretary of State for Education for how many days supply teachers have been employed since April 1993 in *(a)* England and *(b)* each London borough.

Mr. Robin Squire: The detail requested is not available. An annual survey of teachers employed in the maintained sector gives a snapshot view of occasional supply teachers employed for the whole day in schools on the survey date. There were 12,446 such teachers in service on 21 January 1993 in England. Reliable figures at local education authority level are not available.

Mrs. Bridget Prentice: To ask the Secretary of State for Education how many supply teachers are registered with each local education authority in London.

Mr. Robin Squire: The information requested is not centrally collected.

Teachers (Illness)

Mrs. Bridget Prentice: To ask the Secretary of State for Education what analysis he has done of the numbers of teaching days lost due to stress-related illnesses since April 1993.

Mr. Robin Squire: The Department does not collect information on teacher absence due to illness.

Ministerial Meetings

Mr. Gapes: To ask the Secretary of State for Education, pursuant to his answer of 28 March, *Official Report*, column *522*, what requests he received to meet Labour Members representing London constituencies to discuss problems facing their constituents; what responses he gave; and if he will make a statement.

Mr. Patten: I have received the following requests[1]:

Member of Parliament	*Date*	*Response*
Nick Raynsford (Greenwich)	1 August 1993	Request accepted
Michael Neubert (Romford)	5 October 1993	Request accepted
Mike Gapes (Ilford South)	24 February 1994	Request declined

Notes:
[1] The details cover all requests for meetings received by the Secretary of

State or one of the Ministers in the Department since 1 March 1993, the time period for which the hon. Member asked his earlier question concerning meetings with hon. Members representing constituencies in London.

Mr. Gapes: To ask the Secretary of State for Education, pursuant to his answer of 28 March, *Official Report*, column 522, which hon. Members representing London constituencies he or Ministers in his Department have met since April 1992.

Mr. Patten: The details requested are as follows:

Secretary of State
Hugh Dykes MP (Harrow, East)—4 March 1993
The right hon. Nicholas Scott MP (Chelsea)—20 December 1993

Minister of State—The Baroness Blatch
John Marshall (Hendon, South)—13 January 1994
Richard Tracey (Surbiton)—28 February 1994

Mr. Boswell
None

Mr. Forth
Hartley Booth (Finchley)—22 July 1993
Nigel Spearing (Newham)—5 October 1992
Matthew Carrington (Fulham)—7 January 1993
Tim Eggar (Enfield)—10 February 1993
Michael Neubert (Romford)—26 October 1993
John Bowis (Battersea)—17 January 1994
Nick Raynsford (Greenwich)—12 April 1994

Mr. Squire
Richard Tracey (Surbiton)—12 October 1993
Michael Shersby (Uxbridge)—2 December 1993
Piers Merchant (Beckenham)—15 March 1994

Mr. Gapes: To ask the Secretary of State for Education pursuant to his answer of 28 March, *Official Report*, column 522, how many Labour Members nationally he, or Ministers in his Department, have met in the last year; and if he will list them.

Mr. Patten: The details requested are as follows:

Secretary of State
None.

Minister of State—The Baroness Blatch
None.

Mr. Boswell
None.

Mr. Forth
Jeff Rooker (Birmingham, Perry Barr)—13 July 1994
Wyn Griffiths (Bridgend)—27 July 1993
Nick Raynsford (Greenwich)—12 April 1994
Greg Pope (Hyndburn) and Peter Pike (Burnley)—23 February 1994 (this was part of an all-Party delegation from Lancashire county council)

Mr. Squire
None.

Mr. Gapes: To ask the Secretary of State for Education how many requests he has received from the hon. Member for Ilford, South for a meeting to discuss the educational problems and overcrowding in the London borough of Redbridge; on what dates he received the letters; and what was the response.

Mr. Patten: I have received one request from the hon. Member for Ilford, South (Mr. Gapes) for a meeting. This was received on 24 February 1994. This request was declined by the Under-Secretary of State, my hon. Friend the Member for Hornchurch (Mr. Squire) as Minister responsible for school organisation issues on my behalf. He advised the hon. Member that I have no powers of intervention in the matter.

EMPLOYMENT

Unemployment, Lewisham

Mrs. Bridget Prentice: To ask the Secretary of State for Employment how many people in Lewisham, East have been unemployed for more than two years; what percentage of the unemployed in Lewisham, East this represents; how many are women; and how many are aged under 25 years.

Miss Widdecombe: The information requested is given in the following table:

Claimant unemployment in Lewisham, East—January 1994

	Number
Claimants unemployed for over 2 years:	[1]1,319
Of which:	
Women	215
Under 25's	190

[1] 25 per cent. of all unemployed in the area.

Note: Claimant unemployment statistics by age and duration are available on the unadjusted basis from the NOMIS database in the Library for the months of January, April, July and October.

Age Discrimination

Mr. Steinberg: To ask the Secretary of State for Employment what current United Kingdom legislation makes provision against discrimination on grounds of age in employment matters; how many United Kingdom employees have *(a)* won and *(b)* lost an appeal against unfair dismissal on the grounds of age discrimination; and if he will make a statement.

Miss Widdecombe: There is no United Kingdom legislation which makes provision against discrimination on grounds of age in employment. The Government firmly believe that the way forward is through education and persuasion.

The consideration of whether a dismissal is unfair may include consideration of how age has been taken into account in the decision to dismiss, but this depends on the particular circumstances of the case. Industrial tribunals' central office does not keep records of the factors involved in such cases and this information could be obtained only at disproportionate cost.

Ionising Radiation

Mr. Llew Smith: To ask the Secretary of State for Employment what evaluation he has made of the proposals made by Mr. Paul Lannoye MEP in his report A3-0147/94 on the amended proposal for a council directive laying down the basic safety standards for the protection of the health of workers and general public against the dangers arising from ionising radiation (COM(93)0349-C3-0282/93, of 17 March.

Mr. Michael Forsyth: None; the proposals are being made to a Committee of the European Parliament.

JHP Training

Mr. Campbell-Savours: To ask the Secretary of State for Employment how much public money has been paid to JHP Training by training and enterprise councils in each of the last five years.

Miss Widdecombe: The information requested is not collected centrally. Contracts between training and enterprise councils and their training providers are matters for local negotiation and the details are commercially confidential.

Industrial Injuries

Mr. Barron: To ask the Secretary of State for Employment how many *(a)* deaths, *(b)* major injuries and *(c)* minor injuries were reported to (i) the mines inspectorate, (ii) the railways inspectorate, (iii) the offshore safety inspectorate and (iv) the explosives inspectorate in each year since 1983.

Mr. Michael Forsyth: The available information is provided in the following table. There was no overall requirement to notify "minor" injuries—that is, those causing incapacity for work for more than three days during the years 1983 to 1985.

Occupational injuries[1] reported to enforcing authorities, 1983 to 1992-93p

Year[2]	Mines Inspectorate[3]			Railways Inspectorate[4]			Offshore Safety Division[5]			Explosives Inspectorate[6]		
	Fatal injuries	Major injuries[3]	Over 3-day injuries[4]	Fatal injuries	Major injuries[3]	Over 3-day injuries[4]	Fatal injuries	Major injuries[3]	Over 3-day injuries[4]	Fatal injuries	Major injuries[3]	Over 3-day injuries[4]
1983	37	947	n/a	28	161	n/a	10	47	n/a	1	3	n/a
1984	38	427	n/a	25	127	n/a	13	59	n/a	—	—	n/a
1985	48	775	n/a	25	166	n/a	8	103	n/a	—	—	n/a
1986-87	34	1,179	11,535	10	185	2,561	4	87	571	1	16	123
1987-88	26	945	8,855	17	225	2,448	[7]8	70	573	2	10	136
1988-89	29	937	7,097	16	310	3,345	[7]172	64	688	4	17	150
1989-90	20	652	5,089	10	263	2,697	2	74	676	—	15	107
1990-91	13	536	4,205	23	331	3,091	12	91	681	1	22	124
1991-92	13	499	3,157	17	278	3,226	13	84	585	—	7	112
1992-93p	6	353	1,799	11	325	3,882	4	75	509	1	1	87

n/a not available.
p provisional.
[1]Injuries at work to employees and self employed people, and members of the public injured as a result of someone else's work activity.
[2]Figures for the calendar years 1983 to 1985 and financial years from 1 April 1986 onwards.
[3]Chiefly amputations, serious fractures and other injuries requiring hospitalisation for more than 24 hours. Note the definition was extended in April 1986 and therefore figures for 1983 to 1985 should not be directly compared with those for later years.
[4]Injuries causing incapacity for normal work for more than three days.
[5]Based on reports made under the Notification of Accidents and Dangerous Occurrences Regulations, 1980 (NADOR) for the years 1983 to 1985 and the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 1985 (RIDDOR) for subsequent years. Figures for the years 1983 to 1988-89 also include reports made to the Quarries Inspectorate.
[6]Based on reports made under NADOR and RIDDOR (as above) and associated railway legislation.
[7]Formerly the Petroleum Engineering Division of the Department of Energy. Figures based on reports made under offshore installations safety legislation.
[8]Based on reports made under NADOR and RIDDOR (as in [7] above) and explosives legislation.
[9]Includes the 167 fatalities arising from the Piper Alpha disaster.

Training Programmes

Mr. Alan Howarth: To ask the Secretary of State for Employment what are the figures for operating surplus accumulated from Government-funded training programmes for *(a)* 1990-91, *(b)* 1991-92 and *(c)* 1992-93.

Miss Widdecombe: Government-funded training programmes in England and Wales are delivered through training and enterprise councils.

TECs may generate operating surpluses by sub-contracting training programmes at lower unit prices than those negotiated with the Department, by keeping administrative costs below the management fee paid by the Department, by earning other income or by carrying out other business in accordance with their articles and memorandum of association.

The surplus generated from all these activities is shown in the TECs published accounts. The operating surplus accumulated specifically from Government-funded training programmes is not published separately.

A full set of accounts for each TEC, for the financial years 1990-91, 1991-92 and 1992-93 has been placed in the Library.

Mr. Alan Howarth: To ask the Secretary of State for Employment what is the total budget for training for work, including the participants' allowance, for England and Wales in 1994-95.

Miss Widdecombe: The total budget for the training for work scheme for England and Wales in 1994-95, including training allowances, is £749 million.

Mr. Alan Howarth: To ask the Secretary of State for Employment how much of the 1993-94 budgets for training for work and youth training was unspent.

Miss Widdecombe: The information is not yet available. It will be published in the Department's appropriation accounts later in the year.

Mr. Alan Howarth: To ask the Secretary of State for Employment what is the total accumulated surplus held in TEC reserves that is now available to TECs.

Miss Widdecombe: The total accumulated surplus held in training and enterprise council reserves is shown in the TECs' published accounts. A full set of accounts for each TEC, for the year ending 31 March 1993, has been placed in the Library.

Private Security Firms

Mr. George: To ask the Secretary of State for Employment how many private security firms have been employed by his Department for each of the last 10 years; what has been the annual value of the contracts; and if he will estimate how many guards have been employed for each of those years.

Mr. Michael Forsyth: The information is available only at disproportionate cost.

Workplace Deaths

Mr. Barron: To ask the Secretary of State for Employment, pursuant to his answer of 30 March, *Official Report*, columns *813-14*, what was the result of each prosecution listed in the table supplied.

Mr. Michael Forsyth: The information requested is given in the following table:

OUTCOME OF THE PROSECUTIONS WHICH FOLLOWED FATALITIES IN 1992-93

Wales and South West Region
Six fatalities led to prosecution action:
Case 1: 3 informations laid, all convicted with fines of £350 (×3).
Case 2: 3 informations laid, each convicted with fines of £12,000, £6,000 and £2,000.
Case 3: 1 information laid, convicted with a fine of £15,000.
Case 4: 1 information laid, convicted with a fine of £100,000.
Case 5: 1 information laid, convicted with a fine of £160.
Case 6: 1 information laid, convicted with a fine of £5,000.

Home Counties Region
Seven fatalities led to prosecution action:
Case 1: 1 information laid, convicted with a fine of £480.
Case 2: 1 information laid, convicted with a fine of £300.
Case 3: 8 informations laid, all convicted. Fines imposed of £20,000, £10,000 (×2) and £1,000 (×2). Three remaining results recorded as 'guilty other' eg community service.
Case 4: 1 information laid, convicted with a fine of £15,000.
Case 5: 1 information laid, convicted with a fine of £2,000.
Case 6: 2 informations laid, both convicted with fines of £1,000 and £200.
Case 7: 1 information laid, convicted with a fine of £10,000.

London and South East Region
Five fatalities led to prosecution action:
Case 1: 1 information laid, convicted with a fine of £7,000.
Case 2: 4 informations laid, all convicted with fines of £40,000.
Case 3: 2 informations laid, both convicted with fines of £15,000.
Case 4: 1 information laid, convicted with a fine of £13,000.
Case 5: 1 information laid, convicted with a fine of £10,000.

Midlands Region
Nine fatalities led to prosecution action:
Case 1: 8 informations laid, 7 convictions and 1 withdrawn. Fines imposed of £20,000, £2,500 (x2) and £400 (x4).
Case 2: 1 information laid, convicted with a fine of £12,000.
Case 3: 1 information laid, withdrawn.
Case 4: 2 informations laid, convicted with a fine of £30,000 and 1 where result not yet recorded.
Case 5: 3 informations laid, 2 convicted with fines of £5,000 and £2,500, and 1 withdrawn.
Case 6: 1 information laid, convicted with a fine of £17,500.
Case 7: 3 informations laid, all convicted with fines of £1,750 (x2) and £1,000.
Case 8: 1 information laid, convicted with a fine of £2,000.
Case 9: 2 informations laid, both convicted with fines of £750.

Yorkshire and North East Region
Ten fatalities led to prosecution action:
Case 1: 2 informations laid, 1 convicted with a fine of £1,500 and 1 withdrawn.
Case 2: 1 information laid, convicted with a fine of £1,000.
Case 3: 1 information laid, convicted with a fine of £1,500.
Case 4: 2 informations laid, both later withdrawn.
Case 5: 2 informations laid, both convicted with fines of £3,000 and £520.
Case 6: 1 information laid, convicted with a fine of £675.
Case 7: 1 information laid, convicted with a fine of £250,000.
Case 8: 1 information laid, convicted with a fine of £1,000.
Case 9: 1 information laid, convicted with a fine of £12,000.
Case 10: 1 information laid, dismissed.

North West Region
Eight fatalities led to prosecution action:
Case 1: 2 informations laid, 1 convicted with a fine of £1,200 and 1 withdrawn.
Case 2: 2 informations laid, both convicted with fines of £1,500 and £750.
Case 3: 1 information laid, convicted with a fine of £7,000.
Case 4: 1 information laid, convicted with a fine of £2,000.
Case 5: 2 informations laid, 1 convicted with a fine of £3,000 and 1 withdrawn.
Case 6: 1 information laid, convicted with a fine of £3,500.
Case 7: 2 informations laid, 1 convicted with a fine of £750 and 1 withdrawn.
Case 8: 3 informations laid, all dismissed.

Scotland Region
Ten fatalities led to prosecution action:
Case 1: 1 information laid, withdrawn.
Case 2: 1 information laid, dismissed.
Case 3: 1 information laid, convicted with a fine of £6,000.
Case 4: 1 information laid, convicted with a fine of £1,000.
Case 5: 2 informations laid, 1 convicted (no fine recorded yet) and 1 withdrawn.
Case 6: 1 information laid, convicted with a fine of £1,000.
Case 7: 1 information laid, convicted with a fine of £2,000.
Case 8: 1 information laid, convicted with a fine of £400.
Case 9: 2 informations laid, 1 convicted with a fine of £10,000 and 1 dismissed.
Case 10: 1 information laid, convicted with a fine of £7,500.

Working Hours

Ms Quin: To ask the Secretary of State for Employment what research he has commissioned about any link between long working hours and the health and safety of employees; and if he will make a statement.

Mr. Michael Forsyth: Professor J. M. Harrington of the University of Birmingham institute of occupational health was commissioned last year to identify and evaluate pertinent medical and scientific literature relating to the effect, if any, of hours of work on employees' health.

The Health and Safety Executive has previously commissioned the studies "Shift Work and Health—a Critical Review of the Literature", Harrington, 1978 and "Shiftwork, Health and Safety—an overview of the scientific literature 1978-1990", Waterhouse, Folkard and Minors, 1992.

Unemployment (Merseyside)

Mr. Parry: To ask the Secretary of State for Employment what was the level of unemployment for the Liverpool, Riverside constituency at the latest available date; and where Liverpool, Riverside stands in the list of constituencies ranked by level of unemployment.

Miss Widdecombe: In February 1994, unadjusted claimant unemployment in the Liverpool, Riverside constituency was 7,019. Only unemployment rates provide meaningful rankings for areas, such as parliamentary constituencies, with different sized work forces. Official unemployment rates are not available below travel-to-work areas.

Mr. Parry: To ask the Secretary of State for Employment what steps he is taking to reduce unemployment in *(a)* Merseyside and *(b)* Liverpool; and if he will make a statement.

Mr. Michael Forsyth: The overall policy of the Department is to promote a free and flexible labour market that is designed to help encourage employment in Merseyside and Liverpool, as in all areas.

Social Affairs Council

Mr. Hendry: To ask the Secretary of State for Employment if he will make a statement on the outcome of the EC Social Affairs Council held on 19 April.

Mr. Michael Forsyth: I attended the meeting of the Labour and Social Affairs Council held on 19 April in Luxembourg and was accompanied by my hon. Friend the Parliamentary Under-Secretary of State for Social Security.

The Council considered a number of Commission proposals, but no final decisions were reached and no votes were taken.

The directive on the protection of young workers was discussed in the light of the Commission's proposed amendments to the common position reached at the Social Affairs Council on 23 November. No decision was reached. We were successful in our efforts at the meeting to resist European Parliament attempts to remove the United Kingdom's opt-out. Most member states indicated that they could accept a presidency proposal which included the whole of the United Kingdom opt-out and its renewability. There will be a further discussion of the directive at the Social Affairs Council in June.

The Commission's draft programme on social exclusion was also discussed and will be considered further at the June Council.

The Council reached agreement in principle on the composition of the administrative board of the proposed health and safety agency in Bilbao. A number of other outstanding issues were returned to Council working groups for further discussion.

The Council agreed that the Commission should consider how best to take forward the draft directives on parental leave, non-standard work and the reversal of the burden of proof in equal pay and equal treatment cases. The Commissioner acknowledged that the United Kingdom maintained its opposition to the proposed directives.

The Council heard progress reports from Commissioner Flynn on follow-up to the Delors White Paper and on responses to his own Green Paper on European social policy. There will be a substantive discussion on the Green Paper at the June Social Affairs Council meeting. The United Kingdom Government's response to the Green Paper was submitted promptly, but responses from some other member states had yet to arrive.

The Council discussed the operation of the social protocol and the agreement of the Eleven in the light of a communication from the Commission. Commissioner Flynn provided a report on progress with the proposal on European Works Councils. Discussions between the social partners had broken down and the Commission had now agreed the text of a new proposal to be discussed under the agreement of the Eleven. The directive would not apply in the United Kingdom. Commissioner Flynn also made a preliminary presentation on a Commission communication on asylum and immigration policy.

Finally, the Council agreed that the Commission should look into Belgian concerns about the operation of EC social security regulations for posted workers.

AGRICULTURE, FISHERIES AND FOOD

Fisheries

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food (1) what assurances were given when she met the National Federation of Fishermen's Organisation in discussing future accession to the Barents sea;

(2) what rights of access for fishing are being purchased from Russia for *(a)* Spain and *(b)* the United Kingdom as a result of Norwegian access negotiations; and how these will be paid for;

(3) what priority will be given to the United Kingdom against other countries when future opportunities arrive for the United Kingdom distant water fleet in the Barents sea.

Mr. Jack: The agreement reached between the EU and Norway on the terms for Norwegian accession to the Union provided for fishing opportunities for 8,000 tonnes of arctic cod or equivalent to be secured for the cohesion countries —Spain, Portugal, Ireland and Greece—from third countries. As is normal in such arrangements, the cost will be a charge to the Community budget.

I have made clear to the National Federation of Fishermen's Organisations that I will press for a United Kingdom quota share under any EU-Russia fisheries agreement which may be negotiated.

Mauritius Initiative

Dr. Marek: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 13 April, what financial contribution is to be provided for the initiative being undertaken for Mauritius by the royal botanic gardens, Kew.

Mr. Jack: Two ex-horticulture diploma students from Kew are currently working on a voluntary basis with the Mauritian Wild Life Appeal Fund, supported partly by donations from several Kew-based scholarship funds. Work at Kew on propagation of a number of Mauritian endangered species for eventual reintroduction to their original habitats is supported from Ministry grant-in-aid. The Royal Botanic Gardens, Kew, has yet to decide on future collaborative activity and levels of funding.

Consultants

Mr. Milburn: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 23 March, *Official Report*, columns *318-19*, if she will list the firms of consultants employed by her Department and the number of contracts they have undertaken since 1990-91.

Mr. Jack: Details of consultants employed by the Department—excluding agencies—since 1990-91 are set out in the table. These exclude information relating to contracts with information technology consultants, details of which were provided to the hon. Member for Truro (Mr. Taylor) on 18 April at columns *407-11*.

	Number
Coopers and Lybrand	12
PA Consultants	2
Price Waterhouse	11
Touche Ross	3
National Remote Sensing Centre	1

	Number
Wye College	2
Worthy Associates	1
KPMG Management Consultancies/KPMG Peat Marwick	2
Ernst and Young	14
Clarke Whitehill	1
Ronald McIntosh	2
Mouncey and Partners	5
Cambridge Environmental Research Consultants Ltd.	2
Oracle	4
Vauntberry Plc	1
Robertson Gould	1
Institute of Terrestial Ecology	1
Fletcher King	1
University of Hull	1
Mr. Peter Goodall	1
SRU Ltd.	1
BNSS	3
CCTA	2
Johnstone and Wright Consultants	2
DIS Industrial Consultants	1
EM Consultants	2
Shreveport Management Consultancy	2
Ferriby Marine	2
Asbourne Biosciences	2
Duhig Berry Ltd.	1
Triad Special Systems Ltd.	2
Sequent Computer Systems	3
Brandt Computers	1
Theodore Goddall	2
Hoskyns Group PLc	2
Cambridge Ergonomics	2
Stoy Hayward	1
Quanta Learning Systems	2
Korda and Co. Ltd.	2
Lawrence Hewitt Partnership	1
Currie and Brown	1
Insight	1
Halcrow and Partners	1
LG Mouchel and Partners	2
Posford Duvivier	2
Personnel Health and Safety Ltd.	4
Mott Macdonald	1
ARC International Plc	1
Forward Catering Consultancy	1
Royal National Institute for the Blind	2
Risks and Policy Analysis	1
SEMA Group	1
BMT Reliability Consultants Ltd.	1
Miro Communication Ltd.	1
P- E International Plc	1
Siemens Nixdorf	1
McNeil Robertson	10
Pentana Ltd.	2
Civil Service College	10
Dr. Hoodless	1
Building Energy Solution	3
DEGW	1
PSA Monitoring and Targeting Service	3
TM Energy Consultants	1
NIFES Consulting Group	1
MJN Facilities Management	1
Energy Auditing Agency Ltd.	1

Animal Slaughter

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food what evidence she has of infringements of directive 74/577 in other EC states.

Mr. Soames: My right hon. Friend's attention has been drawn to several alleged infringements of Directive 74/577 purporting to have taken place in other member states during 1993.

Sheep Slaughtering, Spain

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food what representations she has made to the Spanish Agriculture Minister regarding the slaughter of sheep in Spanish abattoirs; and what was the outcome.

Mr. Soames: My right hon. Friend raised the subject with the Spanish Agriculture Minister in the margins of the November 1993 Agriculture Council in the light of allegations about sheep being slaughtered in some Spanish abattoirs in a way contrary to EC welfare legislation. Written assurances were received that these allegations were being investigated, and that action would be taken where appropriate. My right hon. Friend wrote on 24 January seeking confirmation of the results of the investigations and measures adopted. A reply is awaited.

Animal Exports

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food how many *(a)* pigs, *(b)* sheep, *(c)* calves and *(d)* adult cattle were exported from the United Kingdom for each of the last 10 years.

Mr. Soames: The information requested for 1992 can be found in the Central Statistical Office publication, "Business Monitor, Overseas Trade Statistics of the United Kingdom MA 20 1992", and for each earlier year the data can be found in the previous editions of this publication and its forerunners. The House of Commons Library holds a copy of these publications back to 1965.

Livestock Haulage Vehicles

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food how many livestock haulage vehicles were checked on each motorway; how many were found to comply with regulations; and how many were found to be defective in each of the last five years.

Mr. Soames: Provisions relating to the welfare of animals during transport are enforced by local authorities. Statistics from local authority sources indicate that, during the year 1992-93, 190,100 vehicle inspections were made at roadside checks, in markets and at other places; 182 prosecutions were taken under the legislation relating to welfare of animals in transport, and 61 formal cautions issued. In a further 2,725 cases advice or warnings were given. Additional information is not recorded centrally.

Departmental Campaigns

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 2 March, *Official Report*, column *743*, by what date she intends to place in the Library summaries of market research relating to her Department's campaigns.

Mr. Jack: Copies of market research relating to Ministry of Agriculture, Fisheries and Food campaigns have been placed in the Library.

Farm Statistics

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food which English counties are grouped together for the purposes of compiling the annual farm business survey; and which universities and colleges are commissioned to carry out the survey for each group.

Mrs. Shephard: Appendix 4 of "Farm Incomes in the United Kingdom" provides a list of the centres engaged in the collection of data for the Farm Business Survey. The table shows the counties and districts allocated to each centre.

Province	County
Northern	Cumbria
Newcastle	Durham
	Tyne and Wear MC
	Northumberland
North Eastern	Cleveland
Askham Bryan	South Yorkshire MC
	North Yorkshire
	West Yorkshire
	Humberside (excluding South Humberside)
North Western	Cheshire
Manchester	Lancashire
	Merseyside MC
	Greater Manchester MC
	Shropshire
	Staffordshire
East Midland	Derbyshire
Nottingham	Leicestershire
	Lincolnshire (excluding Holland)
	Northamptonshire
	Nottinghamshire (South Humberside only)
Eastern	Bedfordshire
Cambridge	Cambridgeshire
	Essex
	Hertfordshire
	Holland (Lincolnshire)
	Norfolk
	Suffolk
	Greater London (East)
South Eastern	Kent
Wye	Surrey
	East Sussex
	West Sussex
Southern	Berkshire
Reading	Buckinghamshire
	Hampshire
	Isle of Wight
	Oxfordshire
	Greater London (West)
	Gloucester
	Hereford and Worcester
	Avon
	Warwickshire
	Wiltshire
	West Midlands MC
South Western	Cornwall
Exeter	Devon
	Dorset
	Somerset
	Scilly Isles

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many producers were entitled to hill livestock compensatory allowances for each farm business survey county group in each year since 1992 and in 1994.

Mrs. Shephard: The table provides information on the number of claims paid in 1992 and 1993 corresponding to the areas covered by each of the FBS provinces. Information for 1994 is not available.

Number of HLCA claims paid

FBS Province	1992 Number	1993 Number
Northern	4,529	4,434
North Eastern	3,034	3,006
North Western	2,899	2,896
East Midland	938	938
Southern	425	427
South Western	2,701	2,608
England	14,526	14,309

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the average net farm income of farmers and their spouses for *(a)* each English county and *(b)* each farm business survey county group, of all (i) SDA, (ii) DA, and (iii) less-favoured area farms and for (1) SDA, (2) DA farms and (3) less-favoured area farms larger than eight ESUs.

Mrs. Shephard: Information on farm incomes is available from the Farm Business Survey which collects data from a sample of farms classified as full time—that is with eight ESU or more. The sample for the Farm Business Survey is intended to provide estimates for three regions of England. The results for individual FBS provinces are liable to larger margins of error than for these regions and results are not available for individual counties. For those provinces for which there is a large enough sample for some average results to be provided, the following table provides weighted estimates of the net farm income for farms classified as cattle and sheep, less-favoured area, for the 1992-93 accounting year. Comparable information for farms with less than eight ESU is not available.

Cattle and Sheep LFA farms by FBS province
Net farm income for farms of 8 ESU and over
1992-93 accounting year

FBS Province and farm type	Estimated net farm income (£'000 per farm)
Northern	
Newcastle	
Specialist Sheep (SDA)	20·1
Specialist Beef (SDA)	[1]n/a
Mixed Cattle and Sheep (SDA)	18·9
All Cattle and Sheep (SDA)	18·8
Cattle and Sheep (DA)	n/a
Cattle and Sheep (LFA)	17·7
Nort Eastern	
Askham Bryan	
Specialist Sheep (SDA)	n/a
Specialist Beef (SDA)	n/a
Mixed Cattle and Sheep (SDA)	n/a
All Cattle and Sheep (SDA)	20·1
Cattle and Sheep (DA)	n/a
Cattle and Sheep (LFA)	20·1
North Western	
Manchester	
Specialist Sheep (SDA)	n/a
Specialist Beef (SDA)	n/a
Mixed Cattle and Sheep (SDA)	18·1
All Cattle and Sheep (SDA)	15·7
Cattle and Sheep (DA)	n/a
Cattle and Sheep (LFA)	10·8
South Western	
Exeter	
Specialist Sheep (SDA)	n/a
Specialist Beef (SDA)	n/a

FBS Province and farm type	Estimated net farm income (£'000 per farm)
Mixed Cattle and Sheep (SDA)	11·9
All Cattle and Sheep (SDA)	9·9
Cattle and Sheep (DA)	4·8
Cattle and Sheep (LFA)	7·3

[1] n/a not available, sample size too small to provide results for individual farm type and province.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the total value of less-favoured area farming to the economy of *(a)* each English county and *(b)* each farm business survey county group.

Mrs. Shephard: I regret that the information requested is not available.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what was the total value in actual and real terms of all livestock subsidies to *(a)* all less-favoured area farms and *(b)* less-favoured area farms larger than eight ESUs, for (i) each English county and (ii) each farm business survey county group in (1) 1992, (2) 1993 and (3) 1994.

Mrs. Shephard: I regret that detailed information on the subsidies paid to less-favoured area farms is not separately available.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the total value in actual terms and real terms of HLCA payments to *(a)* all less-favoured area farms and *(b)* less-favoured area farm area farms larger than eight ESUs for (i) each English county and (ii) each farm business survey county group in (1) 1992, (2) 1993 and (3) 1994.

Mrs. Shephard: The table shows the total HLCA payments on all farms in each county and Farm Business Survey province for 1992 and 1994. Information on payments is not separately available for farms larger than eight ESU and information for 1994 is not yet complete.

HLCA payments in 1992 and 1993

FBS province and county	1992 Actual £	1993 Actual £	1993 [1]Real 1992 prices £
East Midland			
Derbyshire	1,492,600	1,335,369	1,314,489
	1,492,600	1,335,369	1,314,489
North Eastern			
Cleveland	63,938	61,192	60,236
Yorkshire	7,149,782	6,098,286	6,002,933
	7,213,720	6,159,479	6,063,168
North Western			
Lancashire	2,057,098	1,776,157	1,748,385
Cheshire	286,871	235,269	231,590
Shropshire	1,695,346	1,579,925	1,555,021
Staffordshire	530,327	496,802	489,034
Greater Manchester	237,922	270,279	266,053
	4,807,564	4,358,433	4,290,284
Northern			
Cumbria	9,280,801	7,745,413	7,624,304
Tyne and Wear	5,181	9,780	9,627
Northumberland	6,026,492	5,143,321	5,062,899
Durham	2,413,715	2,184,100	2,149,949
	17,726,189	15,082,613	14,846,780
South Western			
Somerset	1,283,182	1,049,116	1,032,711
Cornwall	1,161,666	1,101,137	1,083,920
Devon	3,824,839	3,567,201	3,511,424
Scilly Isles	1,899	1,646	1,620
	6,271,586	5,719,099	5,629,675
Southern			
Hereford and Worcester	861,934	758,535	746,674
	861,934	758,535	746,674
ENGLAND	38,373,593	33,413,528	32,891,070

[1] Deflated by the retail prices index, all items.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what financial value in actual and real terms has been removed from the value of HLCA payments to *(a)* all less-favoured area farms and *(b)* less-favoured area farms larger than eight ESUs for (i) each English county and (ii) each farm business survey county group following the cuts in HLCAs in (1) 1993 and (2) 1994.

Mrs. Shephard: The total change in the value of HLCA payments to farmers in the less favoured areas of England between 1992 and 1993 was –£4,960,065 divided among the counties and FBS provinces with LFA land as shown in the table. Information in respect of businesses larger than eight ESU is not available and information for 1994 is not yet complete.

Change in HLCA payments between 1992 and 1993

FBS Province and County	Change in payments between 1992 and 1993 Actual £	Real 1992 prices[1] £
East Midland		
Derbyshire	–157,231	–178,111
	–157,231	–178,111
North Eastern		
Cleveland	–2,746	–3,702
Yorkshire	–1,051,495	–1,146,849
	–1,054,241	–1,150,551
North Western		
Lancashire	–280,940	–308,712
Cheshire	–51,603	–55,281
Shropshire	–115,421	–140,125
Staffordshire	–33,525	–41,293
Greater Manchester	32,357	28,131
	–449,131	–517,280
Northern		
Cumbria	–1,535,389	–1,656,497
Tyne and Wear	4,599	4,446
Northumberland	–883,171	–963,592
Durham	–229,616	–263,766

FBS Province and County	Change in payments between 1992 and 1993	
	Actual	Real 1992 prices[1]
	£	£
	-2,643,576	-2,879,409
South Western		
Somerset	-234,067	-250,471
Cornwall	-60,529	-77,746
Devon	-257,638	-313,415
Scilly Isles	-253	-279
	-552,487	-641,911
Southern		
Hereford and Worcester	-103,399	-115,260
	-103,399	-115,260
England	-4,960,065	-5,482,523

[1] Deflated by the RPI all items.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many people including farmers, spouses and workers are employed full time in *(a)* all farming and *(b)* less-favoured area farming for (i) each English county and (ii) each farm business survey county group; and how employment related to less favoured area farming ranks in terms of other classes of industrial employment for (1) each English county and (2) each farm business survey county group.

Mrs. Shephard: The table provides estimates of the number of full-time workers, including all spouses, on all agricultural holdings and on those holdings which are wholly or mainly in the less favoured areas as recorded in the agricultural census at June 1992. Also supplied are estimates of the total employment as recorded in the Department of Employment's Labour Force Survey.

Estimated number of workers in 1992

English county	Number of full-time workers on agricultural holdings[1]		Total work force in employment[2]
	On all agricultural holdings	On agricultural holdings wholly or mainly in the LFA	
Avon	2,986	0	460,000
Bedfordshire	2,291	0	263,000
Berkshire	1,440	0	373,000
Buckinghamshire	2,744	0	317,000
Cleveland	742	207	223,000
Cambridgeshire	6,718	0	320,000
Cheshire	7,522	257	451,000
Cornwall (including Isles of Scilly)	9,668	1,729	199,000
Cumbria	10,321	4,285	233,000
Derbyshire	5,560	1,930	426,000
Devon	15,827	3,489	466,000
Dorset	5,328	0	289,000
Durham	3,394	1,762	254,000
Essex	7,034	0	721,000
Gloucestershire	5,017	0	257,000
Hampshire	6,232	0	760,000
Humberside	7,896	0	371,000
Hereford and Worcester	10,420	484	338,000
Hertfordshire	2,416	0	494,000
Isle of Wight	870	0	55,000
Kent	8,442	0	718,000
Lancashire	9,706	2,528	641,000
Leicestershire	4,620	0	425,000
Lincolnshire	13,871	0	287,000
Merseyside	936	0	554,000
Greater London	837	0	2,946,000
Greater Manchester	2,090	460	1,102,000
Norfolk	11,359	0	354,000
Northamptonshire	3,268	0	299,000
Northumberland (including Tyne and Wear MC)	4,956	2,652	574,000
Nottinghamshire	3,745	0	458,000
Oxfordshire	3,905	0	287,000
Shropshire	8,218	1,094	196,000
Somerset	8,764	539	212,000
Staffordshire	6,792	1,248	495,000
Suffolk	7,943	0	303,000
Surrey	3,099	0	495,000
East Sussex	2,989	0	301,000
West Sussex	4,963	0	334,000
Warwickshire	3,930	0	234,000
Wiltshire	5,455	0	278,000
West Midlands	682	0	1,055,000
South Yorkshire	2,315	401	546,000
North Yorkshire	15,549	3,799	362,000

English county	Number of full-time workers on agricultural holdings[1] On all agricultural holdings	On agricultural holdings wholly or mainly in the LFA	Total work force in employment[2]
West Yorkshire	4,267	1,485	944,000
FBS province			
Eastern	43,079	0	[3]2,455,000
East Midland	27,773	1,930	[4]1,895,000
Nothern	18,671	8,699	1,061,000
North Eastern	29,110	5,892	[5]2,446,000
North Western	35,264	5,587	3,439,000
Southern	44,150	484	[6]7,360,000
South Eastern	19,493	0	1,848,000
South Western	39,587	5,757	1,166,000
England	257,127	28,349	21,670,000

[1] Includes whole time farmers, partners and directors, all spouses, salaried managers and regular whole time hired and family workers, excludes minor holdings.
[2] The estimates of the total work force (full and part time) in employment from Department of Employment Labour Force Survey, June-August 1992.
[3] Excluding Holland (Lincs) and Greater London (E).
[4] Excluding South Humberside and including all of Lincolnshire.
[5] Including all of Humberside.
[6] Including all of Greater London.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the average age of less-favoured area farmers in *(a)* each English county and *(b)* each farm business survey county group.

Mrs. Shephard: The Farm Structure Survey 1990 contains information on the age of the holder of the farm by age band for a sample of about 40,000 holdings in England. The table provides estimates of the average age of holder based on analysis of this age band data for farms which are wholly or mainly in the less favoured area. The Farm Business Survey also collects data on the age of the holder from a smaller sample of holdings. The average age of holder in England in 1992-93 on holdings wholly and mainly in the less favoured areas, based on this source, was 51.

Estimated average of the holder of farms wholly or mainly in the less-favoured areas in 1990[1]

FBS province and county[2]	Estimated average age of holder
East Midland	
Derbyshire	52
	52
Northern	
Cumbria	51
Durham	54
Northumberland	51
	52
North Eastern	
Cleveland	54
North Yorkshire	52
South Yorkshire	49
West Yorkshire	52
	52
North Western	
Cheshire	52
Greater Manchester	53
Lancashire	52
Shropshire	53
Staffordshire	53
	53
Southern	
Hereford and Worcester	54
	54
South Western	
Cornwall	53
Devon	54
Isles of Scilly	47
Somerset	53
	54
England	52
	52

Farm Structure Survey 1990
[1] The holder of the farm is the person legally or economically responsible for the holding.
[2] Only those counties which contain holdings which are wholly or mainly in the less-favoured area are shown.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the average level of indebtedness of all *(a)* SDA, *(b)* DA and *(c)* less-favoured area farms and for (i) SDA, (ii) DA and (iii) less-favoured area farms larger than eight ESUs for (1) each English county and (2) each farm business survey county group.

Mrs. Shephard: Information on farm indebtedness is available from the Farm Business Survey which collects data from a sample of farms classified as full time—that is, with eight ESU or more. The sample for the Farm Business Survey is intended to provide estimates for three regions of England. The results for individual FBS provinces are liable to larger margins of error than for these regions and results are not available for individual counties. For those provinces for which there is a large enough sample for average results to be provided, the table provides weighted estimates of the total external liabilities and total external liabilities as a percentage of total assets for farms classified

as cattle and sheep LFA for the 1992-93 accounting year. Comparable information for farms with less than eight ESU is not available.

Cattle and sheep (LFA) farms by FBS province
Total liabilities and net worth for farms of eight ESU and over
1992-93 accounting year

FBS province and farm type	Estimated total external liabilities (£'000 per farm)	Estimated total external liabilities as a percentage of total assets
Northern		
Newcastle		
Specialist sheep (SDA)	20·1	9·0
Specialist beef (SDA)	[1]n.a.	n.a.
Mixed cattle and sheep (SDA)	41·8	12·0
All cattle and sheep (SDA)	34·0	11·0
Cattle and sheep (DA)	n.a.	n.a.
Cattle and sheep (LFA)	32·7	11·0
North Eastern		
Askham Bryan		
Specialist sheep (SDA)	n.a.	n.a.
Specialist beef (SDA)	n.a.	n.a.
Mixed cattle and sheep (SDA)	n.a.	n.a.
All cattle and sheep (SDA)	42·6	14·0
Cattle and sheep (DA)	n.a.	n.a.
Cattle and sheep (LFA)	42·6	14·0
North Western		
Manchester		
Specialist sheep (SDA)	n.a.	n.a.
Specialist beef (SDA)	n.a.	n.a.
Mixed cattle and sheep (SDA)	27·1	8·0
All cattle and sheep (SDA)	25·4	8·0
Cattle and sheep (DA)	n.a.	n.a.
Cattle and sheep (LFA)	21·5	7·0
South Western		
Exeter		
Specialist sheep (SDA)	n.a.	n.a.
Specialist beef (SDA)	n.a.	n.a.
Mixed cattle and sheep (SDA)	53·5	17·0
All cattle and sheep (SDA)	42·3	14·0
Cattle and sheep (DA)	35·9	11·0
Cattle and sheep (LFA)	39·1	12·0

[1] n.a.—not available. Sample size too small to provide results for individual farm type and province.
All data based on closing valuations.

Less-favoured areas

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 9 February, *Official Report*, column 277, what was the minimum level of agricultural activity equivalent 30, 21 and 15 years ago.

Mrs. Shephard: The details of the system of farm classification has changed several times over the period from 1964. In 1964, 1973 and 1979 size was measured by standard man days. In 1979 size was also measured in terms of European size units for the purposes of analysing the Farm Business Survey.

The SMD coefficients for each hectare of crops or head of livestock changed in 1963, 1968 and 1976 and the threshold for defining full time also changed. The table shows the changes for the years requested.

Year / *Basis for measurement of size*	*1964 1963 SMD*	*1973 1968 SMD*	*1979 1976 SMD*	*1972-1974 ESU*
Threshold for "full-time" farm	275 SMD	275 SMD	250 SMD	[1]4 ESU
Minimum number of either:				
beef cows	[2]61	[2]66	[2]62	37
or ewes	[3]219	[3]314	[3]395	[4]400

[1] Four ESU was used as the lower size unit in conjunction with a requirement that farms must also have at least one annual labour unit.
[2] Assuming 0·5 hectares of permanent grass and 1·25 hectares of rough grazing per beef cow.
[3] Assuming 0·05 hectares of permanent grass and 0·125 hectares of rough grazing per ewe.
[4] Assuming one lamb per ewe.

SCOTLAND

Blood Transfusion Service

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give for the latest year for which the individual figures are available for the Scottish blood transfusion service the total number of units of *(a)* red cell concentrate, *(b)* platelet (1) single donor and (2) random, *(c)* fresh frozen plasma, *(d)* cryoprecipitate and *(e)* other plasma derived products which are dispensed (i) within the national health service in Scotland, (ii) within the United Kingdom, excluding Scotland, within the national health service, (iii) to non-national health service establishments within Scotland, (iv) to non-national health service establishments within the United Kingdom, excluding Scotland and (v) to non-national health service establishments outwith the United Kingdom; and what was the total income to the Scottish blood transfusion service from each of these transactions.

Mr. Stewart: The information is as follows:

	Issued within the NHS		*Issued to non-NHS establishments*			*Total*
	In Scotland	*In the United Kingdom, excluding Scotland*	*In Scotland*	*Within the United Kingdom excluding Scotland*	*Outwith the United Kingdom*	
Fresh products issued from regional transfusion centres in 1992-93						
Red cell concentrate (units)	244,683	[1]10,546	2,928	Nil	Nil	258,157
Platelet concentrate						
1: random donor (units)	68,429	Nil	124	Nil	Nil	68,553

	Issued within the NHS		Issued to non-NHS establishments			
	In Scotland	In the United Kingdom, excluding Scotland	In Scotland	Within the United Kingdom excluding Scotland	Outwith the United Kingdom	Total
2: single donor (pheresis) (units)	2,283	Nil	Nil	Nil	Nil	2,283
Fresh frozen plasma (units)	20,880	Nil	120	Nil	Nil	21,000
Cryoprecipitate (units)	10,089	Nil	72	Nil	Nil	10,161
Total units issued	346,364	10,546	3,244	Nil	Nil	360,154
Plasma-derived products issued from Protein Fractionation Centre, 1992-93						
Albumin and SPPS (bottles)	71,901	[2]14,454	10	Nil	[3]Nil	86,365
Factor VIII (million international units)	11·43	[2]2·07	Nil	Nil	[3]Nil	13·50
Factor IX (million international units)	2·05	[2]0·15	Nil	Nil	[3]Nil	2·20
Anti-rhesus (D) (vials)	13,342	[2]4,068	30	Nil	[3]Nil	17,440
Anti-hepatitis B (vials)	968	[2]270	1	Nil	[3]Nil	1,239
Anti-zoster (vials)	810	[2]162	Nil	Nil	[3]Nil	972
Anti-tetanus (vials)	2,077	[2]1,004	Nil	Nil	[3]Nil	3,081
Anti-GL (vials)	Nil	[2]387	Nil	Nil	[3]Nil	387
Intravenous immunoglobulin (vials)	20,453	[2]4,834	Nil	Nil	[3]Nil	25,287
Intramuscular immunoglobulin (vials)	27,485	[2]4,829	18	Nil	[3]Nil	32,332
Recovery of handling costs (£)[4]	Nil	[4]808,594	[4]70,265	Nil	Nil	[4]878,859

[1] This includes NHS supplies to the Army blood supply depot at Aldershot.
[2] This figure is almost entirely made up of products sent to the NHS in Northern Ireland. These products are all derived from plasma contributed by Northern Ireland donors which is processed by the PFC and returned to the NHS in Northern Ireland.
[3] Some very small amounts are sent overseas as humanitarian aid on rare occasions but no figures are available.
[4] This represents the administration and handling charge. There is no charge for the blood or blood products.

Medical Teaching and Research

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give for each health board for each year since 1991, the additional costs of teaching and research, allocated at constant 1991 prices; and if he will make a statement.

Mr. Stewart: Allocations for the additional costs of teaching and research were made to the four teaching health boards as follows:

	£ million (at constant 1991-92 prices)			
Health Board	*1991-92*	*1992-93*	*1993-94*	*1994-95*
Grampian	15·186	16·061	15·700	15·311
Greater Glasgow	32·821	32·691	29·692	29·329
Lothian	26·112	27·714	25·916	25·226
Tayside	15·628	16·305	14·534	14·323

Notes:
1. Allocations for 1991-92 were based on actual student numbers from two years before, ie 1989-90. From 1992-93 onwards, allocations have been based on estimated student numbers for the year of allocation.
2. From 1993-94 onwards no additional costs of teaching and research have been made for dental students but the running costs of dental hospitals continue to be met.

Royal Alexandra Health Trust

Mr. McMaster: To ask the Secretary of State for Scotland (1) if he will commission an inquiry into the first year of operation of the Royal Alexandra Health Trust, with particular reference to budgets, waiting lists, staff morale and the effectiveness of patient care;

(2) what were the planned *(a)* revenue and *(b)* capital budgets for the Royal Alexandra Hospital Trust at the levels set on 1 April 1993 for the 1993-94 financial year; what out-turn figures were achieved on these figures as at 31 March; what is the reason for any variance; and if he will make a statement.

Mr. Stewart: No. The trust is required to publish an annual report on its operations and this has to be presented to a public meeting by 30 September.

Revenue budgets are related to income and are set by the trust when contract negotiations have been completed with trust income for the year determined. For 1993-94 the total income was forecast as £42·6 million. The capital expenditure permissible by the trust in 1993-94 as part of the external financing limit set by the management executive was £1,036,000.

The out-turn figures for the year ended 31 March 1994 are not yet available. The trust is confident that it will meet the following statutory financial targets:

to break even after interest payments,
to make a 6 per cent. return on relevant net assets and
to deliver the agreed EFL.

Public Sanitation

Mr. McMaster: To ask the Secretary of State for Scotland when he, or any of the Ministers in his Department, last paid an official visit to a public water works, water pumping station or reservoir to assess the needs of the public sanitation industry.

Sir Hector Monro: My hon. Friend the Minister for Education and Housing paid an official visit to Lothian regional council's department of water and drainage on 21 September 1989. He inspected the Seafield sewage treatment works and Levenhall and River Esk pumping

stations. Water and sewerage matters have also been discussed at the normal ministerial meetings with councils' representatives.

Whisky Industry

Mr. McMaster: To ask the Secretary of State for Scotland if he has consulted the Scotch whisky industry on the economic impact on it of the proposed restructuring and possible future privatisation of water and sewerage services; and if he will make a statement.

Sir Hector Monro: My right hon. Friend has no proposals for privatisation of water and sewerage services in Scotland. We have corresponded with distilling industry interests about the reorganisation of water and sewerage. This industry has also been represented at meetings with Scottish Office officials. The views of the industry have been noted and exchanges will continue to take place in the usual way.

Braille Ballot Papers

Mr. McMaster: To ask the Secretary of State for Scotland if he will introduce legislation to provide Braille ballot papers at polling stations; and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. Friend has no plans to do so. The issue of electoral forms design is currently being reviewed by a working group set up after the 1992 general election under the aegis of the Secretaries of State for the Home Departments.

Blair Castle

Mr. McMaster: To ask the Secretary of State for Scotland what financial assistance has been provided by Scottish Enterprise or any of its subsidiary bodies to the Duke of Atholl, his estate or any company with which he is financially associated for the refurbishment and restoration of Blair castle, its gardens and estates; and if he will make a statement.

Mr. Stewart: This is essentially an operational matter for Scottish Enterprise and the local enterprise company for the area, Scottish Enterprise Tayside. However, I understand that Scottish Enterprise Tayside has a training for work contract with Training Craft, a subsidiary of Scottish Conservation Projects, which currently uses the Hercules gardens at Blair castle as a project site to train adults in conservation and horticultural skills. The estate contributes substantially towards the costs of the project including those of all materials and equipment and towards some of the costs of the training supervisor and of transporting trainees to the site.

School Buses

Mr. McMaster: To ask the Secretary of State for Scotland what plans he has to improve safety standards on buses and coaches used to transport children to school; if he will specify the regulations which govern the transport of children to school; what proposals he has to amend these regulations; and if he will make a statement.

Lord James Douglas-Hamilton: Matters relating to the safety of school transport including regulations are for my right hon. Friend the Secretary of State for Transport. The Department of Transport is currently considering the full technical and cost implications of fitting seat belts to all seats in minibuses and coaches and matters such as the three for two concession.

My right hon. Friend the Secretary of State for Scotland has agreed to a request from Strathclyde regional council for a capping disregard for additional current expenditure in 1994-95 in respect of the additional cost to the council of dropping the three for two rule on dedicated school transport contract vehicles and requiring the fitting of seat belts on all contract minibuses.

Physiotherapy

Mr. McMaster: To ask the Secretary of State for Scotland what is the current length of waiting time for physiotherapy services in the Argyll and Clyde health board area; what plans he has to improve this waiting time; and if he will make a statement.

Mr. Stewart: Information on waiting times for physiotherapy services is not collected centrally. Argyll and Clyde health board has received an allocation of £244·7 million for 1994-95 which, together with efficiency savings, represents an increase of 7·1 per cent. over the general allocation in the previous year. It is for the health board to decide on how to use these resources to secure reductions in waiting times for physiotherapy services and other services. I understand that the board has increased the level of funding available for paramedical services, including physiotherapy services, for 1994-95 by £100,000; and in addition, a further sum of £105,000 has been allocated for staffing a pilot study of direct access by general practitioners to physiotherapy services in one part of the board's area.

Local Government etc. (Scotland) Bill

Mr. Dalyell: To ask the Secretary of State for Scotland for what reason he was unable to agree to meet the regional chairman of Strathclyde children's panel as requested in a letter dated 8 March, to discuss the impact on disturbed and vulnerable children of the Local Government etc. (Scotland) Bill.

Mr. Stewart *[holding answer 15 April 1994]:* The chairman of Strathclyde children's panel is one of a number of people concerned with the care of children who have made representations about the possible effects of the Local Government etc. (Scotland) Bill. We take all such representations seriously. Unfortunately my right hon. Friend's ministerial commitments do not allow him to meet all those concerned with different aspects of the Bill, but the chairman and her fellow office-bearers have been offered a meeting with Scottish Office officials.

Local Enterprise Companies

Mr. Worthington: To ask the Secretary of State for Scotland whether local enterprise companies and their contractors are required to comply with the codes of practice issued by the Government on access to official information.

Mr. Stewart: The new code of practice on Government information came into force on 4 April 1994. The code applies to central Government Departments, their agencies

and a number of other public bodies. The local enterprise companies are limited companies and the code does not therefore apply to them or to their contractors.

Mr. Worthington: To ask the Secretary of State for Scotland what proposals he has for requiring local enterprise companies *(a)* to implement quality assurance arrangements in fulfilment of their training duties and *(b)* to fulfil equal opportunities requirements.

Mr. Stewart: My right hon. Friend has no such proposals. The Enterprise and New Towns (Scotland) Act 1990 lays upon Scottish Enterprise and Highlands and Islands Enterprise the duty, which may not be delegated, of keeping under continuous review the suitability and adequacy of any training provided by the two bodies or by their agents. In respect of equal opportunities, each local enterprise company, as part of its contractual agreement with either of the two bodies, is committed to providing equal opportunities regardless of race, sex or disability in the delivery of all its training programmes.

Serviced Sites

Mr. Worthington: To ask the Secretary of State for Scotland what assessment has been made by Scottish Enterprise of the supply of serviced sites of various sizes in Scotland and their adequacy; and if he will publish the information.

Mr. Stewart: This is essentially an operational matter for Scottish Enterprise. I understand that Scottish Enterprise receives information about sites in both public and private sector ownership. Much of the information is, however, supplied on a voluntary and confidential basis and Scottish Enterprise does not therefore plan to publish it.

Health Service Staff, Ayrshire and Arran

Mr. Foulkes: To ask the Secretary of State for Scotland what staff were employed in all aspects of the health service except in general practice in Ayrshire and Arran as at 1 January 1992, 1993 and 1994 in each of the categories *(a)* professional administration of the service, with no direct medical or nursing responsibilities, *(b)* practising medical staff and *(c)* practising nursing staff; and what was the cost of salaries and related expenses in each of the three categories in each of the last three years.

Mr. Stewart *[holding answer 18 April 1994]:* The information requested is shown in the tables. The figures in table 1 are as at 30 September while those in table 2 are available only at 31 March.

Table 1
Selected NHS staff in post in Ayrshire and Arran health board area: whole time equivalents at 30 September

	1991	*1992*	*1993*
(a) Administrative and Clerical	846·5	913·3	956·9
Management Grades[1]	57·0	89·1	113·4
Other[2]	789·5	824·2	843·5
(b) Medical Staff[3]	301·1	321·1	[4]399·1
(c) Nursing Staff[5]	3,567·3	3,405·7	3,261·7
Students on '1992' courses and midwifery programmes not included in nursing staff totals (headcount)[6]	—	54	107

[1]Includes general managers, senior managers, staff on grades 7 and above and staff on protected grades. Protected grades may include some staff on grades less than 7.
Excludes nursing management staff and teachers.
[2]Includes staff on grades 1 to 6.
[3]Includes directors of public health/chief area medical officers and unit medical officers.
Excludes general medical practitioners and locum appointments.
[4]1993 figures are provisional.
[5]Includes nursing management staff and teachers.
Excludes agency and bank nurses.
[6]Students on '1992' courses and programmes in midwifery are not directly funded by the health board and are therefore excluded from the nursing staff totals.

Table 2
Salaries and Wages

(£000)

Financial Year	*Administration and Clerical*[1]	*Medical Staff*[2]	*Nursing Staff*
1991-92	10,118	13,395	50,042
1992-93	12,212	15,617	53,078

[1] No figures are available for "Professional administration of the Service, with no direct medical or nursing responsibilities" as this is not separately identified in health board annual accounts. The figures supplied are the total salaries and wages for administration within the board and include those senior nurses and clinicians who have transferred to general/senior manager pay scales.
[2] Includes specialists.

Coastal and Flood Defences

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will give details of his Department's policy on coastal and flood defence in Scotland; and if he will make a statement.

Sir Hector Monro: The Scottish Office policy on coastal and flood defence is aimed at reducing the risks to people and the environment from flooding and coastal erosion by encouraging the provision of defence measures which are technically, environmentally and economically sound and sustainable. Delivery of these objectives is for local authorities, who are well able to determine the needs of their areas. Schemes promoted by the councils and approved by the Secretary of State attract grant aid towards the eligible costs.

Glasgow Development Agency

Mr. David Marshall: To ask the Secretary of State for Scotland if he will list all the leisure and leisure-related projects which Glasgow development agency has contributed, is contributing, and proposes to contribute to since it was set up, and the total amounts contributed to each such project.

Mr. Stewart: The information requested is not held centrally. This is primarily an operational matter best taken up direct with the local enterprise company. The hon. Member may therefore wish to write to the chairman of the Glasgow development agency about the matter.

Overgrazing

Mr. Tyler: To ask the Secretary of State for Scotland (1) how many farmers have been approached by his officials to discuss ways of reducing overgrazing in each year since the introduction of the hill livestock compensatory allowance overgrazing clause; and if he will make a statement;

(2) how many hill livestock compensatory allowances he has withheld in 1992, 1993 and 1994 as a direct result of the introduction of the hill livestock compensatory allowance overgrazing clause; and if he will make a statement;

(3) what procedures are in place to monitor whether overgrazing has reduced following the withholding of hill livestock compensatory allowances as a direct result of the introduction of the hill livestock compensatory allowance clause;

(4) what procedures are in place to monitor whether meetings between his officials and producers to discuss ways of reducing overgrazing have led to reductions in overgrazing;

(5) what procedures are in place to reduce environmental damage caused through overgrazing consequent on that damage continuing after hill livestock compensatory allowances are withheld as a result of the introduction of the hill livestock compensatory allowance overgrazing clause;

(6) how many farmers have had hill livestock compensatory allowances withheld in 1992, 1993 and 1994 as a direct result of the introduction of the hill livestock compensatory allowance overgrazing clause.

Sir Hector Monro *[holding answer 19 April 1994]:* Overgrazing is assessed by agricultural officers of the Scottish Office Agriculture and Fisheries Department as part of the inspection programme for the hill livestock compensatory allowances scheme. Discussions take place with farmers frequently about stocking rates; to date no HLCAs have been withheld because of overgrazing. The operation of the overgrazing provisions of the HLCA scheme is kept under review in individual cases by the agricultural officers concerned and more generally by the Department.

Livestock Allowances

Mr. Tyler: To ask the Secretary of State for Scotland what was the budget, in real and nominal terms for Scotland in (i) 1991, (ii) 1992, (iii) 1993 and (iv) his estimate for 1994 for *(a)* the sheep annual premium, *(b)* the suckler cow premium and *(c)* the beef special premium.

Sir Hector Monro *[holding answer 19 April 1994]:* The table shows expenditure by financial year under the sheep annual premium, the suckler cow premium and the beef special premium schemes in nominal terms and at constant 1991-92 prices.

£ million

	1991-92 outturn	*1992-93 outturn*	*1993-94 Forecast*	*1994-95 Estimate*
Sheep annual premium				
Nominal terms	63	76	110	107
1991-92 prices	63	74	105	N/a
Suckler cow premium				
Nominal terms	26	29	19	52
1991-92 prices	26	28	18	N/a
Beef special premium				
Nominal terms	8	6	16	28
1991-92 prices	8	6	15	N/a

Scottish Office Pensions Agency

Mr. Raymond S. Robertson: To ask the Secretary of State for Scotland what key performance targets he has set the Scottish Office Pensions Agency for 1994-95.

Mr. Lang: I have set the Scottish Office Pensions Agency the following key targets for 1994-95, which cover important areas of service delivery and steps to improve efficiency and effectiveness.

1. To ensure that awards and transfer payments are accurate to within 1 per cent. of their value in 98 per cent. of cases, as compared with the 1993-94 target of 2 per cent. in 97 per cent. of cases.

2. To pay on time 99 per cent. of all pensions and lump sums where the target date for receipt of claims is met.

3. To make transfer payments within four weeks of members' final instructions to transfer pension rights.

4. To carry out a survey to measure customer satisfaction with administration of the national health service superannuation scheme, to analyse the results, and to produce proposals for necessary improvement.

5. To produce a "plain English" charter standard statement, by July 1994.

6. To award a contract for development and supply of a new pensions administration information technology system by July 1994, and to reach the last key 1994-95 milestone in the implementation plan.

7. To optimise use of budgetary provision while keeping within direct running costs limits.

8. To provide policy advice which is consistent with public service pension policy and takes account of operational objectives of Scottish Office departments, within the required time scales.

Firearm and Shotgun Certificates

Sir Jerry Wiggin: To ask the Secretary of State for Scotland what was the total sum received in Scotland for *(a)* firearm certificates and *(b)* shotgun certificates during 1993 or the most recent year for which figures are available.

Lord James Douglas-Hamilton: The approximate sum received in Scotland during 1993 was £401,600 for firearm certificates and £371,000 for shotgun certificates.

Monklands District Council

Mr. Gallie: To ask the Secretary of State for Scotland whether he has received a reply to the letter he wrote to the right hon. and learned Member for Monklands, East (Mr.

Smith) on 3 February requesting information in the right hon. and learned Member's possession which would be relevant to consideration of whether there should be a statutory inquiry into Monklands district council.

Mr. Lang: No. I have received no response to my request for such information, either to my letter of 3 February, or to my subsequent letter to the right hon. and learned Member for Monklands, East (Mr. Smith) of 8 February.

DUCHY OF LANCASTER

Business Appointments (Crown Servants)

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster how many Crown servants in each Government Department applied through the business appointments system to take up an outside appointment *(a)* as a consultant and *(b)* otherwise; how many were referred to the Advisory Committee on Business Appointments; and how many were granted in each year since 1986.

Mr. Waldegrave: The information is not all available in the form requested. Most applications are considered only by Departments. Details of those cases are not held centrally. The following tables give the total number of Crown servants in each year who made an application that was approved in consultation with the Cabinet Office. Figures are broken down by numerically significant departments. They show the numbers of applications to undertake independent consultancy and other work and, in each category, how many applications were referred to the Advisory Committee on Business Appointments. They also show how many applications were approved unconditionally, or were approved with conditions.

Number of applications

Year	Number of applicants	Consultant				Other			
		Total	Referred to committee	Uncon	Con	Total	Referred to committee	Uncon	Con
Ministry of Defence									
1986	140	50	13	36	14	115	25	74	41
1987	131	41	18	26	15	117	24	71	46
1988	89	37	13	19	18	74	27	31	43
1989	94	31	18	18	13	90	19	31	59
1990	92	50	9	30	20	84	21	59	25
1991	101	35	3	26	9	110	6	96	14
1992	121	63	5	49	14	137	4	110	27
1993	109	72	2	46	26	118	11	80	38
1994[1]	17	6	1	5	1	16	2	12	4
Department of Environment and Transport									
1986	25	0	0	0	0	27	2	19	8
1987	18	0	0	0	0	23	1	8	15
1988	29	0	0	0	0	31	0	20	11
1989	20	0	0	0	0	26	1	14	12
1990	34	2	0	2	0	34	3	24	10
1991	28	9	1	8	1	20	2	10	10
1992	26	15	2	14	1	15	0	8	7
1993	16	9	1	8	1	9	2	6	3
1994[1]	5	4	1	2	2	1	1	1	0
Department of Trade and Industry									
1986	34	10	1	7	3	26	2	17	9
1987	24	3	0	2	1	21	5	14	7
1988	8	2	1	1	1	10	2	3	7
1989	10	4	1	3	1	9	4	5	4
1990	22	5	0	3	2	18	1	15	3
1991	13	5	0	4	1	13	2	4	9
1992	19	11	1	9	2	19	1	2	17
1993	24	11	0	8	3	14	1	12	2
1994	10	6	0	5	1	4	0	2	2
Foreign and Commonwealth Office									
1986	20	5	3	4	1	23	10	15	8
1987	12	2	1	2	0	16	9	10	6
1988	27	6	0	6	0	27	9	17	10
1989	21	5	2	5	0	18	6	12	6
1990	13	3	2	3	0	16	9	8	8
1991	20	11	3	9	2	24	9	9	15
1992	13	8	4	6	2	16	14	6	10
1993	18	6	2	3	3	16	5	13	3
1994[1]	1	0	0	0	0	1	0	1	0
Departments of Health and Social Security									
1986	16	5	1	5	0	37	0	10	27
1987	5	1	0	1	0	4	0	3	1
1988	32	10	1	8	2	23	0	20	3
1989	10	0	0	0	0	10	0	10	0
1990	7	3	0	3	0	7	1	2	5
1991	3	1	0	1	0	2	0	2	0

Year	Number of applicants	Number of applications: Consultant Total	Consultant Referred to committee	Consultant Uncon	Consultant Con	Other Total	Other Referred to committee	Other Uncon	Other Con
1992	3	1	1	1	0	2	0	2	0
1993	1	1	1	1	0	1	0	1	0
1994[1]	0	0	0	0	0	0	0	0	0
Ministry of Agriculture, Fisheries and Food									
1986	6	1	0	1	0	5	0	3	2
1987	3	0	0	0	0	3	3	2	1
1988	6	1	1	1	0	6	4	4	2
1989	9	3	0	3	0	9	1	4	5
1990	6	2	0	2	0	7	0	4	3
1991	13	1	0	1	0	12	0	6	6
1992	6	0	0	0	0	6	0	4	2
1993	5	3	0	0	3	2	0	0	2
1994[1]	0	0	0	0	0	0	0	0	0
Inland Revenue									
1986	3	1	1	0	1	2	1	1	1
1987	1	1	1	0	1	0	0	0	0
1988	4	1	1	0	1	3	1	3	0
1989	3	0	0	0	0	3	0	3	0
1990	11	0	0	0	0	11	0	9	2
1991	4	2	0	2	0	2	0	2	0
1992	7	3	0	3	0	4	0	4	0
1993	3	2	0	1	1	1	0	1	0
1994[1]	1	0	0	0	0	1	0	0	1
Others									
1986	12	15	0	13	2	26	5	20	6
1987	10	20	2	15	5	32	3	30	2
1988	11	9	1	7	2	20	4	10	10
1989	29	11	1	9	2	18	3	10	8
1990	20	9	2	6	3	11	3	7	4
1991	22	17	3	15	2	25	4	20	5
1992	28	18	0	15	3	15	5	15	0
1993	20	10	1	7	3	13	6	11	2
1994[1]	11	6	0	5	1	5	2	5	0

[1] to 31 March 1994.

Advertising

Mr. Matthew Taylor: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 2 March, *Official Report*, columns *767-68*, if he will publish the results of the analysis of applications received in respect of the 1994 charter mark scheme and the analysis of the responses and sales in respect of each HMSO campaign.

Mr. David Davis: We propose to conduct and publish research into the effectiveness and promotion of the 1994 charter mark scheme in the autumn after the awards are made.

I refer the hon. Member to my answer on 14 March, *Official Report*, column *488*, which gives details of sales in respect of each HMSO campaign. Sales of British Standards Institution titles now exceed £200,000. Detailed analysis of the responses to each campaign are commercially confidential.

Research Establishments

Mr. Dafis: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 21 March, *Official Report*, columns *87-96*, what were the totals for *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland of (i) spending by publicly-funded research bodies on research establishments and (ii) numbers of staff employed; and what each of those figures represents as a percentage of the United Kingdom total.

Mr. David Davis: This information is not available in the form requested. The table gives a breakdown of total spending by research councils on their establishments for the period 1992-93 and the percentage each figure represents of the United Kingdom total.

	£ million	Per cent.
England	406·1	87·7
Wales	17·1	3·7
Scotland	39·6	8·6
Northern Ireland	0·1	—
Total	462·9	100·0

For details on the staffing of research council establishments, I refer the hon. Member to my answer of 21 March, *Official Report*, columns *87-96*.

Electronic Mail (Interception)

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster what research has been sponsored by the Government scientific research grants into development of encryption technology to protect data transmitted by electronic mail from illicit interception.

Mr. Waldegrave: Research council funding has supported recent projects at five universities on the development of encryption technology, which have included work to protect data transmitted by electronic mail. The projects studied: the design and analysis of

encryption algorithms, real-time compression and encryption of information in multi-media network, formal analysis of cryptographic protocols and finite automation cryptography. Funding has also been provided for a current project in the LINK personal communications programme on security studies for third generation mobile telecommunications systems.

Government Information

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his evaluation of the likely time taken to provide information to inquirers who apply under his new code of practice on Government information in cases which are referred to the ombudsman for evaluation.

Mr. Waldegrave: This will vary from case to case, but the ombudsman has said that he hopes to be able to complete investigations of this nature in a matter of weeks.

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster if he will set out the reasons for the exclusion of the Radioactive Waste Management Advisory Committee from the list of bodies covered by his code of practice on access to governmental information.

Mr. Waldegrave: Paragraph 6 of the code states that it applies to those Government Departments and other bodies within the jurisdiction of the Parliamentary Commissioner for Administration, the ombudsman. The radioactive Waste Management Advisory Committee is not within the ombudsman's jurisdiction and is not therefore covered by the code.

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer to the hon. Member for Stratford-on-Avon (Mr. Howarth) of 29 March, *Official Report*, columns *608-9*, how many inquiries have been received at the telephone point mentioned to obtain copies of his code of practice on open government; and what responses to his consultation on the draft code of practice led to the change made to paragraph 15 on statutory and other restrictions.

Mr. Waldegrave: Some 242 such inquiries had been received up to and including 15 April. The responses from the Campaign for Freedom of Information, published in its "Secrets" newspaper, the Consumers Association, the Guild of British Newspaper Editors and the Data Protection Registrar raised general issues about exemption (xv) of the draft code of practice which were taken into account in making the change described in my answer of 12 April, *Official Report*, column *26*.

WALES

Consultants

Mr. Matthew Taylor: To ask the Secretary of State for Wales what information technology consultants his Department has employed, for what purpose and at what total cost for each of the last five years.

Mr. Redwood: Details of the information technology consultants employed in financial years 1992-93 and 1993-94 are given in the following table. Information for previous years could be provided only at disproportionate cost.

Consultancies 1992-93 and Task

JBA International PLC
To undertake a sizing analysis of the Department's financial systems.

The Government Centre for Information Systems (CCTA)
To undertake a Post Implementation Review of the Department's computerised financial systems.

Axsis
Welsh Office Communications study: Part 1.

DBI Associates
To produce an Information Systems Strategy for the Welsh Office Education Department.

NCC Consultancy
To review the Document logging and diary facilities in the Ministerial private office.

KPMG Management Consulting
To undertake a study into the future of the In-House Bureau mainframe system.

Computer Management Consultants
Study into the Department's future Office automation requirements.

Axsis
Welsh office Communications study: Part 2.

Admiral Management Services
To undertake a review of security on the Department's computerised finance systems.

IPL
To undertake a Post Implementation Review of the Transport and Highways payment monitoring system.

Praxis PLC
To undertake a feasibility study regarding the development of a central information database for Her Majesty's School Inspectors in Wales.

Praxis PLC
To prepare a Project Initiation Document and Operational Requirement for an information database for Her Majesty's School Inspectors in Wales.

DMS
To prepare functional specification for a Management Informations System for the Department's Publicity Unit.

Softa and Company Limited
Publicity Unit Management Information System development.

Software Personnel
Analysis of Software migration on Department's finance systems.

SPS Limited
Analysis of requirement—Agent Authority Audit Trail.

Computacenter Limited
Installation support, IT equipment and software.

The total cost of IT consultancies in 1992-1993 was £357,822.

Consultancies 1993-94 and Task

Safetynet PLC
To advise on the upgrade of the computer suite housing the Department's financial systems.

The Government Centre for Information Systems (CCTA)
To undertake a Post Implementation Review of the Department's Personnel Management system.

Computacenter Ltd
Computer network software support.

JBA International Ltd
Time Recording System for Department's Legal Branch.

Software Personnel
Enhancements to Department's Finance Systems.

Software Personnel
Analysis and programming in relation to a software upgrade for the Department's Finance Systems.

AXSIS
Office Automation study.

Sofia and Company Ltd
Publicity Unit, Management Information System.

ICL
DRS 6000 sizing exercise.

KOALA Publishing
Schedule of Ancient Monuments records.

The Government Centre for Information Systems (CCTA)
Operational Requirement for Central database, Office of Her Majesty's Chief Inspector of Schools (Wales).

EASAMS Ltd
Operational Requirement, Urban Affairs computer system.

Software Personnel
Grants and Subsidy payments system.

AXSIS
Computer Security and Support review.

Computacenter Ltd
Installation support for PCs, Peripherals and software.

BIS Applied Systems Ltd
To evaluate the need for a computerised record of manufacturing plants in Wales.

Ernst and Young
To advise on end of financial year procedures in relation to the Department's financial systems.

Consultancies 1992-93 and Task
Price Waterhouse
To undertake a scoping study for the Market Test of Welsh office Information Technology services.

Gower Business Systems
To undertake a study of the possible uses of Desk Top Publishing.

Mouncey & Partners
To advise on the implementation of computer systems in Valuation Tribunal Offices.

MVA Systematica
To advise on the migration of the Department's Road Accident System from the In-House Bureau mainframe computer.

Easams Ltd.
To undertake a scoping study for the Valuation Tribunal integrated appeals system.

The total cost of information technology consultancies in 1993-94 was £608,550.

Local Government Finance

Mr. Llwyd: To ask the Secretary of State for Wales if he will publish his estimate of the annual operating costs of local government in Wales at constant prices for the last three years, together with his estimate for the next three years.

Mr. Redwood: The annual operating costs of local government include administration, personnel and other running expenses. Such operating costs cannot be fully identified from information held centrally. However, the available information is given in the following table. Information for future years and the 1993-94 and 1994-95 figures for revenue expenditure on administration are not yet available.

Local authority revenue expenditure, 1994-95 prices (£ million)

	Net revenue expenditure[1]	*Revenue expenditure on administration*[2]
1991-92 outturn	2,561·6	361·3
1992-93 outturn[3]	2,632·2	391·6
1993-94 budget	2,579·4	—
1994-95[3]	2,608·0	—

[1] All general fund revenue spending including community council precepts. No adjustments have been made for transfers of responsibility to or from local authority control—that is, the transfer out of further and higher education responsibilities in 1992 and 1993.

[2] Identifiable gross expenditure on administration, including spending on central administration—that is, personnel management—and administration costs normally accounted for within specific services—that is, education etc.

[3] Provisional.

School Governors

Mr. Dafis: To ask the Secretary of State for Wales if he will make it his policy to promote the establishment of an independent body to represent school governors in Wales; and if he will make a statement.

Sir Wyn Roberts: County associations of governing bodies are being formed in various LEAs in Wales. I am sure that they will exercise a valuable representative function and act as a channel for information to and from governors. The formation of an all-Wales body would be a welcome development.

Written Answers to Questions

Thursday 21 April 1994

ENVIRONMENT

Noise Pollution

Sir Anthony Grant: To ask the Secretary of State for the Environment what measures are being taken to reduce the various forms of noise pollution; and if he will make a statement.

Mr. Atkins: The independent noise review working party established by my Department in 1990 considered noise pollution in all its forms and we have subsequently implemented over half its recommendations.

The Environmental Protection Act 1990 strengthened the statutory nuisance legislation which is available for local authorities to control noise from domestic, industrial and commercial premises. These powers have been further extended by the Noise and Statutory Nuisance Act 1993 to control noise from vehicles, machinery and equipment in the street. My Department has, jointly with the Home Office, issued specific guidance on how best to use statutory powers to control all forms of noisy parties and issues general advice about how to pursue noise complaints.

Separating noisy activities from those most likely to be affected by them can be achieved by a variety of formal and informal mechanisms. We hope shortly to publish a planning policy guidance note which will describe how the planning system can be used to minimise the adverse impact of noise, for example on residential development. We also continue to liaise with, and support, professional and other bodies which are keen to develop and publish their own codes of practice for minimising noise. Codes currently in preparation include guidance on clay pigeon shooting and stock car racing.

There is much concern about the rising number of complaints about neighbour noise and we are keeping under review the effectiveness of legal and informal remedies. We believe that mediation services have an important role to play in resolving such disputes in a more cost-effective and appropriate way. My Department has funded two pilot studies in order to give local authorities a clearer picture of the benefits of establishing such services.

Building Inspections

Mr. Battle: To ask the Secretary of State for the Environment what plans he has to set up a body to approve inspections under the powers given to him in regulation 4 of the Building (Approved Inspections etc.) Regulations 1985.

Mr. Baldry: The Government's proposals were set out in a consultation paper "Guidelines for the Approval of Inspectors" dated 29 October 1993. A copy has been placed in the Library. The way forward in the light of the responses to this consultation is still being considered.

Planning Inspectorate

Ms Estelle Morris: To ask the Secretary of State for the Environment (1) what were the factors which produced an increase in the daily rates charged by the planning inspectorate of his Department in September 1991; and what were the mechanisms for its approval;

(2) for what reason an increase to five days' writing time per day of sitting was imposed by his planning inspectorate for its attendance at the 1991-92 public inquiry into the Birmingham unitary development plan; and what account was taken in deciding on the increase in writing time of the formal request for the report to be concise;

(3) what was the cause of the delay of the report of his planning inspectorate at the public inquiry into the Birmingham UDP;

(4) if he will make it his policy for fees charged by the planning inspectorate to local authorities to be limited to three writing days per sitting day.

Mr. Baldry: The provision of information on development plan inquiries is the responsibility of the planning inspectorate. I have asked the inspectorate's chief executive, Mr. Stephen Crow, to write to the hon. Member.

Letter from H. S. Crow to Ms Estelle Morris, dated 20 April 1994:

The Secretary of State has asked me to reply to your questions about the public inquiry into the Birmingham Unitary Development Plan.

It may be helpful if I explain that the public inquiry into objections to the Birmingham Unitary Development Plan sat for 35 days between 19 November 1991 and 14 February 1992. The Inspector spent 5 additional days in carrying out post-inquiry site visits. The Inspector's report was despatched to Birmingham City Council on 6 October 1992, and took 112 working days to complete.

Normally Inspectors are able to complete their inquiry reports within a time period of three reporting days per sitting/site visit day, hence the 3:1 guideline used by the Planning Inspectorate. The Inspectorate did not impose an increase to "five days writing time per day of sitting" for the Inspector to complete his report on the inquiry he was appointed to hold. The Inspector, aided by an assistant Inspector because of the size of the task, completed his report in a ratio of 2·8 reporting days to sitting/site visit days. The ratio of reporting days to inquiry sitting days was only 3·2.

I would not agree that the Inspector's report was unduly delayed. I understand that, although Birmingham City Council had asked for the report to be made available by the end of June 1992, no undertaking was given that this would be achieved. The inquiry was a complex one, and in the circumstances I consider the Inspector and assistant Inspector did well to complete their report in the timescale achieved, and indeed they did so within the normal guideline of 3 reporting days per sitting/site visit day. In any case though I would stress that this is only a guideline, and can be affected by many unpredictable factors which are mostly outside the Inspector's control.

The Inspector's report was written in the concise form now generally adopted, summarising objectors' cases and the Council's response. This approach was instrumental in helping the Inspector's to produce the report in the short time noted above.

You also asked about the increase in the daily fees charged for Inspectors taking plan inquiries, effective from September 1991. This increase, the final stage in a series of phased increases designed to effect recovery of the full costs of supplying Inspectors for development plan inquiries, was approved by the Minister then responsible for planning matters and advised to all local planning authorities engaged in development plan inquiries. This charge applied to the time spent by Inspectors on preparation work, inquiry sitting days, travelling time, site visits and report writing. It is the Secretary of State's continuing policy that fees charged by the Inspectorate for the services of Inspectors to take

development plan inquiries should reflect the full cost of the service provided to local authorities. The fees are subject to regular review.

Planning Applications

Mr. Bates: To ask the Secretary of State for the Environment what plans he has to allow local planning authorities to set their own fee levels for planning applications; and whether these fee levels will be subject to market testing.

Mr. Baldry: I refer to the answer my hon. Friend the Minister for Local Government and Planning gave to the hon. Member for Beckenham (Mr. Merchant) on 17 December 1993, *Official Report*, column *1102-03*.

As market testing applies only to central Government activities, it would not be appropriate in this context. There will, however, be safeguards to ensure that local authority fees for planning applications are kept at a reasonable level.

UN Sustainable Development Commission

Mr. Dafis: To ask the Secretary of State for the Environment how he intends to announce the outcome of the meeting of the United Nations Sustainable Development Commission to be held in May.

Mr. Atkins: My right hon. Friend will be attending the second session of the Commission on Sustainable Development in May and looks forward to playing a full role in a productive outcome. It is for the Commission to report its outcome to the United Nations Economic and Social Council. We have no plans at present to make a separate announcement.

Access to Tenancies (Consultation)

Mr. Barnes: To ask the Secretary of State for the Environment what representations he has received in response to the consultation paper, "Access to Local Authority and Housing Association Tenancies"; and when he proposes to publish his own response to them.

Sir George Young: I refer the hon. Member to the answer I gave on 12 April to the hon. Member for Leeds, West (Mr. Battle), *Official Report*, column *132*. We hope to announce the Government's conclusions during the summer.

Sustainable Development

Mr. Butler: To ask the Secretary of State for the Environment what steps he is taking to get the messages of sustainable development across to the general public.

Mr. Gummer: I have today appointed Professor Graham Ashworth as chairman of the new public environment initiative which was announced in the United Kingdom "Strategy for Sustainable Development", published in January. The aim of the initiative, to be known as "Going for Green", will be to increase people's awareness of the part their personal choices can play in delivering sustainable development, and to enlist their support and commitment in the coming years.

Council Tax

Mr. Cann: To ask the Secretary of State for the Environment, when a domestic property is rebanded for council tax purposes on sale and repurchase, what date the rebanding is backdated to and when this date will be reviewed.

Mr. Curry *[holding answer 19 April 1994]:* Under the Council Tax (Alteration of Lists and Appeals) Regulations 1993, an alteration to the valuation list made to correct an inaccuracy in the list on the day it was compiled—that is, 1 April 1993—however the inaccuracy may have come to light, has effect from that day. An alteration made to correct a subsequent inaccuracy has effect from the day on which the list became inaccurate. An alteration following a material increase in the value of a dwelling since the list was compiled, for example as a result of home improvement, has effect from the date the dwelling is next sold.

My right hon. Friend now proposes to amend these arrangements so that in future any increases in bandings to correct inaccuracies in the original list will come into effect only from the day the list is altered. Decreases would, however, continue to take effect from 1 April 1993. Further details will be announced shortly.

Industrial Units Scheme

Mr. Cousins: To ask the Secretary of State for the Environment if he will list the projects approved under, and the regional distribution of, expenditure incurred within the industrial units scheme since its inception.

Mr. McLoughlin: I have been asked to reply.

The Department offered grants totalling £4·07 million to institutions which were successful in the support for industrial units scheme competition. The institutions were listed in the DTI press notice of 11 June 1992 and I am sending a copy to the hon. Member. I am unable to disclose details of the individual grants for reasons of confidentiality.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to publish the report on the first five-yearly review of the work of the Legal Aid Board.

Mr. John M. Taylor: When completed, it is planned that the review will be made publicly available.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what percentage of the population were eligible for *(a)* civil and *(b)* criminal legal aid in (i) 1964-65, (ii) 1979-80, (iii) 1992-93, (iv) 1993-94 and (v) 1994-95.

Mr. John M. Taylor: The Department has no estimate of eligibility in 1964-65. Estimates of the proportion of households eligible for civil legal aid for the other years are:

Year	Per cent.
1979-80	77
1992-93	53
1993-94	48
1994-95	47

There is no upper financial limit for criminal legal aid. Anyone whose financial resources are such that he or she requires assistance in meeting the costs which may be incurred is eligible, subject to the interests of justice test and the payment of a contribution where appropriate.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department how many representations he has received from *(a)* hon. Members, *(b)* peers, *(c)* other individuals and *(d)* organisations about the current state of the legal aid system and legal aid eligibility; and what proportion such representations bear to the total number of representations on all subjects.

Mr. John M. Taylor: The information is not available in the form requested. From 1 April 1993 to 31 March 1994, my Department received around 990 letters from hon. Members about all aspects of the legal aid scheme. This is 16 per cent. of correspondence with Members. Over the same period the Department received about 1,000 letters from individuals and organisations about legal aid, about 9 per cent. of all correspondence with the public. These figures do not include representations from major interest groups or from peers, which are not separately logged.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the names of the consultants appointed to the Legal Aid Board's research project into the delivery of legal services.

Mr. John M. Taylor: The Policy Studies Institute.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what research his Department has conducted into the impact on access to justice made by the changes to legal aid eligibility and to the green form scheme in April 1993.

Mr. John M. Taylor: We are continuing to monitor the changes, which appear to have had broadly the effect anticipated. The Legal Aid Board will be conducting research into cases where offers of contributory legal aid are made by the board but are not taken up by the applicants and my Department is monitoring the incidence in the courts of unrepresented litigants in civil cases.

Court Funds Office

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has either to abolish or to privatise the functions of the court funds office; and what research his Department has done into the impact of such reforms on injured minors and the mentally ill.

Mr. John M. Taylor: The court funds office will be part of the Public Trust Office when it is established as an executive agency in the second half of 1994. At the Lord Chancellor's request, work is being carried out currently to examine whether the functions of the court funds office are necessary and to assess the impact of any changes.

Courts Charter

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department how many complaints have been received and what amount of compensation for errors and delays has been paid out by county courts in *(a)* London and *(b)* the rest of England and Wales for each month since the implementation of the courts charter.

Mr. John M. Taylor: From the introduction of the courts charter in January 1993 until the end of March 1994 there have been 1,802 complaints about county courts in London and 5,399 about those in the rest of England and Wales. In the same period the amount of compensation paid out for errors and delays in the county courts was £146,800·68 for those in London and £226,928·61 for those in the rest of England and Wales.

It is not possible to provide the information requested on a monthly basis except at disproportionate cost.

Law Students

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to implement the recommendation by Lord Justice Steyn, chair of the Lord Chancellor's advisory committee on legal education and conduct, that prospective solicitors and barristers should undertake an initial joint vocational course; and how many representations he has received, and from whom, concerning Lord Justice Steyn's recommendation.

Mr. John M. Taylor: No recommendation about joint vocational training for barristers and solicitors has been made by Lord Justice Steyn or the Lord Chancellor's advisory committee on legal education and conduct. The Lord Chancellor and I await the results of the advisory committee's review into legal education, which will be completed in September 1995, with interest.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the percentage of students taking *(a)* the legal practice course/Law Society finals and *(b)* Bar finals who were in receipt of (i) full assistance and (ii) partial assistance from their local education authority for the payment of the course fees for each of the last 10 years.

Mr. John M. Taylor: The Lord Chancellor's Department does not collect these figures. However, from information provided by the Council of Legal Education and the College of Law, it appears that the position is as follows:

Council of Legal Education[1]

Year	Full fees per cent.	Part fees per cent.
1989-90	47	20
1990-91	46	16
1991-92	29	19
1992-93	14	26
1993-94	6	14

[1] The current vocational course replaced the old style Bar finals course in the academic year 1989-90.

College of Law[1]
Percentage of fees paid by local authorities[2]

Year	Per cent.
1989-90	64
1990-91	57
1991-92	35

Year	Per cent.
1992-93	23
1993-94	9

[1] The Law Society only has information on students at the College of Law and not those studying for the vocational stage at other institutions. The College of Law provides approximately 65 per cent. of all places on the legal practice course.

[2] Information was not available on the breakdown between payment of full and partial fees, only on the total percentage of fees payable by local education authorities.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what research his Department has undertaken into the impact on *(a)* women and *(b)* members of the ethnic minorities of the non-availability of mandatory grants for the fees for the requisite vocational courses for those wishing to become barristers or solicitors; and if he will publish this research.

Mr. John M. Taylor: The Lord Chancellor's Department has not undertaken any research into this area.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what research his Department has done into the correlation between the non-availability of mandatory grants for the fees for the requisite vocational courses for prospective lawyers and the level of representation of women and members of the ethnic minorities among *(a)* Queen's Counsel and *(b)* the judiciary.

Mr. John M. Taylor: None.

Trial Delays

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what percentage of defendants *(a)* in custody and *(b)* on bail are not dealt with in the target times set out in the Courts Charter; what number of defendants (i) in custody and (ii) on bail this affects on average each month; how many defendants in custody have to wait more than (1) three months, (2) six months and (3) 12 months before trial; and what percentages of defendants in custody these numbers represent.

Mr. John M. Taylor: The available information covering the year 1993 is shown in the table. Statistics on the number of defendants in custody waiting more than 12 months before trial at the Crown court and the distribution of waiting times at magistrates courts are not available and could be obtained only at disproportionate cost.

Committals for trial to the Crown court: defendants whose waiting time for trial exceeded certain periods in 1993

Type of remand and waiting time	Defendants exceeding waiting time	
	Percentage	Average number per month
In custody:		
8 weeks	51	906
12 weeks	33	575
26 weeks	11	196
On bail		
16 weeks	36	1,950

Notes:

1. The data are provisional.

2 The Courts Charter waiting time guidelines are eight weeks for defendants in custody and 16 weeks for defendants on bail.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the longest period for which a defendant has had to wait in custody before trial in the last three years.

Mr. John M. Taylor: The information requested is not available and could be obtained only at disproportionate cost.

Court Closures

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the number and the names of all the courts and caller offices which he has determined to close in the last five years.

Mr. John M. Taylor: In the five-year period from April 1989 to March 1994 my Department has closed 22 county courts or caller offices and five Crown court centres. I set out a full list of their names in the table.

Court closures for the five year period April 1989—March 1994

County courts

- Beverley
- Bloomsbury[1]
- Clacton
- Devizes
- Dolgellau
- East Grinstead
- Frome
- Gainsborough
- Great Malvern
- Hexham
- Maldon
- Malton
- Newtown
- Northallerton
- Sevenoaks
- Sheerness
- Sudbury
- Thorne
- Todmorton
- Westminster[1]
- Whitby
- Widens

Crown court centres

- Acton
- Beverley
- Huddersfield
- Kendal
- Wakefield

[1] Closed prior to opening of Central London County Court.

Magistrates Courts

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what changes he is planning to make to the formula by which funds are allocated to local magistrates courts committees in order to make better provision for special spending needs in some areas; and what representations he has received concerning the current formula from *(a)* magistrates courts committees and *(b)* other individuals or organisations.

Mr. John M. Taylor: A review of the current formula is being conducted by a small working group comprising Lord Chancellor's Department officials and representatives from the magistrates courts service. Their provisional findings are expected by the summer to allow sufficient time for consultation with all interested parties before any revised formula is used to allocate grant for the 1995-96 financial year. A number of views about the present

formula have been received from both magistrates courts committees and others and are being taken into account by the working group.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what representations he has received concerning the operation of the magistrates courts service inspectorate; and when he expects its first annual report to be published.

Mr. John M. Taylor: In September 1992 my Department issued a consultation document on the role of the inspectorate, to which 92 substantive responses were received. A list of respondents was appended to Decision Paper No. 4, published in May 1993, available from the House of Commons Library. The Department has also received some 1,170 letters, direct or through hon. Members, on various aspects of the matters now encompassed in the Police and Magistrates' Courts Bill. Some of these touched upon the inspectorate.

The chief inspector of the magistrates courts service published the inspectorate's first annual report on Tuesday 12 April. Copies are available in the Libraries of both Houses.

County Court Forms

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the statutory obstacles mentioned in paragraph 126 of section A of his departmental report, Cm 2509, that led to the withdrawal of the county court bulk centre from the first round programme of market testing.

Mr. John M. Taylor: The statutory obstacle referred to is section 27 of the Courts Act 1971.

Small Courts

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to close small courts processing 20,000 units of work or less or small courts within 15 miles of larger courts; what number of county courts in London such a policy would leave in operation; and if he will publish his Department's full accommodation plan for the next three years and his Department's specific plans for small courts.

Mr. John M. Taylor: Each case for closure is considered on its merits, taking into account the need to provide an acceptable standard of service in the area generally. The level of work load and proximity to larger courts with good facilities are factors which are taken into account. All closure proposals are subject to wide public consultation. My Department is not planning to close automatically all county courts processing 20,000 units of work or less, or small courts within 15 miles of larger courts. If such a policy were pursued none of the London county courts would be affected.

It is not intended to publish the Department's provisional accommodation plan, because some of the elements it will contain are being reviewed as part of the fundamental review of public expenditure.

Compensation

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department which court has *(a)* received the most complaints and *(b)* had to pay out the most compensation for errors and delays; and what plans he has for regular publication of the figures for compensation payments.

Mr. John M. Taylor: The highest number of complaints was received by the Central London county court which also had to pay out the most compensation for errors and delays. In the period January 1993 to March 1994 1,563 complaints were received and £60,636·59 paid out in compensation. Central London county court was created, in 1992, by the merger of the Westminster and Bloomsbury county courts. The process of amalgamation was inevitably difficult and led to a marked reduction in the standard of service. These initial problems are now resolved, and the number of complaints fell to 85 in the first three months of this year.

There are no plans for regular publication of these figures.

Public Trust Office

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to *(a)* contract out, *(b)* place in the control of an executive agency or *(c)* privatise the functions of the Public Trust Office Agency; and what reserch his Department has done into the impact of such reforms on (i) minors who have been awarded damages and (ii) private trusts serviced by the executorship and administration service.

Mr. John M. Taylor: The Public Trust Office will become an executive agency in the second half of 1994 as part of the Government's "next steps" programme. The Lord Chancellor made the decision following a study of the work done by the Public Trust Office and how best to meet the needs of users of its services. At the Lord Chancellor's request, further work is being carried out to examine the continuing need for a trustee service provided by the public sector and whether the functions undertaken by the court funds office are necessary.

TREASURY

Personal Allowances

Mr. Congdon: To ask the Chancellor of the Exchequer what would be the estimated cost to the Exchequer in a full year of allowing husbands and wives with insufficient income to absorb their personal allowance of £3,445 to transfer the unused balance of this allowance to their partner, assuming that the transferred allowance *(a)* may be claimed at the earning spouses' highest rate and *(b)* is restricted to the 25 per cent. rate.

Mr. Dorrell: The Exchequer cost in a full year at 1994-95 income levels is estimated to be about £3 billion if the transferred allowance were available at the recipient's marginal rate of tax and £2¾ billion if the transferred allowances were not available at the higher rate. This estimate does not take into account any behavioural changes which could result from such a measure.

Official Entertainment

Mr. Boyes: To ask the Chancellor of the Exchequer what was the total cost of official entertaining in his Department in each year since 1990-91; if he will list the receptions held in each year at his Department's expense; and what was the cost of each reception.

Sir John Cope: Expenditure on official entertainment in 1990-91 was £51,424, in 1991-92, £85,873, in 1992-93, £303,523 and in 1993-94, £70,239.

Expenditure on receptions has been taken to mean formal hospitality provided largely for the benefit of people from outside the Department, excluding lunches and dinners. In those cases where the cost can be separately identified, expenditure was as follows:

	£
1991-92	
Press reception	1,048·21
1992-93	
Press reception	622·50
Russian secondees reception	627·00

The large increase in total expenditure on official entertainment in 1992-93 reflects the cost of the informal ECOFIN Council during the United Kingdom Presidency of the EC and the cost of the 1992 conference of the International Organisation of Securities Commissions, for which the United Kingdom was the host. The bulk of the expenditure on these events was on conferences and related facilities. Opening receptions were held, but the cost is not separately identifiable.

VAT

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 March, *Official Report*, column *820*, if he will list the outstanding balance for the collection of the value added tax default surcharge for each year since 1988, including 1993, as a percentage of default surcharge collected.

Sir John Cope: Table of default surcharge outstanding at 31 March as a percentage of default surcharge collected:

Year	*Amount collected per year* £ million	*Amount collected year on year (cumulative total)* £ million	*Balance outstanding year on year (cumulative total)* £ million	*Percentage*
1988	25·1	25·1	50·7	202
1989	79·2	104·2	61·7	59
1990	82·1	186·3	74·9	40
1991	83·2	269·5	102·7	38
1992	92·5	362·0	132·3	37
1993	96·0	458·0	116·3	25

The percentages shown for 1988-93 are based on year-on-year cumulative totals at 31 March of the default surcharge outstanding and the default surcharge collected.

Some of the payments collected during any given year may relate to assessments issued in previous years.

Consultants

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what information technology consultants his Department has employed in each of the last five years; for what purpose; and at what total cost.

Sir John Cope: I regret that information for years before 1991-92 is not available.

The number of IT consultancies and their total cost for 1991-92 and later years is given in the table.

Year	*Number*	*Total cost (£)*
1991-92	0	0
1992-93	4	26,000
1993-94	4	53,000

The main work covered is IT support, including software revision and systems development, including work related to the pensions administration system. The firms involved are Bywater plc, ERA Software Ltd., Ground Modelling Systems Ltd., IMS, Jerry Hughes, Moodey International Developments and Dunnit Shaw.

Cameroon

Mr. Worthington: To ask the Chancellor of the Exchequer (1) what assessment has been made of the effects of Cameroon's agreement with the International Monetary Fund for the health and education services in Cameroon; and what steps have been taken by the British director at the IMF to ensure that the structural adjustment programme does not damage health and education programmes;

(2) how the structural adjustment programme recently concluded between the International Monetary Fund and Bulgaria safeguards the poor of that country and its health and education programmes.

Sir John Cope: The IMF and World bank are doing valuable work to help countries such as Cameroon and Bulgaria assess the possible impact that economic reform may have on vulnerable groups, in order that reform can be tailored to meet the needs of individual countries. In their design, IMF and World bank programmes pay particular attention to ensuring that sectors such as health and education are given appropriate priority within the reforming country's budget. The needs of the sectors were explicitly addressed in the cases of Cameroon and Bulgaria. The United Kingdom executive director at the IMF, along with representatives of all the fund's members, considers each proposal for a structural adjustment programme to ensure that the programme is appropriate to the needs of the individual country.

Private Security Firms

Mr. George: To ask the Chancellor of the Exchequer how many private security firms have been employed by his Department for each of the last 10 years; what has been the annual value of the contracts; and if he will estimate how many guards have been employed for each of those years.

Sir John Cope: No part of Her Majesty's Treasury currently employs private security firms. Private security firms have been employed by Forward, which is now in the

private sector, and the rating of government property department, which is now part of the Valuation Office. Details relating to Forward were provided in the answer my hon. Friend the Economic Secretary gave to the hon. Member for Heywood and Middleton (Mr. Callaghan) on 17 June 1993.

The rating of government property department employed two private security firms sequentially between 1987 and 1992. The contract for the first to 1 April 1989 was for £2,600 per annum; the second was for £4,900 per annum. They involved the provision of one guard.

Inflation

Mr. Mandelson: To ask the Chancellor of the Exchequer what is the Government's target for underlying inflation in *(a)* 1996 and *(b)* 1997.

Sir John Cope: The Government's aim is to bring inflation down and then to hold it down. This is the only lasting basis for sustained growth. For the rest of this Parliament our objective is to keep underlying inflation, as measured by the RPI excluding mortgage interest payments, in the range 1 to 4 per cent. and for inflation to be in the lower part of this range by the end of the Parliament.

Merchant Fleet

Mr. David Shaw: To ask the Chancellor of the Exchequer if he will make a statement on balancing charges for ships and measures to assist the shipping industry.

Ms Walley: To ask the Chancellor of the Exchequer what new measures he now proposes to assist the British merchant fleet.

Mr. Kenneth Clarke: The health of the merchant fleet is clearly a matter of great concern both inside and outside the House. The Government have made it clear that we recognise the very important contribution which shipping makes to the economy and the essential role which the industry can be called on to play in a national emergency and we have shown in the past our willingness to help with the problems which it faces.

We recognise that it is common for shipping companies overseas to benefit from special tax provisions. We believe that such special provisions introduce distortions which can inhibit competition and lead to the inefficiency allocation of resources. We will be raising these points forcefully with the European Commission.

However, we also recognise that, competitively, tax measures available overseas put our shippers at a particular disadvantage. We have therefore decided to introduce a provision which will allow capital allowance balancing charges for ships to be rolled over for a period of up to three years from the date on which the ship is disposed of, to be set off against subsequent expenditure on ships within that period. The amount of any balancing charge which can be rolled over will be limited to the amount needed to ensure that no tax liability arises as a result of a ship's disposal. We estimate that this measure will benefit the shipping industry by up to £20 million per annum in a full year. In drawing up this provision we will be considering whether it should be restricted to ships on the United Kingdom register; and in doing so will take account of what our European Union partners do.

As with any measure of this sort we have an obligation to notify the Commission of the proposal. Subject to the outcome of discussions with Commission, we will be bringing forward the necessary legislation in next year's Finance Bill, with retrospective effect from today. The draft legislation will be made available by the Inland Revenue as soon as possible.

Treasury Forecasts

Dr. Bray: To ask the Chancellor of the Exchequer when he proposes to publish in 1994 the two or more forecasts which the Treasury is required to publish each year under schedule 5 of the Industry Act 1975.

Mr. Kenneth Clarke: I propose to publish the first Industry Act forecast of 1994 in the summer, probably around late June, in good time for the summer economic debate. The second forecast in 1994 will be published on Budget day.

DUCHY OF LANCASTER

Executive Agencies (Correspondence)

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster what plans he has to ensure under the citizens charter that letters from hon. Members to Government agencies are dealt with speedily; what discussions he has held as to a reasonable time limit in which to expect a reply; and if he will make a statement.

Mr. Waldegrave: Reply times to correspondence are frequently covered by agencies' charters and statements of charter standards. Reply times and other charter standards are decided by the Minister responsible for the agency in consultation with the chief executive.

Permanent Secretary (Handbook)

Mr. Gunnell: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 9 March, *Official Report*, column *256*, if he will place in the Library those sections of the Permanent Secretary's handbook which do not relate to national security.

Mr. Waldegrave: I have carefully considered the hon. Member's request, but I have nothing to add to my reply of 9 March.

PRIME MINISTER

Parliamentary Questions

Mr. Flynn: To ask the Prime Minister what guidance has been issued to Ministers regarding the practice of replying to parliamentary questions in terms such as, "I will write to the hon. Member"; and in what circumstances this practice is considered appropriate.

The Prime Minister: A reply in which a Minister says that he will write to the hon. Member may be given for a number of reasons. It may be used as an interim reply because it is not possible to provide a substantive answer within the time scale laid down, to provide information of specialist or local interest which is detailed or lengthy or where there is a need for discretion in making the full reply available because it concerns a confidential constituent's case.

Following a recommendation from the Procedure Committee, first report, Session 1992-93, guidance has been issued that such replies should also state, except where confidentiality is necessary, that copies of the Minister's reply will be placed in the Library.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 21 April.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 21 April.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Tigris and Euphrates Valleys

Mr. Dalyell: To ask the Prime Minister what is the latest information to Her Majesty's Government about malnutrition-related diseases, and the shortage of water-pumps, water-filters and pharmaceuticals in the valleys of the Tigris and Euphrates.

The Prime Minister: In addition to information given to me by the hon. Member himself, and obtained from non-governmental organisations with local knowledge, information is in the most recent reports from the United Nations and the International Federation of Red Cross and Red Crescent Societies. Copies have been placed in the Library of the House. The reports point out that reliable data are not generally available.

Costs

Mr. Tony Banks: To ask the Prime Minister what was the total cost to public funds of all his offices, duties, accommodation and expenses in 1993-94.

The Prime Minister *[holding answer 18 April 1994]:* The No. 10 budget includes the running costs of 10 Downing street and the costs associated with Chequers. A final outturn for 1993-94 is not yet available, but is likely to be some £9·2 million.

Mr. Tony Banks: To ask the Prime Minister if he will provide the final figure for 1993-94 for *(a)* the cost of maintaining and running No. 10 Downing street and additional costs at Chequers, *(b)* the grant-in-aid to the Chequers Trust and *(c)* the costs on a consistent basis expressed at 1984-85 prices.

The Prime Minister *[holding answer 18 April 1994]:* Final figures for 1993-94 are not yet available. The estimated outturn for the cost of 10 Downing street and Chequers borne on the vote of the Cabinet Office, OPSS, is as follows:

1993-94

£ million

	Cash	*1984-85 prices*
Number 10 capital and running costs of Chequers	8·9	5·5
Grant-in-aid to Chequers Trust	0·3	0·2
TOTAL	9·2	5·7

TRADE AND INDUSTRY

Environmental Protection

Mr. Llew Smith: To ask the President of the Board of Trade what proposals on environmental protection he plans to put to the Industry Council on 22 April.

Mr. McLoughlin: There are no issues relating to the environment on the agenda of the Industry Council on 22 April.

Nynex CableComms

Mr. Thurnham: To ask the President of the Board of Trade what assessment he has made of the extent to which the work being carried out by Nynex CableComms at 28 Oaks avenue, Bolton is in accordance with its licence.

Mr. McLoughlin: The licence held by Nynex CableComms Bolton Ltd. provides for the standard of its street works to be governed by the New Roads and Street Works Act 1991 and its associated regulations. I understand that the local highway authority has conducted a sample inspection of the street reinstatement outside 28 Oaks avenue, Bolton as provided for under that Act. The reinstatement was found not to be of the required standard and the cable operator, Nynex CableComms Bolton Ltd., has been asked to remedy this.

GATT

Mr. Worthington: To ask the President of the Board of Trade if he will list those countries *(a)* which are signatories to the new GATT agreement and *(b)* which are not.

Mr. Needham: A total of 125 countries participated in the Uruguay round of multilateral trade negotiations, which culminated on 15 April in the signature of the final act at Marrakech. The names of the 125 countries are listed.

Algeria
Angola
Antigua and Barbuda
Argentina
Australia
Austria
Bahrain
Bangladesh
Barbados
Belgium
Belize
Benin
Bolivia
Botswana
Brazil
Brunei
Burkina Faso
Burundi
Cameroon
Canada
Central African Republic
Chad
Chile
China
Colombia
Congo
Costa Rica
Côte d'Ivoire
Cuba
Cyprus
Czech Republic
Denmark
Dominica
Dominican Republic
Egypt
El Salvador
European Communities
Fiji
Finland
France
Gabon
Gambia
Germany
Ghana
Greece
Grenada
Guatemala
Guinea-Bissau
Guyana
Haiti
Honduras
Hong Kong
Hungary
Iceland
India
Indonesia
Ireland
Israel
Italy
Jamaica
Japan
Kenya
Korea, Republic of
Kuwait
Lesotho
Liechtenstein
Luxembourg
Macau
Madagascar
Malawi

Malaysia
Maldives
Mali
Malta
Mauritania
Mauritius
Mexico
Morocco
Mozambique
Myanmar
Namibia
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norway
Pakistan
Paraguay
Peru
Philippines
Poland
Portugal
Qatar
Romania
Rwanda
St. Kitts and Nevis
Saint Lucia
St. Vincent/Grenadines
Senegal
Sierra Leone
Singapore
Slovak Republic
South Africa
Spain
Sri Lanka
Suriname
Swaziland
Sweden
Switzerland
Tanzania
Thailand
Togo
Trinidad/Tobago
Tunisia
Turkey
Uganda
United Arab Emirates
United Kingdom
United States of America
Uruguay
Venezuela
Zaire
Zambia
Zimbabwe

Of these 125 countries, a total of 111 signed the final act of the Uruguay round. Countries which did not sign the final act in Marrakech but can do so in the future in Geneva include: Burkina Faso, Chad, Dominica, Gambia, Grenada, Haiti, Lesotho, Maldives, St. Kitts and Nevis, St. Vincent and the Grenadines, Sierra Leone, Togo, Rwanda and Swaziland.

Data Encryption

Mr. David Shaw: To ask the President of the Board of Trade what legislation relating to data encryption his Department is considering; and if he will make a statement.

Mr. McLoughlin: My Department has no current plans to introduce legislation relating to data encryption.

Training and Enterprise Councils

Mr. Sheerman: To ask the President of the Board of Trade what initiatives he has taken to ensure that his Department encourages training and enterprise councils in their policies for the development of local enterprise.

Mr. McLoughlin: My Department is working closely with training and enterprise councils to develop effective business support measures and to help develop the competitiveness of local businesses. In particular, I have asked the TECs to take the lead in bringing together local partnerships to establish a network of business links in England which will provide a single point of access to a wide range of high quality business advice and support services. Together with my right hon. Friend the Secretary of State for Employment, I will shortly be publishing strategic guidance for TECs which will emphasise, among others, the importance of developing effective plans for enterprise and ensuring that they mesh into wider programmes of action to improve competitiveness.

Post Offices

Mr. Hain: To ask the President of the Board of Trade (1) if he will publish a list of post offices which have closed or merged since April 1992; and if he will make a statement;

(2) if he will publish a list of post offices which have changed status and become community post offices since April 1992; and if he will make a statement.

Mr. McLoughlin: I understand from the Post Office that, since April 1992, 435 post offices have closed and that there have been three mergers of branch offices. In the same period, 125 offices are known to have reopened. A further 129 post offices have been converted to community office status. A copy of the full list of offices closed and of those converted to community status is being placed in the Library of the House.

Record Industry

Mr. Nigel Evans: To ask the President of the Board of Trade what effect in financial and business terms he estimates the international piracy and counterfeiting trade have on the British record industry.

Mr. McLoughlin: The British Phonograph Industry, the record industry's trade association, has recently estimated that piracy is depriving the industry of one fifth of its potential export market, resulting in a loss in earnings of £160 million per annum at current values. I am not aware of any other estimates but fully recognise the importance to the industry of effective copyright protection overseas. The Government will continue to work actively to achieve this by all available means including the GATT, current negotiations within the World Intellectual Property Organisation on new international copyright agreements and European Community initiatives.

Rural Sub-post Offices

Mr. Harvey: To ask the President of the Board of Trade what representations his Department has received from north Devon in 1994 about the future of rural sub-post offices.

Mr. McLoughlin: My Department has received two representations from north Devon in 1994 about the future of rural sub-post offices. In addition, the chief executive of Devon county council has written on the same subject.

Small and Medium-sized Businesses

Mr. Alton: To ask the President of the Board of Trade what are his plans for consulting small and medium-sized enterprises on their needs to ensure that their competitiveness in the European Economic Area according to the Community guidelines for small and medium-sized enterprises.

Mr. McLoughlin: My Department continues to be in constant liaison with small and medium-sized enterprises, through discussions and through its research programme. It continues to discuss the needs of SMEs with small firms' representative organisations, academics and other policy makers. My Department also consults the networks of training and enterprise councils, European information centres, and the developing network of business links. This continuing dialogue with SMEs and with all the key players in the field ensures that we are aware of, and address, the problems and needs of SMEs in the United Kingdom.

We seek to influence the European Commission's directorate-general XXIII to keep regulations to a

minimum and to ensure that any assistance for SMEs is targeted where it will have most benefit, and that European assistance is provided only where it is not more appropriately provided at member state level.

US Investment

Mr. Cousins: To ask the President of the Board of Trade if he will publish a table showing *(a)* direct investment overseas and *(b)* inward direct investment in cash, US dollar, prices in (i) the United Kingdom and (ii) Germany in each year since 1979.

Mr. Sainsbury: The information requested is set out in the two tables. They show figures for outward and inward foreign direct investment respectively. These figures are net figures. Therefore, inward investment in the United Kingdom is measured by adding up the following flows:

(a) foreign investment in the United Kingdom;

(b) the acquisition by a foreign company of previously United Kingdom-held shares in United Kingdom companies were:

(i) the acquisition leads to the foreign company holding more than 20 per cent. of the United Kingdom firm; or

(ii) where there is an increase of 20 per cent. or more in a foreign firm's share holdings in a United Kingdom company above that 20 per cent. figure;

(c) profit retained in the United Kingdom by foreign-owned companies;

(d) the repayment to United Kingdom companies of loans previously made to their parent/subsidiaries overseas; and

(e) cash injections from foreign companies into their United Kingdom-owned subsidiaries;

and then deducting from this aggregate:

(a) sales of foreign-owned companies or shares in foreign-owned companies in the United Kingdom to United Kingdom residents above the same 20 per cent. thresholds;

(b) profits repatriated from the United Kingdom by foreign-owned companies; and

(c) the repayment by United Kingdom companies of loans made by their overseas parent/subsidiaries.

All the figures in the tables are compiled using an equivalent methodology.

The data come from national sources. Although these are the best sources available, care is needed in the interpretation of the figures. Differences in the definition of foreign direct investment used in the United Kingdom and Germany mean that the data are not strictly comparable. Furthermore, the figures are produced from the results of a sample survey, so both sets are subject to a degree of uncertainty. More recent data are also subject to quite large revisions. Finally, both sets of figures have been converted from the domestic currency into dollars, so exchange rates will have an influence on the dollar figures that emerge.

Flows of Outward Foreign Direct Investment 1979-92 $ billions

	United Kingdom[1]	Germany[2]
1979	6·4	4·5
1980	7·9	4·0
1981	9·4	3·9
1982	3·7	2·5
1983	5·3	3·2
1984	7·7	4·4
1985	11·1	4·8
1986	17·1	9·6
1987	30·8	9·1
1988	37·2	11·4
1989	35·2	14·5
1990	18·0	23·1
1991	16·5	22·3
1992	17·9	18·0

Source: CSO, OECD.

[1] United Kingdom data excludes activities of oil companies before 1984. Includes reinvested earnings.

[2] Data before July 1990 relates to West Germany only. Excludes reinvested earnings.

Flows of Inward Foreign Direct Investment 1979-92 $ billions

	United Kingdom[1]	Germany[2]
1979	3·7	1·7
1980	5·9	0·4
1981	2·0	0·3
1982	2·0	0·8
1983	3·1	1·8
1984[3]	–0·3	0·6
1985	5·7	0·6
1986	8·3	1·2
1987	14·4	1·9
1988	20·6	1·2
1989	28·5	7·1
1990	30·5	2·3
1991	14·4	3·2
1992	16·3	3·9

Source: CSO, OECD.

[1] United Kingdom data excludes activities of oil companies before 1984. Includes reinvested earnings.

[2] Data before July 1990 relates to West Germany only. Excludes reinvested earnings.

[3] The negative figure for United Kingdom inward investment in 1984 represents a net disinvestment by foreign owned companies in that year.

Advanced Technology

Mr. Cousins: To ask the President of the Board of Trade if he will publish a table showing the expenditure in cash and standard price terms and the number of projects *(a)* submitted to and *(b)* approved by (i) the advanced technology programme and (ii) the support for innovation programme in each year since the establishment of the programme.

Mr. McLoughlin: The expression "support for innovation" covered various forms of support and information in the form requested is not available.

For advanced technology programme, the information requested is shown in the table.

Year	Number of projects submitted	Number of projects approved	Expenditure in cash terms £ million	Expenditure in real terms at 1992-93 prices £ million
1988-89	145	16	8·1	10·4
1989-90	76	83	8·7	10·4
1990-91	72	58	11·8	13·0
1991-92	64	64	20·2	21·0

Year	Number of projects submitted	Number of projects approved	Expenditure in cash terms £ million	Expenditure in real terms at 1992-93 prices £ million
1992-93	141	39	28·8	28·8
1993-94	37	64	19·1	18·5

Steel Production

Mr. Morley: To ask the President of the Board of Trade what was the steel production undertaken by each EC member state for *(a)* the current year and *(b)* 1990.

Mr. Sainsbury: Information on the topic is regularly published in "Main Economic Indicators", published by the OECD, and "Eurostatistics (data for short-term analysis)", published by Eurostat, copies of which are available in the Library of the House.

Trade Debts

Mr. Nigel Griffiths: To ask the President of the Board of Trade when he expects to bring forward legislation for statutory interest on trade debts; what representations he has received from the Institute of Credit Management on the subject; and what was his response.

Mr. McLoughlin: My noble Friend the Minister with responsibility for small firms and consumer affairs has received a response to the Department of Trade and Industry consultation paper "Late Payment of Commercial Debt" from the Institute of Credit Management. The institute's contribution has been acknowledged and will be carefully considered with other responses.

The consultation paper sought the views of the business community on options to address late payment, including legislation for a statutory right to interest and a British standard for prompt payment. Responses to the consultation paper are currently being examined.

Postal Services

Mr. Ieuan Wyn Jones: To ask the President of the Board of Trade what account will be taken by his Department of postal services for visually impaired people within any future review of postal services in the United Kingdom.

Mr. McLoughlin *[holding answer 19 April 1994]:* The Post Office currently operates the articles for the blind scheme which provides for the free transmission of articles for the visually impaired. In the course of the current review of the structure and organisation of the Post Office, Ministers have assured the Royal National Institute for the Blind that under any outcome the scheme will continue as currently constituted.

Telecommunications

Mr. Ieuan Wyn Jones: To ask the President of the Board of Trade if he will outline the process for the approval of any changes to telecommunications apparatus, indicating the role played by the British Approvals Board of Telecommunications of Oftel and his Department in making approvals.

Mr. McLoughlin *[holding answer 19 April 1994]:* The British Approvals Board for Telecommunications, an independent company limited by guarantee, is the approval authority, appointed by the Secretary of State for Trade and Industry, for all types of telecommunications terminal equipment for connection to the public telecommunications network. BABT evaluates applications, accompanying documentation, manufacturing details and test results on the apparatus and, if it complies with the relevant standards designated by my Department of Oftel, issues a type approval. Changes to approved apparatus are subject to further testing only if that compliance is prejudiced. BABT accommodates all changes within its standard procedures so long as the supplier renews its approval. To avoid delay, BABT has made arrangements which, for the majority of changes, permit self-certification at the supplier's convenience.

My Department, with Oftel, is currently reviewing the United Kingdom approvals regime in consultation with BABT, terminal manufacturers, network operators and users.

Advice Services

Mr. Michael: To ask the President of the Board of Trade what is his policy towards the provision of a network of independent advice and law centres throughout the country; and what response he has made to Advice 2000 initiative launched by the Advice Services Alliance.

Mr. McLoughlin *[holding answer 19 April 1994]:* The provision of independent advice and law centres is a matter for the Lord Chancellor's Department.

Mr. Michael: To ask the President of the Board of Trade what is the level of funding from his Department for voluntary advice services for the financial year 1993-94 and each of the previous 10 years; and how many schemes received funding in each year.

Mr. McLoughlin *[holding answer 19 April 1994]:* Although the DTI does not directly fund voluntary advice services, it does fund the National Association of Citizens Advice Bureaux, Citizens Advice Scotland and the Royal Society for the Prevention of Accidents, whose aims include the provision of advice and information by volunteers. Details for the financial years 1989-90 to 1992-93 are given in the table. The figures for 1993-94 are not yet available and the figures for earlier years could be obtained only at disproportionate cost.

Financial Year	Number of schemes	Level of Funding £
1989-90	3	10,222,771
1990-91	3	11,604,172
1991-92	3	12,472,500
1992-93	3	13,303,996

Electricity Consumers Council

Mrs. Peacock: To ask the President of the Board of Trade if he will make a statement on the sources of funding for the Electricity Consumers Council; who appoints its members; and to whom it reports.

Mr. McLoughlin *[holding answer 19 April 1994]:* The Electricity Consumers Council was abolished by the Electricity Act 1989.

Gas Consumers Council

Mrs. Peacock: To ask the President of the Board of Trade if he will make a statement on the sources of funding for the Gas Consumers Council; who appoints its members; and to whom it reports.

Mr. McLoughlin *[holding answer 19 April 1994]:* The Department of Trade and Industry funds the Gas Consumers Council through its vote, although a substantial proportion of this funding is recouped from Ofgas through British Gas's authorisation fee. My right hon. Friend the President of the Board of Trade is responsible for the appointment of the chairman and members of the council, which reports to the Director General and the President.

Scott Inquiry

Mr. Dicks: To ask the President of the Board of Trade on how many days the Scott inquiry has sat; how many counsel, junior counsel and solicitors are involved in the inquiry; by what method payment is assessed; what fees have been paid to each lawyer and how they were calculated; and if they were paid in respect of days on which the inquiry did not sit.

Mr. Needham *[holding answer 19 April 1994]:* The inquiry has sat for a total of 93 days. The inquiry employs one counsel, who is paid on a daily basis, and who has been remunerated to date for 212 days' work at a daily rate of £800 plus VAT. The legal work undertaken is not confined to the oral sessions of the inquiry.

In addition, two civil servant members of the inquiry team are barristers and another one is a solicitor. All three are paid the usual civil service salary commensurate with their grade.

Mr. Dicks: To ask the President of the Board of Trade what is the cost to date of the Scott inquiry; and if he will list the main subheads under which these moneys were spent with the amount for each subhead.

Mr. Needham *[holding answer 19 April 1994]:* The direct costs of the Scott inquiry to date, falling to my Department, have been £994,689. This total is broken down as follows:

Pay (for DTI Civil Servants)	£317,426
Bought-in services, including legal, security and catering services	£442,515
Legal costs incurred in advising DTI witnesses	£165,976
Other costs, including office machinery, computers, stationery, travel and subsistence	£68,772

Mr. Dicks: To ask the President of the Board of Trade what is his estimate of what the total cost to public funds the Scott inquiry will be.

Mr. Needham *[holding answer 19 April 1994:]* I am not at this stage able to give a reasonable estimate of the future costs of the inquiry.

FOREIGN AND COMMONWEALTH AFFAIRS

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Foreign and Commonwealth Affairs how many parliamentary questions to his Department have not been answered because of disproportionate costs or because the information requested was not held centrally over the last five years; how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Lennox-Boyd: The number of answers given to parliamentary questions over the past five years recorded in the POLIS database as including a reference to part or all of the information being available only at disproportionate cost by this Department was 76, representing some 0·5 per cent. of the total number of questions answered in the period concerned.

Information relating to which of these questions could now be answered is unavailable and could be provided only at disproportionate cost.

Israel

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what information he has on the consequences of the Israeli blockade on the occupied territories; and what representations he has made on this matter to the Israeli authorities in respect of its effect on the peace process;

(2) what assessment he has made of the effects of the Israeli decision to recruit foreign workers to replace Palestinians on the peace process; and what representations he has made.

Mr. Douglas Hogg: We, along with our European Union partners, have made known to the Israeli authorities our concern at the damaging economic and social effects of their closure of the occupied territories. The Israeli Cabinet announced on 17 April the granting of 20,000 permits for Palestinians to enter Israel, 16,000 for humanitarian purposes and 4,000 for agricultural workers, and the grant of 30 million shekels for work projects in the occupied territories.

European Commission

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British nationals are employed in the European Commission at *(a)* deputy-director, *(b)* director and *(c)* director-general level in DGXVII (Energy).

Mr. Heathcoat-Amory: There is no such post as deputy-director in the Commission. At director level and above in directorate-general XVII, there is one United Kingdom national—the deputy director-general.

European Court

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times the United Kingdom has been taken to the European Court over the past 10 years; and what were the legal and consequential costs involved.

Mr. Heathcoat-Amory *[holding answer 18 April 1994]:* Since 1 January 1985, the United Kingdom has been the defendant in 16 infraction cases brought before the court by the Commission under article 169. Details of the legal and consequential costs are not readily available and could be provided only at disproportionate cost.

Entry Certificates

Mr. Jim Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the working of the system for the issue of entry certificates for visitors to the United Kingdom; and if he will make a statement.

Mr. Lennox-Boyd: The system for the issue of entry clearances for visitors to the United Kingdom is constantly reviewed.

The latest list of posts overseas designated to issue entry clearances will be published shortly. Copies will be placed in the Library of the House. In 1993, a total of 957,000 visit applications were received: 863,000, or 90 per cent. were issued, 60,000, or 6·3 per cent. were refused and 34,000, or 3·7 per cent. were deferred/referred to the Home Office. Further statistics are available in the FCO departmental report 1994.

In December 1993, Lady Anson JP DL was appointed as the first independent monitor of visit visa refusals. Her annual reports will be laid before Parliament.

North Korea

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs, what are the implications for United Kingdom policy of the latest meeting between China and North Korea in Beijing, to discuss the question of North Korea's nuclear capacity.

Mr. Douglas Hogg: We are not aware of any recent official meeting in Peking between China and North Korea to discuss North Korea's nuclear programme.

Council of Ministers

Mr. Dykes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take immediate steps with his EU counterparts, following the council meeting of 18 April and Committee of Permanent Representatives' advice, to ensure the fullest application of the Council of Ministers information code to provide citizens of the Union with fully open information on all Council legislative decision making, including items normally falling within the inter-governmental pillars.

Mr. Heathcoat-Amory: We have strongly supported moves to increase openness in the Community. The code of conduct on access to information agreed in December 1993 rightly affirms the general principle that there should be the widest possible access by the public to documents held by the Council and Commission, with certain necessary safeguards. This code complements the decisions on open council sessions and publication of votes.

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his EU colleagues about rules governing the secrecy of Council of Ministers documents including minutes of Council meetings; and if he will make a statement.

Mr. Heathcoat-Amory: The General Affairs Council on 19 April had a brief discussion on an application from *The Guardian* newspaper for access to a number of Council documents, but was unable to reach a decision.

Gas Safety

Mr. Nigel Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will review procedures for the reporting of deaths due to gas poisoning of United Kingdom holidaymakers abroad.

Mr. Lenox-Boyd: No. I am satisfied that our existing standard procedures for notifying next-of-kin of deaths of British nationals overseas are working properly.

Mr. Nigel Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to his Spanish counterparts about gas safety standards enforced in holiday apartments.

Mr. Lennox-Boyd: No. This is a matter for the Spanish authorities.

United Nations War Crimes Commission

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 10 February, *Official Report*, column *484*, by the Secretary of State for Defence, what further batches of information collated from interviews with refugees from Bosnia he has sent to the United Nations War Crimes Commission; and if he will make a statement.

Mr. Douglas Hogg: We submitted a fourth batch of evidence, collated by the MOD's defence debriefing team, to the United Nations Commission of Experts on 7 April. This batch consisted of 10 separate reports, some of which were on regions specifically requested by the Commission.

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times the United Nations War Crimes Commission has asked for assistance of a military nature or type in its investigations.

Mr. Douglas Hogg: We are aware of one general request from the United Nations Commission of Experts for a military engineering unit to help investigate an alleged mass grave in Vukovar. The Netherlands subsequently provided such a unit.

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration he has given to assisting the United Nations War Crimes Commission in the apprehension of individuals wanted by that body for questioning; and if he will make a statement.

Mr. Douglas Hogg: The United Nations Commission of Experts was established by Security Council resolution 780 to collate, analyse and investigate evidence of war crimes committed in the former Yugoslavia since 1991. It is not mandated to apprehend individuals.

Bosnian Refugees

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the approximate number of Bosnian refugees who have been interviewed by the Defence debriefing team to date; and if he will make a statement.

Mr. Douglas Hogg: The MOD's defence debriefing team has interviewed approximately 5,000 individuals entering the United Kingdom from the former Yugoslavia since the conflict began. Approximately 80 per cent. of those interviewed were Bosnian, but not all were refugees.

Rwanda

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what action Her Majesty's Government are taking to encourage international action for the protection of both foreign and local non-combatants in the civil war in Rwanda.

Mr. Lennox-Boyd: We are active in United Nations Security Council deliberations on Rwanda and have welcomed the involvement of neighbouring countries. The first priority is to try to bring about a ceasefire, creating conditions in which it will be possible to relaunch the process of national reconciliation and set up humanitarian relief.

Malaysia

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs whether British Airways was compensated *(a)* directly or *(b)* indirectly by public funds in order to make available landing slots at Heathrow airport to Malaysian Airlines in 1989; and whether this agreement was linked to the aid and trade arrangement or arms sales arrangement with Malaysia agreed under the revised protocol of June 1988 between the United Kingdom and Malaysia.

Mr. Norris: I have been asked to reply.

On the question of compensation for British Airways, I refer the hon. Member to the answer I gave to the hon. Member for Carmarthen (Mr. Williams) on 15 February, column *731*, which made it clear that there was no compensation to British Airways either directly or indirectly from public funds. The revised air services arrangements agreed in 1989 were not linked to aid and trade provision or arms sales.

OVERSEAS DEVELOPMENT

Mozambique

Mr. Hunter: To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution he is making to the United Nations trust funds to assist Renamo's transformation into a political party.

Mr. Lennox-Boyd: I refer the hon. Member to my reply to his question on 12 April, columns *23-24*. The Government of Mozambique have since confirmed their agreement to our contribution of £500,000 to the United Nations trust fund for the implementation of the peace process in Mozambique and payment is being arranged.

Bosnia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will arrange for the Overseas Development Administration and the EU to publish a full statement on how they and non-governmental organisations are going to help rebuild the physical and social infrastructure of Bosnia.

Mr. Lennox-Boyd: Rebuilding the infrastructure of Bosnia must depend on first implementing a peace settlement. Following an agreement reached during my right hon. Friend the Prime Minister's visit to Washington, a joint United Kingdom/United States team undertook an assessment of the work needed to restore Sarajevo's essential public services. A copy of its report has already been placed in both Libraries of the House.

The EU is considering how best to assist in the restoration of services in Mostar.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs which British aid agencies are working in Rwanda; and if he will make a statement.

Mr. Lennox-Boyd: All British aid agencies have withdrawn from Rwanda. The following non-governmental organisations—ACORD, CARE, Christian Aid, Oxfam, and affiliated partners of Tear Fund—plan to resume operations as soon as conditions allow.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution the Overseas Development Administration is making to alleviate the current unrest in Rwanda.

Mr. Lennox-Boyd: In the last week we have committed some £820,000 in emergency aid, through British non-governmental organisations, for the victims of the conflict in Rwanda.

UN Sustainable Development Commission

Mr. Dafis: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will be attending the meeting of the United Nations Sustainable Development Commission in New York in May.

Mr. Lennox-Boyd: My right hon. Friend the Secretary of State for the Environment will attend the meeting. The Department of the Environment has lead responsibilities for the United Nations Sustainable Development Commission. No decision has yet been taken on possible attendance by an FCO Minister.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what offers have been made to construct an airstrip on St. Helena free of capital cost to Her Majesty's Government; and if he will make a statement.

Mr. Lennox-Boyd *[holding answer 19 April 1994]:* A United Kingdom company, St. Helena Airways Ltd., has indicated that it would be prepared to privately fund the construction of an airstrip on St. Helena, but in return it

would require financial commitments and guarantees from ODA and the St. Helena Government. I understand the St. Helena Government will be taking steps later this year to ascertain whether an air service for the island has public support and will consider the situation in the light of the outcome.

NATIONAL HERITAGE

Private Security Firms

Mr. George: To ask the Secretary of State for National Heritage how many private security firms have been employed by his Department for each of the last 10 years; what has been the annual value of the contracts; and if he will estimate how many guards have been employed for each of those years.

Mr. Sproat: My Department was established in April 1992. In 1992-93 DNH and its agencies employed one security firm on a contract with an annual value of £171,092. Approximately 12 guards were employed.

In 1993-94, four security firms were employed on contracts with an annual value of £520,081. Approximately 30 guards were employed.

D-day Anniversary Celebrations

Mr. Mandelson: To ask the Secretary of State for National Heritage what considerations underlay the selection of Lowe Bell Communications as consultants to the D-day anniversary celebrations in preference to other firms tendering for the contract.

Mr. Sproat: Lowe Bell was selected to advise the Department of National Heritage and to help implement a high-profile programme of popular events to commemorate the 50th anniversary of the D-day landings. Of the firms which bid for this contract, Lowe Bell was considered to be best able to fulfil these requirements.

EMPLOYMENT

Working Hours

Mr. Frank Field: To ask the Secretary of State for Employment what proportion of women in *(a)* the United Kingdom, *(b)* Germany, *(c)* France and *(d)* the United States of America work (i) full time and (ii) part time.

Mr. Michael Forsyth *[holding answer 19 April 1994]:* Comparable information is not available for the United States of America. The available information is shown in the following table:

Proportion of women in full-time and part-time work in selected countries of the European Community: 1991[1]

	Percentage of women aged 16 and over in full-time work	*Percentage of women aged 16 and over in part-time work*
United Kingdom	27·3	21·2
Germany	28·5	14·8
France	32·3	9·9

[1] Latest comparable information.
Source: Eurostat, Labour Force Survey Results 1991.

Job Protection Legislation

Mr. Hutton: To ask the Secretary of State for Employment what research he has recently commissioned into the employment consequences of job protection legislation.

Mr. Michael Forsyth *[holding answer 20 April 1994]:* Research on, or having a bearing on, this issue commissioned by the Department over the past three years includes:

"Maternity Rights in Britain" by S. McRae;
"Redundancy Payments Survey" by D. Spilsbury, A. McIntosh and J. Banerji;
"The 1992 Survey of Industrial Tribunal Applications" by N. Tremlett and N. Banerji;
"The Abolition of the Dock Labour Scheme" by N. Evans, D. MacKay, Mr. Garratt and P. Sutcliffe;
"A Review of the Economics Evidence Relating to Employment Protection Legislation" by S. M. Burgess.

Training and Enterprise Councils

Mr. Byers: To ask the Secretary of State for Employment what is the training budget for 1994-95 of each training and enterprise council; and what it was for each year since their inception, at 1994-95 prices.

Miss Widdecombe: Government offices are currently finalising contracts with training and enterprise councils for 1994-95 budgets and the information is not yet available.

The information must remain commercially confidential while TECs are negotiating with their providers, and for this reason I am not prepared to give information about individual TEC budgets for 1994-95 until after the beginning of October.

With regards to TEC budgets since their inception, I refer the hon. Member to the reply given on 13 December 1993, *Official Report*, column *512*, to my hon. Friend the Member for Basingstoke (Mr. Hunter). This provides details of TEC budgets agreed with the Employment Department for the last three years in cash and real terms using prices from the first year's funding.

SOCIAL SECURITY

Advice Quality

Mr. Raynsford: To ask the Secretary of State for Social Security what representations he has received from the Consumers Association on the quality of advice available from local social security offices; and if he will make a statement on the action he proposes to take in response.

Mr. Hague: The quality of advice available from local social security offices is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Michael Bichard to Mr. Nick Raynsford, dated 20 April 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the quality of advice available from local social security offices.

You will be aware of the recent article in the Consumer Association's WHICH magazine. The article drew conclusions

about standards of customer service available in Benefits Agency offices, based on a survey of their own members and on observations from a small sample of local offices. Although it cannot be said to be representative of the level of service provided by all Benefits Agency offices it is important that the comments are acknowledged.

The Benefits Agency recognises that customers expect a professional, efficient, quality service which provides prompt and accurate benefit payment. Whilst there are areas in which improvements could be made, considerable progress in this area has already been achieved. One of the major contributing factors to this improvement is our willingness to listen to customers and to respond to their comments.

For this purpose the Agency have produced two leaflets; "Let's be Fair" explains the Benefits Agency's policy on the customer's right to fair and equal treatment; "Have your say" expiains the complaints procedure to customers.

In addition, the Agency commission annually a national indpendent survey of its customers. In 1993, 3,428 customers were interviewed face to face, selected from a random postal sift of 17,000 households. The results of this survey are due to be published on 25 April 1994 and show that 84 per cent. of customers are satisfied with the standard of service provided by the Benefits Agency, against the Secretary of State's target of 85 per cent. This is an improvement on the corresponding figures for1992 when 82·3 per cent. were satisfied.

It is important, that as an Agency we are constantly aware of, and responsive to, the needs of our customers. The ongoing process of customer research helps to identify any improvements that are necessary and the areas highlighted by the WHICH article will be considered as a part of this process.

I hope you find this reply helpful.

Child Support Agency

Mr. Dewar: To ask the Secretary of State for Social Security how many staff are presently employed by the Child Support Agency.

Mr. Hague: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Donald Dewar, dated 20 April 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the number of staff currently employed by the Child Support Agency.

At 31 March 1994, the Agency had 5,200 staff in post in Great Britain. You may also wish to know that at the same date there were also 626 Northern Ireland civil servants based in Belfast engaged in work relating to parents with care who live in mainland Britain.

I hope this reply is helpful.

Mr. Blunkett: To ask the Secretary of State for Social Security if he will place in the Library copies of all internal bulletins relating to the Child Support Agency.

Mr. Hague: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. David Blunkett, dated 20 April 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the placing of internal Child Support Agency bulletins in the Library of the House.

Operational guidance for Agency staff is contained in the Child Support Manual, copies of which are already available in the Library. Relevant internal operational bulletins are incorporated as amendments to the Manual.

I hope this reply is helpful.

Mr. Blunkett: To ask the Secretary of State for Social Security (1) what guidance has been issued with regard to permanent maintenance orders in relation to deduction of earnings through the Child Support Agency; and if he will make a statement;

(2) what guidance he has given on the use of deduction from earnings orders in relation to interim maintenance orders through the Child Support Agency; and if he will make a statement.

Mr. Hague: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. David Blunkett, dated 20 April 1994:

I am replying to your recent Parliamentary Questions to the Secretary of State for Social Security about the guidance issued by the Child Support Agency on the implementation of deduction from earnings orders.

The imposition of a deduction from earnings order is a discretionary decision made by a Child Support Officer having considered the needs of the parent with care, and the children involved and any representations made by the absent parent. Instructions to staff in relation to deduction from earnings orders are contained in the Child Support Manual.

The Child Support (Collection of Enforcement) Regulations were amended in February specifically in relation to deduction from earnings orders on interim maintenance assessments. Detailed guidance for staff on deductions from earnings orders in such cases is in the course of preparation and will be incorporated in the Child Support Manual.

A copy of the Child Support Manual is available in the Library.

I hope this reply is helpful.

Community Care

Mr. Austin-Walker: To ask the Secretary of State for Social Security how many community care grants were given from the Thameside office; and how many were given to refugees in each financial year from 1991-92.

Mr. Scott: The administration of the social fund is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Michael Bichard to Mr. John Austin-Walker, dated 20 April 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the number of Community Care Grants (CCG) awarded by the Benefits Agency's Thameside office and the number awarded by the Benefits Agency's Thameside office and the number awarded to refugees.

I should clarify that the Benefits Agency does not have a Thameside office but does have a Thameside District which comprises of the offices of Woolwich and Bexley. I have, therefore, provided information relating to the Thameside District as a whole.

The number of CCGs awarded in the District for each of the years 1991-92, 1993-94, which also include CCGs awarded on review, are given at Appendix A.

Information on the number of CCGs awarded to refugees in the District for the same periods is not collected as a matter of course. The information requested could only be gathered by the manual examination of all the Social Fund applications in the Thameside District and this would incur disproportionate cost.

I hope you find this reply helpful.

Appendix A
Number of Community Care Grants (CCGS) awarded in the Benefits Agency's Thameside District

Financial Year	Number of CCGs awarded
1991-92	1,613
1992-93	2,123
1993-94	2,275

Saztec Ltd.

Mr. Cousins: To ask the Secretary of State for Social Security what contracts his Department have placed with Saztec Ltd. since July 1992.

Mr. Hague: None.

Private Security Firms

Mr. George: To ask the Secretary of State for Social Security how many private security firms have been employed by his Department for each of the last 10 years; what has been the annual value of the contracts; and if he will estimate how many guards have been employed for each of those years.

Mr. Hague: This Department and its executive agencies occupy over 500 sites throughout the country. Security at these sites is controlled locally and this includes the award of contracts to private companies either directly by the Department or, where appropriate, by facilities managers acting on our behalf. Information about contracts awarded is not collected centrally and therefore could be provided only at disproportionate cost.

VAT on Fuel

Mrs. Fyfe: To ask the Secretary of State for Social Security what arrangements have been made to pay pensioners allowances in respect of VAT on domestic fuel; and what examinations he has made of the reasons where allowances have not been paid so far.

Mr. Hague: Extra help for pensioners in respect of VAT on domestic fuel is paid automatically as part of the 1994 increase in benefit rates which is effective from week commencing 11 April 1994. The date on which the first benefit payment at the increased rate is made available will depend on the method of payment chosen by the pensioner and the day of the week on which his or her pension is payable.

Incapacity Benefit

Mrs. Roche: To ask the Secretary of State for Social Security what estimate he has made of how many claimants are expected to take up incapacity benefit within the Brighton borough council area from the introduction of the new benefit; and what he expects the total benefits bill to be for incapacity benefit for claimants within the Brighton borough council area in the year following the introduction of the new benefit.

Mr. Scott: Estimates of the number of people who will receive incapacity benefit, and total expenditure of the benefit, cannot reliably be broken down by local council area.

Housing Benefit

Mr. Wigley: To ask the Secretary of State for Social Security what measures he proposes to promote the take-up of housing benefit.

Mr. Hague: Responsibility for the administration of housing benefit lies with individual local authorities which are in the best position to undertake local publicity about it. Information about housing benefit is also available at all Benefits Agency offices and unemployment benefit offices.

Latest estimates of housing benefit take-up, which are for 1990 and 1991, indicate that between 93 per cent. and 97 per cent. of available benefit is being claimed by between 90 per cent. and 95 per cent. of those eligible. Further information on take-up estimates can be found in "Income Related Benefits—Estimates of Take-up in 1990 and 1991" published on 25 March 1994, a copy of which is in the Library.

EDUCATION

Grant-maintained Schools

Mrs. Ann Taylor: To ask the Secretary of State for Education (1) if he will list those schools outside the maintained sector that have approached his Department, the Funding Agency for Schools or the Grant-Maintained Schools Centre with a view to acquiring grant-maintained status;

(2) how many inquiries his Department has received from independent schools seeking to become grant maintained; and how many inquiries from parents' groups, or other groups, seeking to set up new grant-maintained schools.

Mr. Robin Squire: The Department has received over 370 requests for information about the establishment of new grant-maintained schools by promoters. Of these, one third have been from existing independent schools and two thirds from other groups. No formal proposals have been received from promoters, and it would be inappropriate to infer, from these initial inquiries, the promoters who may formally publish proposals for new grant-maintained schools in due course.

Surplus School Places

Mr. Faber: To ask the Secretary of State for Education how many surplus school places there are in Wiltshire.

Mr. Forth: The estimated surplus capacity of primary schools in Wiltshire as at January 1991 is as set out in the reply to the hon. Member for Warwickshire, North (Mr. O'Brien) on 31 January 1994, *Official Report*, columns *517-21*. The estimated number of surplus places in secondary schools at that date is 9,987, representing 23 per cent. of capacity. This corrects the figure in the previous reply. Up-to-date information on surplus capacity in all LEA areas will be collected under regulations to be made later this year.

DEFENCE

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Defence how many parliamentary questions to his Department have not been answered because of

disproportionate costs or because the information requested was not held centrally over the last five years; how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Hanley: My Department has answered nearly 14,000 parliamentary questions over the past five years, of which less than 250, or under 2 per cent., have not been answered because of disproportionate cost or because the information requested was not held centrally. No doubt as computer and operational systems continue to improve, there will be increased potential for this percentage to decline.

Service Ranks

Mr. Cann: To ask the Secretary of State for Defence what ranks exist in *(a)* the British Army, *(b)* the Royal Navy and *(c)* the Royal Air Force; and what is the number of personnel in each rank.

Mr. Hanley: Ranks in the Royal Naval Services, Army and Royal Air Force, and the number of personnel in each rank as at 1 January 1994, the latest date for which information is held, were as follows:

Royal Naval Services	*Numbers*
Royal Navy	
Admiral of the Fleet	—
Admiral	5
Vice Admiral	11
Rear Admiral	28
Commodore	37
Captain	328
Commander	1,125
Lieutenant Commander	2,369
Lieutenant	3,158
Sub-Lieutenant	1,067
Officer Designate	256
Warrant Officer	840
Chief Petty Officer	7,521
Petty Officer	6,624
Leading Rate	8,942
Able Rate	14,670
Ordinary Rate/Junior	1,364
Royal Marines	
General	—
Lieutenant General	1
Major General	2
Brigadier	3
Colonel/Lieutenant Colonel	34
Major	102
Captain	195
Lieutenant	277
Officer Designate	105
Warrant Officer Class 1	43
Warrant Officer Class 2	222
Colour Sergeant	368
Sergeant	736
Corporal	1,658
Marine 1st Class	3,126
Marine 2nd Class/Junior	475
Queen Alexandra's Royal Navy Service	
Commandant Nursing Officer	1
Principal Nursing Officer	2
Chief Nursing Officer	5
Superintending Nursing Officer	26
Senior Nursing Officer	47
Nursing Officer	10
Warrant Officer RGN/Warrant Officer EN(G)	1
Chief RGN/Chief EN(G)	17
Petty Officer RGN/Petty Officer EN(G)	51
Leading RGN/Leading EN(G)	232
Student Nurse/Pupil Nurse/EN(G)	185
Probationary Nurse	70
Army	
Field Marshall	1
General	8
Lieutenant General	9
Major General	55
Brigadier	210
Colonel	552
Lieutenant Colonel	1,685
Major	4,851
Captain	4,776
Lieutenant/2nd Lieutenant	2,643
Officer Designate	471
Warrant Officer Class 1	2,034
Warrant Officer Class 2	5,304
Staff Sergeant	6,807
Sergeant	12,241
Corporal	19,222
Lance Corporal	19,458
Private Classes 1 to 3	36,633
Private Class 4/Junior	7,790
Royal Air Force	
Marshal of the Royal Air Force	1
Air Chief Marshal	5
Air Marshal	6
Air Vice Marshal	39
Air Commodore	105
Group Captain	404
Wing Commander	1,329
Squadron Leader	3,603
Flight Lieutenant	6,220
Flying Officer/Pilot Officer	1,649
Officer Designate	343
Warrant Officer	1,719
Flight Sergeant/Chief Technician	5,088
Sergeant	10,381
Corporal	18,909
Junior Technician/Senior Aircraftman/Leading Aircraftman	26,857
Aircraftman	408

Notes:

1. Figures exclude 5 star officers who remain on the active list but do not hold an appointment.
2. Commodore (RN) and Brigadier (RM) are not substantive ranks but are appointments. Figures represent Captains (RN) and Colonels (RM) filling Commodore (RN) and Brigadier (RM) appointments.
3. RGN—Registered General Nurse; EN(G)—Enrolled Nurse (General).
4. Members of Queen Alexandra's Royal Army Nursing Corps (QARANC) and Princess Marina's Royal Air Force Nursing Service (PMRAFNS) hold the same ranks as other personnel serving respectively in the Army and Royal Air Force.
5. RN Chaplains do not hold Service Ranks, but have been included in the Naval rank equivalent of their class.
6. The term "Officer Designate" is used to describe university cadets and personnel under initial training or awaiting initial training at one of the Service officer training establishments.
7. I would also refer the hon. Member to the Tri-Service Personnel Statistics, a copy of which is placed in the Library of the House.

Sonic Booms

Mr. Wilson: To ask the Secretary of State for Defence if he will list the dates, locations and results of investigations of reports of sonic booms over the United Kingdom since 1992.

Mr. Hanley: During the period 1 January 1992 to 31 January 1994, a total of 27 investigations of alleged

sonic booms were conducted. Of these, only one incident was established as a sonic boom, 15 were identified as sonic or possible sonic events, in 10 cases the report was either withdrawn by the complainant or no sonic event established. One report is still under investigation. Details of the 17 investigations covering sonic booms/events and possible sonic events and the one outstanding case are as follows:

Date	*Location*	*Results of investigation*	
1992			
5 March	Off the coast of Blackpool	Sonic boom	BAe Tornado
11 March	Kings Lynn	Sonic event	F-111 aircraft suspected
18 June	Great Yarmouth	Sonic event	F4 aircraft suspected
24 November	Cambridge area	Sonic event	F15 aircraft
19-20 November	Lincoln area	Sonic events	F15 aircraft
1993			
27 January	North Humberside	Sonic event	F15 aircraft suspected
2 February	Thurso	Sonic event	Tornado aircraft suspected
5 February	Scarborough	Sonic event	Tornado aircraft suspected
26 February	Bridgewater	Sonic event	Sea Harrier aircraft
8 March	Peterborough	Sonic event	F15 aircraft suspected
14 April	Peterborough	Sonic event	F15 aircraft suspected
16 July	Southwold	Sonic event	F15 aircraft
21 July	Lowestoft	Sonic event	F16 aircraft
11 August	St. Andrews	Sonic event	F15 aircraft
22 October	Morpeth	Possible sonic event	Tornado aircraft suspected
7 December	Norfolk	Still under investigation	
1994			
25 January	Peterborough	Sonic event	F15 aircraft suspected

Notes:

1. A sonic boom is caused by an aircraft travelling at supersonic speed.
2. A sonic event is caused when a small part of the airframe (such as the wing tips) exceeds the speed of sound. This usually occurs when an aircraft is conducting high energy manoeuvres.

Air Miss

Mr. Wilson: To ask the Secretary of State for Defence if he will make a statement on his response to the recommendations of the joint air miss working group report on the air miss between a Boeing 737 and three United States air force F–16s on 26 May 1993.

Mr. Hanley: The recommendations are currently being addressed by national air traffic services in conjunction with the appropriate staffs in MOD.

Mr. Wilson: To ask the Secretary of State for Defence what briefing the pilots of the United States Air Force F–16 aircraft involved in an air miss with a British Midland Airways Boeing 737 on 26 May 1993 had received on United Kingdom airspace and air traffic control procedures *(a)* from British military personnel or *(b)* from United States air force personnel prior to their flight.

Mr. Hanley: The F-16 aircraft, operating from their base at Spangdahlen in Germany, were participating in a joint Royal Air Force/United States air force exercise in the United Kingdom. The aircrew received a full briefing on all aspects of the United Kingdom airspace control procedures from United States air force (Europe) personnel. The USAF aircraft are required to adhere to the same flying regulations as those of the RAF.

Mr. Wilson: To ask the Secretary of State for Defence from which airfield the United States air force F–16s involved in an air miss over Midlothian on 26 May 1993 took off for the sortie; and where they landed on completion of the sortie.

Mr. Hanley: The aircraft took off from their home base at Spangdahlen, Germany and returned to the same base at the end of the sortie.

Atomic Testing

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Defence if he will make a statement on the report of the National Radiological Protection Board regarding atomic testing.

Mr. Hanley: I have nothing further to add to the answer I gave to the hon. Member for Woodspring (Dr. Fox), on 9 December 1993, *Official Report*, columns *360-62*.

Low Flying

Mr. Alan W. Williams: To ask the Secretary of State for Defence what implications the cancellation of tactical air-to-surface missiles have for the need to conduct low flying exercises.

Mr. Hanley: None.

Mr. Alan W. Williams: To ask the Secretary of State for Defence how much has been claimed in total in compensation to farmers in Wales for loss of livestock, abortion and loss of production caused by low-flying aircraft; how much of this total is of disputed claims; how much has been settled; and how much remains to be settled for each year since 1980.

Mr. Hanley: There can be no meaningful total of amounts initially claimed, because many claims are unquantified at the outset and may be repudiated without valuation. Settlement is reached after a process of valuation, usually on independent advice, and in consultation with the claimant. Reliable data on settlements are available only from 1988 onwards and since then the Ministry of Defence has paid the following amounts of compensation to farmers in Wales for livestock losses which have been attributed to low flying military aircraft activity:

	£
1988	30,228
1989	31,584
1990	47,953
1991	59,160
1992	33,153
1993	30,000

Mr. Alan W. Williams: To ask the Secretary of State for Defence if he will make a statement summarising the results of ground-level noise measurements for aircraft involved in low flying sorties; and what changes there have been in the amount of noise nuisance since 1980.

Mr. Hanley: A series of trials, known as Exercise Luce Belle, to measure noise on the ground arising from military aircraft flying at low level has taken place at RAE West Freugh since 1990. The results of these trials have shown that at the speeds and heights normally flown in the United Kingdom low flying system no aircraft type generates a noise level on the ground in excess of 125 dB(A), a level at which research has indicated there is no significant risk to human hearing. A copy of the report on the first trial, which covered the main aircraft types, is available in the Library of the House. As my hon. Friend the Member for Lincoln (Mr. Carlisle) announced to the House on 14 October 1991, *Official Report*, column *115*, we aim to have reduced the amount of low flying by jet aircraft in the United Kingdom by around 30 per cent. by the end of this year.

Mr. Alan W. Williams: To ask the Secretary of State for Defence what is the mean *(a)* height above the ground and *(b)* velocity for aircraft during low flying sorties, and what change there has been in these figures since 1980.

Mr. Hanley: The information requested is not available.

Mr. Alan W. Williams: To ask the Secretary of State for Defence what is the average length of time from initial receipt of a claim to its payment by his Department in processing claims for compensation to farmers in the United Kingdom for loss of livestock, abortion and loss of production caused by low-flying aircraft.

Mr. Hanley: The time from claim to payment can vary greatly and as the data required to calculate an average length of time is not readily available, the information requested could be provided only at disproportionate cost.

Mr. Alan W. Williams : To ask the Secretary of State for Defence how much has been paid out in compensation to farmers in the United Kingdom for loss of livestock, abortions and loss of production caused by low-flying aircraft during each year since 1979.

Mr. Hanley: Reliable data are available only from 1988 onwards. Since then the Ministry of Defence has paid out the following amounts in compensation to farmers in Great Britain—United Kingdom excluding Northern Ireland—for livestock losses caused by low flying military aircraft:

	£
1988	273,934
1989	160,039
1990	254,683
1991	293,301
1992	230,312
1993	299,503

Public Record Office

Mr. Davidson: To ask the Secretary of State for Defence what steps are being taken to ensure that additional staff resources are provided to clear any backlog of claims for disability pensions owing to restricted access to the Public Record Office archive at Hayes.

Mr. Hanley: In addition to the normal, full, staffing levels, a futher nine full-time staff are currently employed on casual contracts and will remain so while a backlog of claims exist. In addition, overtime is being worked seven days a week.

Mr. Davidson: To ask the Secretary of State for Defence whether there will be unrestricted access to the Public Record Office archive at Hayes to enable the backlog of claims for disability pensions to be progressed.

Mr. Hanley: There has been unrestricted access to the Public Record Office archive at Hayes since the end of February.

Mr. Davidson: To ask the Secretary of State for Defence how many claims for disability pensions have been delayed as a result of the asbestos contamination at the Public Record Office archive at Hayes; how many of these claims have been outstanding for more than *(a)* six months, *(b)* 12 months and *(c)* 24 months; and if he will make a statement.

Mr. Hanley: The amount of war pension claims delayed as a result of the recent closure of the archives at Hayes numbered approximately 30,000 in total.

Apart from a small number of individual cases of particular complexity which could be separately identified only at disproportionate cost, the archives' backlogs are now rather less than six months and already as little as two months in some areas.

Defence Debriefing Team

Dr. David Clark: To ask the Secretary of State for Defence how many staff are currently assigned to the defence debriefing team; what consideration he has given to incresing the size of the defence debriefing team; and if he will make a statement.

Mr. Hanley: There are currently some 40 individuals serving with the defence debriefing team, all of whom are military personnel. This is considered sufficient to meet the team's present task and there are no plans to increase its size, although that position is kept under review. During the course of its work the team has acquired information on alleged human rights violations and war crimes committed in Bosnia. This information has been passed to the Foreign and Commonwealth Office for onward transmission to the United Nations commission of experts.

AGRICULTURE, FISHERIES AND FOOD

Animal Importation (Slaughter)

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food how many sheep and other animals are being imported annually for slaughter; from where; and to which destinations.

Mr. Soames: Data on the imports of live sheep for slaughter are not available separately from the total of all live sheep imports. For other animal types, data on live imports for slaughter are only separately available from the total of live imports for bovines and horses.

It is not possible to state the destination for the animals once they have been imported into the United Kingdom.

The table gives the total number of live imports by animal type for 1992, the latest year for which annual data are available. In addition, the second column gives the number of imports of live bovines for slaughter and the seventh column gives the number of imports of live horses for slaughter.

Numbers of live animals imported into the United Kingdom during 1992

	All bovines	*Of which: fat*[1]	*Sheep*	*Goats*	*Pigs*	*All horses*	*Of which: for slaughter*	*Other live animals*
France	2,948	202	261	—	—	515	—	2
Belgium-Luxembourg	11		59	—	—	416	—	15
Netherlands	5,115	538	392	—	—	393	1	35
Germany	212	35	5	—	—	354	—	4
Italy	19	—	—	—	—	104	—	—
Irish Republic	112,506	40,385	204,230	71	109,280	4,359	—	202
Denmark	420	91	—	—	—	214	—	1
Greece	—	—	—	—	—	13	—	—
Portugal	—	—	—	—	—	15	—	—
Spain	—	—	—	—	—	11	—	3
Iceland	—	—	—	—	—	20	—	—
Norway	—	—	—	—	—	6	—	—
Sweden	—	—	—	—	—	27	—	5
Finland	—	—	—	—	—	3	—	—
Switzerland	—	—	—	—	—	20	—	7
Austria	—	—	—	—	—	25	—	—
Turkey	—	—	—	—	—	2	—	—
Poland	187	—	—	—	—	122	—	—
Czechoslovakia	250	—	—	—	—	2	—	—
Hungary	—	—	—	—	—	55	—	—
Former USSR	—	—	—	—	—	83	—	—
Canada	234	—	—	—	—	13	—	1
USA	—	—	—	—	12	488	—	41
Austral-Oceania	29	—	—	—	—	—	—	—
Puerto Rico	—	—	—	—	—	1	—	—
Nicaragua[2]	163	30	730	—	—	1	—	29
Colombia	—	—	—	—	—	1	—	—
Chile	—	—	—	—	—	7	—	—
Argentina	—	—	—	—	—	4,116	—	—
Barbados	—	—	—	—	—	3	—	—
Sudan	—	—	—	—	—	2	—	—
Jordan	—	—	—	—	—	8	—	—
Kuwait	—	—	—	—	—	5	—	—
Guyana	—	—	—	—	—	—	—	5
Israel	—	—	—	—	—	—	—	2
Senegal	—	—	—	—	—	—	—	3
Guinea	—	—	—	—	—	—	—	1
Ghana	—	—	—	—	—	—	—	2
Cameroon	—	—	—	—	—	—	—	2
South Africa	—	—	—	—	—	—	—	1
Namibia	—	—	—	—	—	—	—	6
Dubai	—	—	—	—	—	3	—	—
Japan	—	—	—	—	—	1	—	—
Australia	—	—	—	—	—	12	—	1
New Zealand	—	—	—	—	—	41	—	—
Hong Kong	—	—	—	—	—	1	—	1
Malaysia	—	—	—	—	—	—	—	1
China	—	—	—	—	—	—	—	3
Philippines	—	—	—	—	—	—	—	10
Indonesia	—	—	—	—	—	—	—	2
Iran	30	15	340	—	—	—	—	—
Total	122,124	41,296	206,017	71	109,292	11,462	1	385

Source: Her Majesty's Customs and Excise.

[1] Recorded as "fat" and covers heifers and steers for slaughter.

[2] Sheep import data estimated on weight of animals concerned.

Parliamentary Questions

Mr. McMaster: To ask the Minister of Agriculture, Fisheries and Food how many parliamentary questions to her Department have not been answered because of disproportionate costs or because the information requested was not held centrally over the last five years; how many could be answered now due to computerisation and/or more effective operational systems; and if she will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Jack: The POLIS database lists 85 parliamentary questions as not having been answered between January 1989 and December 1993 on the grounds of disproportionate cost or because the information was not held centrally. Details of each of these questions can be obtained from the POLIS database, access to which is available in the Library.

Information relating to questions which could be answered now due to computerisation and/or more effective operational systems could be provided only at disproportionate cost.

Farm Statistics

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the average size for *(a)* each English county and *(b)* each farm business survey county group of all (i) severely disadvantaged area, (ii) disadvantaged area and (iii) less-favoured area farms and for (1) SDA, (2) DA and (3) less-favoured areas farms larger than eight ESUs—European size units.

Mrs. Gillian Shephard *[holding answer 20 April 1994]:* Estimates of the average sizes of main holdings are obtained from the annual June agricultural census. The average size in 1992 of all main holdings which are wholly or mainly in the less-favoured areas and those greater than eight ESUs is given in the table.

Estimated average size of farms wholly or mainly in the less favoured areas in 1992[1] (excluding minor holdings)

FBS province and county	Average size of farms (ESU)					
	All main holdings			Holdings 8 ESU and over		
	Wholly or mainly in the LFA	Of which: SDA[2]	DA[3]	Wholly or mainly in the LFA	Of which: SDA[2]	DA[3]
East Midland						
Derbyshire	25	25	25	44	46	39
	25	25	25	44	46	39
Northern						
Cumbria	36	34	41	47	46	52
Durham	26	26	30	40	40	39
Northumberland	46	46	46	60	61	56
	37	36	40	50	50	50
North Eastern						
Cleveland	43	40	59	59	54	83
North Yorkshire	35	33	38	48	46	52
South Yorkshire	29	29	29	45	44	45
West Yorkshire	15	13	26	37	33	45
	28	25	35	45	43	50
North Western						
Cheshire	20	19	25	36	37	34
Greater Manchester	18	15	20	35	33	36
Lancashire	28	22	35	46	40	50
Shropshire	27	27	28	43	41	47
Staffordshire	25	22	26	44	39	46
	26	22	30	44	40	47
Southern						
Hereford and Worcester	21	22	19	31	31	32
	21	22	19	31	31	32
South Western						
Cornwall	23	26	22	46	45	46
Devon	24	21	26	41	36	45
Isles of Scilly	11	11	—	16	16	—
Somerset	23	24	20	41	42	39
	23	22	24	42	38	46
England	28	28	30	46	45	47

[1]Based on 1988 Standard Gross Margins; 1 ESU is equal to 1,200 ecu of standard gross margin (average 1987-1989 values).
[2]Holdings with 50 per cent. or more of their less favour area land in the SDA.
[3]Holdings with 50 per cent. or more of their less favoured area land in the DA.
Source: Agricultural Census.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many *(a)* full-time hired farm workers and *(b)* part-time hired farm workers were employed on farm holdings in the less-favoured areas for (i) each English county and (ii) each farm business survey group in each year since 1992 and in 1994.

Mrs. Gillian Shephard *[holding answer 20 April 1994]:* Estimates of the numbers of full-time and part-time hired workers on holdings are obtained from the annual June agricultural census. The information requested for 1992 and 1993 is given in the table; information for 1994 is not available.

Estimated number of hired workers on holdings wholly or mainly in less favoured areas (excluding minor holdings)

	1992		1993	
FBS Province and County	*full time hired*[1]	*part time hired*[2]	*full time hired*[1]	*part time hired*[2]
East Midland				
Derbyshire	161	114	173	106
	161	114	173	106
Northern				
Cumbria	364	211	364	195
Durham	243	65	222	72
Northumberland	610	191	604	188
	1,217	467	1,190	455
North Eastern				
Cleveland	46	15	52	8
North Yorkshire	371	190	381	212
South Yorkshire	33	25	34	25
West Yorkshire	196	102	185	111
	646	332	652	356
North Western				
Cheshire	13	19	14	21
Greater Manchester	28	27	35	22
Lancashire	203	154	193	163
Shropshire	119	64	134	70
Staffordshire	84	63	70	68
	447	327	446	344
Southern				
Hereford and Worcester	37	21	31	20
	37	21	31	20
South Western				
Cornwall (including Isles of Scilly)	137	139	132	147
Devon	330	243	342	263
Somerset	84	46	70	49
	551	428	544	459
England TOTAL	3,059	1,689	3,036	1,740

[1]Full time hired workers includes regular whole time workers and salaried managers.
[2]Part time hired workers includes regular part time hired workers.
Source: Agricultural Census

Milk Marketing

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food what representations she has received in 1994 from North Devon about the future of milk marketing.

Mr. Jack: My right hon. Friend and her Department have received a small number of letters about the Milk Marketing Board's reorganisation proposals from, or on behalf of, individuals and organisations in North Devon.

Executive Agencies

Mr. Denzil Davies: To ask the Minister of Agriculture, Fisheries and Food what is the estimated gross income and net income likely to be generated by each executive agency for which her Department is responsible for the financial year 1994-95.

Mr. Jack: The agencies for which my Department is responsible are required to recover the full costs of their activities each year. None is permitted to make a surplus. Gross income in 1994-95 is expected to be:

	£ million
ADAS	85·3
Central Science Laboratory	26·3
Central Veterinary Laboratory	26·2
Pesticides Safety Directorate	12·8
Veterinary Medicines Directorate	8·1

Mr. Denzil Davies: To ask the Minister of Agriculture, Fisheries and Food if she will give the date on which such executive agency for which her Department has responsibility was set up and its terms of reference.

Mr. Jack: The Ministry has responsibility for five executive agencies which were established as follows:

ADAS—launched 1 April 1992
Central Science Laboratory—launched 1 April 1992
Central Veterinary Laboratory—launched 2 April 1990
Pesticides Safety Directorate—launched 1 April 1993
Veterinary Medicines Directorate—launched 2 April 1990

With effect from 1 April 1994, the Central Science Laboratory was merged with the food science laboratories at Norwich and Torry to form an enlarged Central Science Laboratory.

The terms of reference for each of the above are set out in their respective framework documents, copies of which are in the Library of the House.

Mr. Denzil Davies: To ask the Minister of Agriculture, Fisheries and Food whether she will itemise the estimated net cost or net profit likely to be generated for the financial year 1994-95 in each executive agency for which her Department is responsible.

Mr. Jack: My Department is a major customer of each of the agencies in question. They are required to recover the full costs of the services they provide; in respect of ADAS this is after taking account of all funding, including departmental contributions to certain charged advisory services.

Rabies

Mr. Hardy: To ask the Minister of Agriculture, Fisheries and Food to what extent the recent changes in the arrangements to prevent the return of rabies to these islands present a risk of such a return.

Mr. Soames: The new procedures for importing certain commercially traded rabies susceptible animals, mainly rodents, into this country from other member states of the European Union, with effect from 1 January 1994, and traded dogs and cats with effect from 1 July 1994, do not increase the risk of importing rabies into the United Kingdom.

Chocolate

Ms Glenda Jackson: To ask the Minister of Agriculture, Fisheries and Food what tests of chocolate manufactured in the United Kingdom for pesticide residues are *(a)* currently being undertaken and *(b)* planned by her Department.

Mr. Soames: The Government's working party on pesticide residues will be carrying out a survey of samples of milk, plain and white chocolate later this year. Samples will be analysed for residues of a range of organochlorine and organophoshorus pesticides and the results are expected to be published in 1995 in the working party's annual report for 1994. Future work will depend on the results obtained from the current survey.

Sunken Barge, South Devon

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if she will ensure the removal of the barge that was sunk at Hall Sands off the south Devon coast before the tourist season starts; and if she will make a statement.

Mr. Jack: This Department has no powers to do so. I shall be writing to the hon. Member.

ATTORNEY-GENERAL

Driving Offences

Mr. Miller: To ask the Attorney-General (1) how many drivers, prosecuted by the Crown Prosecution Service on a principal charge under section 1 of the Road Traffic Act 1991 causing death by dangerous driving, have pleaded guilty;

(2) how many drivers prosecuted by the Crown Prosecution Service under a principal charge of causing death by dangerous driving were *(a)* convicted and *(b)* acquitted by a Crown court jury;

(3) how many drivers have been prosecuted by the Crown Prosecution Service on a principal charge of careless driving or driving without due care and attention since *(a)* 1985 and *(b)* the introduction of the Road Traffic Act 1991;

(4) how many drivers were prosecuted by the Crown Prosecution Service under a principal charge of causing death by reckless driving *(a)* in each year between 1985 and the introduction of the Road Traffic Act 1991 and *(b)* in total;

(5) how many prosecutions brought by the Crown Prosecution Service under a principal charge of section 3A of the Road Trafic Act 1991, of causing death by careless driving under the influence of drink or drugs have been discontinued or have failed *(a)* as a consequence of breath or blood tests being deemed inadmissible or of questionable veracity and *(b)* for other reasons;

(6) how many drivers have been prosecuted by the Crown Prosecution Service on a principal charge of manslaughter since *(a)* 1985 and *(b)* since the introduction of the Road Traffic Act 1991;

(7) how many prosecutions brought by the Crown Prosecution Service under a principal charge under section 1 of the Road Traffic Act 1991 causing death by dangerous driving were discontinued; and for what reasons;

(8) how many prosecutions brought by the Crown Prosecution Service under a principal charge of causing death by reckless driving between 1985 and the introduction of the Road Traffic Act 1991 were discontinued, or left on file because the accused pleaded guilty to a lesser summary motoring offence;

(9) how many drivers prosecuted by the Crown Prosecution Service on a principal charge under section 1 of the Road Traffic Act 1991 causing death by dangerous driving have *(a)* been convicted by a Crown court jury and *(b)* been acquitted by a Crown courty jury;

(10) how many prosecutions have been brought by the Crown Prosecution Service under a principal charge under section 3(A) of the Road Traffic Act 1991, causing death by careless driving under the influence of drink or drugs *(a)* in each year since the Act came into operation and *(b)* in total;

(11) how many drivers have been prosecuted by the Crown Prosecution Service under a principal charge under section 1 of the Road Traffic Act 1991 causing death by dangerous driving in each year since the Act came into force;

(12) in how many cases since *(a)* 1985 and *(b)* the coming into force of the Road Traffic Act 1991, a death has been caused by a driver prosecuted by the Crown Prosecution Service under a principal charge of driving without due care and attention;

(13) how many prosecutions brought by the Crown Prosecution Service on a principal charge of causing death by reckless driving between 1985 and the introduction of the Road Traffic Act 1991 were discontinued; and for what reasons;

(14) how many prosecutions brought by the Crown Prosecution Service under a principal charge of section 3(A) of the Road Traffic Act 1991, causing death by careless driving under the influence of drink or drugs resulted in successful convictions;

(15) how many drivers prosecuted by the Crown Prosecution Service under a principal charge of causing death by reckless driving between 1985 and the introduction of the Road Traffic Act 1991 pleaded guilty;

(16) how many private prosecutions for *(a)* manslaughter and *(b)* causing death by dangerous driving have been taken over by the Crown Prosecution Service and (i) discontinued or (ii) prosecuted successfully;

(17) how many prosecutions brought by the Crown Prosecution Service under a principal charge under section 1 of the Road Traffic Act 1991 of causing death by dangerous driving were discontinued, or left on file because the accused pleaded guilty to a lesser summary motoring offence.

The Attorney-General: The Crown Prosecution Service does not maintain central records of proceedings in respect of specific offences. The information is recorded on individual case files, and could be obtained only at disproportionate cost.

Dropped Cases

Mr. Boateng: To ask the Attorney-General whether the Crown Prosecution Service has completed its internal investigation into the reasons for the proportion of cases submitted to it which are dropped; when he intends to publish a report on the investigation's findings; and what action he intends to take in the light of the investigation's findings.

The Attorney-General: The findings of the survey of cases discontinued by the Crown Prosecution Service during November 1993 was placed in the Libraries of both Houses of Parliament on 26 January 1994. The issues are being addressed by the CPS in a number of ways in particular by steps to improve liaison between the police and the CPS including the development of agreed charging standards so that the occasions on which it is necessary to vary charges are kept to a minimum. It is already the policy of the CPS to consult the police in relation to significant variations of charges.

Fraud

Mr. Boateng: To ask the Attorney-General what plans he has to publish the report of his review team on the work of the Serious Fraud Office and its relationship with the fraud group of the Crown Prosecution Service; and if he will make a statement.

The Attorney-General: The report and the question of publication are both under consideration at present.

Racially Motivated Offences

Mr. Boateng: To ask the Attorney-General what action he is planning to take in the light of his meeting with the all-party parliamentary group on race and community on Thursday 3 February, on the subject of the Crown Prosecution Service's attitude to racially motivated offences.

The Attorney-General: The Crown Prosecution Service's approach to racially motivated offences is set out in the code for Crown prosecutors. When assessing whether a prosecution is required in the public interest, a clear racial motivation is regarded as an aggravating feature pointing towards prosecution if there is sufficient evidence to provide a realistic prospect of a conviction.

The CPS is considering the introduction of race awareness training nationally. In London the National Association of Care and Resettlement Officers has been consulted about providing such training. The CPS is also carefully considering systems to monitor the implementation of its policies which are designed to ensure that defendants of all ethnic origins are treated equally.

Serious Fraud Office

Mr. Boateng: To ask the Attorney-General what plans he has to *(a)* privatise or *(b)* make into a "next steps" agency, the Serious Fraud Office.

The Attorney-General: I announced on 6 December 1993, *Official Report*, column *60*, that consideration was to be given to whether the Serious Fraud Office, and two other of my Departments, should become agencies under the "next steps" programme. My decision will be reached in the light of the relevant study of whether agency status is appropriate and this study will, as is usual, cover the question of the extent to which the work in question should be performed in the public sector. A decision that the Serious Fraud Office should become an agency would not involve any change in my superintendence of the office or my accountability for it.

NORTHERN IRELAND

Braille Ballot Papers

Mr. McMaster: To ask the Secretary of State for Northern Ireland if he will introduce legislation to provide Braille ballot papers at polling stations; and if he will make a statement.

Mr. Ancram: The problems faced by voters with visual disabilities have been discussed during the course of the post-election review established by the Secretaries of State for the Home Departments, but there are currently no plans to introduce legislation to provide Braille ballot papers at polling stations.

Community Care

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what representations he has received from organisations in the voluntary sector in Northern Ireland concerning the new community care arrangements; and if he will make a statement.

Mr. Ancram: LEAD, a coalition of voluntary organisations involved with mentally handicapped people in Northern Ireland, wrote to my noble Friend Baroness Denton on 28 March 1994 about its concerns in relation to the implementation of the new community care arrangements. Officials from the Department of Health and Social Services are due to meet LEAD on 20 May 1994 to discuss these concerns.

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland if community care trusts in Northern Ireland will be obliged to set aside a predetermined and fixed proportion of their overall funding for care of the elderly in private establishments; and if he will make a statement.

Mr. Ancram: It is for health and social services boards to determine the community services they will purchase for elderly people from a range of providers, including health and social services trusts, and the private and voluntary sectors. The Department of Health and Social Services does not require boards to spend a fixed proportion of their "People First" community care funds on services provided by the private sector. However, boards are expected to make full use of the private sector whenever it is appropriate and cost effective to do so.

New Household Formation

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what the rate of new household formation has been in 1991, 1992 and 1993; what the projected rate is to the end of 1994; and if he will make a statement.

Mr. Tim Smith: Information is not available for 1991 and 1994. Estimates are available for the years 1992 and 1993 and are shown in the table.

Rate of new household formation

1992	1·9 per cent. (9,929 new households)
1993	2·4 per cent. (12,894 new households)

Electricity Industry

Mr. McGrady: To ask the Secretary of State for Northern Ireland on how many occasions in the last year he has met the Director General of Electricity Supply and those involved in the electricity industry; and what matters were discussed.

Mr. Tim Smith: My right hon. and learned Friend met the Director General of Electricity Supply informally in June 1993 and in July 1993 visited Kilroot power station where he was briefed on the operation of the plant. Officials from the Department of Economic Development meet the Director General regularly to discuss matters of mutual interest.

Electoral Registers

Mr. Barnes: To ask the Secretary of State for Northern Ireland what records and research findings are held within his Department of the numbers of homeless people who are registered on electoral registers; and if he will make a statement.

Mr. Ancram: No such records are held.

HOME DEPARTMENT

DNA Testing

13. **Sir Fergus Montgomery:** To ask the Secretary of State for the Home Department what representations he has received from the police regarding DNA sampling.

Mr. Howard: The police have warmly welcomed my proposals to allow DNA samples to be taken in all recordable offences.

Witness Intimidation

14. **Mr. Brazier:** To ask the Secretary of State for the Home Department what steps he plans to take to protect witnesses from intimidation.

Mr. Maclean: The Criminal Justice Bill contains a new offence of witness intimidation. This will make it easier to prosecute anyone who seeks to intimidate or take revenge on witnesses, jurors or any person assisting the police.

Body Armour

15. **Mr. Gordon Prentice:** To ask the Secretary of State for the Home Department what steps he is taking to ensure that police authorities make body armour available for all police officers who request it.

Mr. Charles Wardle: Decisions about issuing protecting equipment are for chief officers of police.

Animal Experimentation

17. **Mr. Hardy:** To ask the Secretary of State for the Home Department how many animals destroyed were as a result of, or after the conclusion of, scientific experiment or testing in (i) 1983 and in (ii) 1993.

Mr. Charles Wardle: Statistics on the number of animals destroyed as a result of, or after the conclusion of, scientific experiment or testing, are not currently collected.

Crack

18. **Mr. Cyril D. Townsend:** To ask the Secretary of State for the Home Department how many cases of possession of the drug crack are known to the Metropolitan police in 1994; and what further action he plans to deal with this.

Mr. Maclean: Provisional figures which have been supplied by the Metropolitan police for January and February this year show that there were 88 seizures of crack. I understand, though, that as an agreed Metropolitan police force strategy all area drug squads give priority to tackling crack dealing.

Young Offenders

19. **Mr. Garnier:** To ask the Secretary of State for the Home Department when he will publish details of the proposed secure training centres for young offenders.

Mr. Maclean: Notifications to those companies invited to tender for the design, build, operate, maintain and

finance contracts for five secure training centres will be issued this month. I am able to announce today the locations of four of these:

Campsfield House (Oxfordshire)
Gringley (Nottinghamshire)
Medomsley (Durham)
Onley (Warwickshire)

A decision on the fifth site from which a secure training centre will serve London and the south-east will be announced as soon as possible.

Security Firms

21. **Mr. Enright:** To ask the Secretary of State for the Home Department what discussions he has held into the posssibility of local police authorities setting up separate security firms to run in competition with private security firms currently operating.

Mr. Charles Wardle: My right hon. and learned Friend has had no such discussions.

Drug Dealers

22. **Mr. Fabricant:** To ask the Secretary of State for the Home Department what plans he has to seek a change in the law to increase custodial sentences for criminals convicted of selling drugs to young people in the proximity of schools.

Mr. Maclean: The maximum sentence under the Misuse of Drugs Act 1971 for those convicted of supplying controlled drugs in class A—for example, heroin and ecstasy—class B—for example, cannabis and amphetamines—and class C—for example, the benzodiazepine tranquillisers—are life imprisonment, 14 years and five years respectively. The Government have no plans to increase those penalties.

Prison Interviews

23. **Mr. Mackinlay:** To ask the Secretary of State for the Home Department if he will review the arrangements by which convicted prisoners give interviews while in prison.

Mr. Peter Lloyd: Prison Service standing order 5A 37 states that visits to inmates by journalists or authors in their professionnal capacity should in general not be allowed. My right hon. and learned Friend has no intention of changing these arrangements.

Uniformed Police, London

24. **Mr. Simon Hughes:** To ask the Secretary of State for the Home Department what plans he has for increasing the numbers of uniformed police officers in London.

Mr. Charles Wardle: Extra resources made available for the civilianisation of non-operational posts currently filled by police officers will enable 400 officers to be released for operational duties in 1994-95. In addition my right hon. and learned Friend the Home Secretary has approved the Commissioner's plan to restructure the Metropolitan police and this is expected to release more resources for operational tasks.

Neighbourhood Watch

25. **Mr. Bellingham:** To ask the Secretary of State for the Home Department when he next expects to meet representatives of neighbourhood watch schemes in rural areas.

Mr. Charles Wardle: My right hon. and learned Friend the Home Secretary and I, with other ministerial colleagues in the Home Office, regularly meet members of neighbourhood watch schemes during our frequent visits to rural areas. In addition, my right hon. and learned Friend will be attending the first national rural crime prevention conference on 13 June and the national neighbourhood watch conference planned for 5 November, both of which will provide an opportunity for him to meet and consider the views of neighbourhood watch members from all parts of the country.

Prison Disciplinary Regime

26. **Mr. Evennett:** To ask the Secretary of State for the Home Department how he intends to improve the disciplinary regime in prisons; and if he will make a statement.

Mr. Peter Lloyd: Sanctions against misbehaviour by prisoners have recently been reviewed. My right hon. and learned Friend has increased the maximum periods of cellular confinement that may be awarded by governors for breaches of prison rule 47. He is also tightening the arrangements under which prisoners may have additional days punishment cancelled automatically as a reward for subsequent good behaviour.

Judicious use of incentives to good behaviour also plays an important part in maintaining discipline. Work is in hand to see how the application of incentives can be improved.

Secure Training Orders

27. **Mr. Ian Taylor:** To ask the Secretary of State for the Home Department what importance he attaches to the maximum secure training order lasting two years; and what assessment he has made of the effect of reducing this maximum to 12 months or 24 months in exceptional circumstances.

Mr. Maclean: We believe that a two-year maximum is necessary so that courts can sentence appropriately youngsters whose persistent offending is most serious and whose need for custodial training is greatest. Twelve months would allow the courts insufficient flexibility to reflect in their sentencing the gravity of the offending. Criteria designed to identify the exceptional circumstances in which a 24-month sentence would be appropriate would, we believe, introduce unnecessary complications, fetter sentencers' discretion and increase the likelihood of appeals.

Chief Constables

28. **Mr. Barry Jones:** To ask the Secretary of State for the Home Department if he will make a statement concerning his policies as they affect the appointment of chief constables.

Mr. Charles Wardle: My right hon. and learned Friend's responsibilities under section 4(2) and other

sections of the Police Act 1964 are exercised with a view to promoting the efficiency of the police. An important consideration in deciding upon an officer's suitability for appointment as chief constable is his or her breadth of experience as a senior manager, including service in another force. Guidance to police authorities on this aspect of eligibility for appointment as a chief constable is contained in Home Office circular 76 of 1976, a copy of which may be obtained from the Library.

Police Radio Communications

29. **Mr. Barry Field:** To ask the Secretary of State for the Home Department what progress police forces have made with secure radio communications.

Mr. Charles Wardle: A speech privacy facility—the GEC-Marconi MASC—has been approved by the Association of Chief Police Officers and by the Home Office and 25 police forces have now purchased MASC equipment. Secure radios with a high level of encryption are also available for specialised operations.

Asylum Seekers

Mr. Gerrard: To ask the Secretary of State for the Home Department what assessment he has made of the effects of the Asylum and Immigration Appeals Act 1993 on refusal rates for asylum seekers; and if he will make a statement.

Mr. Charles Wardle: Implementation of the Act is being carefully monitored. The proportion of outright refusals of asylum applications has increased significantly since last July when the Act came into force. This is attributable not to the Act itself but to the accompanying change limiting the use of exceptional leave to cases where there are genuine humanitarian reasons for not enforcing removal.

Immigration (Carriers' Liability)

Mr. Fraser: To ask the Secretary of State for the Home Department what is the total amount of fines which have been levied against carriers under section 1 of the Immigration (Carriers' Liability) Act 1987 in each year since its commencement; how much has been waived in each year since the commencement of the Act; and how much is now outstanding.

Mr. Charles Wardle: The information is as follows:

£ million

Year	*Total charges levied*	*Total charges waived*
1987	3·92	0·15
1988	4·40	0·12
1989	7·86	0·34
1990	9·63	0·71
[1]1991	12·89	1·52
1992	12·72	1·60
1993	11·04	3·31

[1] The charge to the carrier for each improperly documented passenger was increased from £1,000 to £2,000 on 1 August 1991.

The total amount now outstanding is £20·76 million.

Fine Defaulters

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many fine defaulters held in gaols in England and Wales were received into custody for *(a)* non-payment of television licence, *(b)* non-payment of poll or community tax, *(c)* non-payment of fine in respect of soliciting or loitering and *(d)* other reasons at the latest date available.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Dr. Lynne Jones, dated 21 April 1994:

Fine Defaulters

The Home Secretary has asked me to reply to your recent Question asking how many fine defaulters held in jails in England and Wales were received into custody for *(a)* non-payment of television licence, *(b)* non-payment of poll or community tax, *(c)* non-payment of fine in respect of soliciting or loitering and *(d)* other reasons at the latest date available.

The available information which is provisional for receptions of fine defaulters into Prison Service establishments in 1993 is given in the attached table. The available information for non-payment of the community charge, which is classed as a non-criminal offence and not a fine default, is for 1992: it shows that 504 persons (a provisional total) were received into a Prison Service establishment for the offence.

I regret to inform you that we are unable to provide information relating to loitering as it is not a separately coded offence.

Receptions of fine defaulters into Prison Service establishments in England and Wales, 1993[1]

Offence	*Number*
Using a TV without a licence	845
Soliciting	7
Other	21,731
All receptions	22,583

[1] Provisional figures.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many people were gaoled in England and Wales for fine default in each year since 1982.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Dr. Lynne Jones, dated 21 April 1994:

Fine Defaulters

The Home Secretary has asked me to reply to your recent Question asking how many people were jailed in England and Wales for fine default in each year since 1982.

Information on receptions of fine defaulters into Prison Service establishments for the period 1981 to 1991 is published in table 7.1 of "Prison Statistics England and Wales 1991", Cm. 2157, a copy of which is available in the House of Commons library. Provisional information for 1992 and 1993 gives the number of receptions of fine defaulters as 19,826 and 22,583 respectively.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department for the latest date available, how many fine defaulters in gaols in England and Wales were *(a)* male and *(b)* female.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Dick Lewis to Dr. Lynne Jones dated 21 April 1994:

Fine Defaulters

The Home Secretary has asked me to reply to your recent Question asking, for the latest date available, how many fine defaulters in jails in England and Wales were *(a)* male and *(b)* female.

On 28 February 1994 there were 481 fine defaulters—455 males and 26 females—in Prison Service establishments in England and Wales.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department what was the average daily population of fine defaulters in gaols in England and Wales for the latest year available.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Dick Lewis to Dr. Lynne Jones dated 21 April 1994:

Fine Defaulters

The Home Secretary has asked me to reply to your recent Question about the average daily population of fine defaulters in jails in England and Wales for the latest year available.

The latest information is for 1993. The average population of fine defaulters in Prison Service establishments in England and Wales was 492 persons in 1993.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many fine defaulters in gaols in England and Wales were serving *(a)* seven days or less, *(b)* eight to 14 days, *(c)* 15 to 21 days, *(d)* 22 to 28 days and *(e)* over 28 days at the latest date available.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Dr. Lynne Jones, dated 21 April 1994:

Fine Defaulters

The Home Secretary has asked me to reply to your recent Question asking how many fine defaulters in jails in England and Wales were serving (a) seven days or less, (b) eight to 14 days, (c) 15 to 21 days, (d) 22 to 28 days and (e) over 28 days at the latest date available.

A breakdown of the population of fine defaulters on 30 September 1993 by the sentence lengths requested is given in the attached table.

Population of fine defaulters in Prison Service establishments in England and Wales by period imposed in default, 30 September 1993[1]

Period imposed in default	*Number of persons*
0 to 7 days	88
8 to 14 days	130
15 to 21 days	57
22 to 28 days	113
Over 28 days	237
All persons	625

[1]Provisional figures.

Special Constabulary

Mr. Allason: To ask the Secretary of State for the Home Department what categories of employment are excluded from membership of the special constabulary.

Mr. Charles Wardle: The guidelines on categories of employment are currently under review. I will write to my hon. Friend.

Parish Constables

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department how many permanent establishment parish constables have been appointed as a direct result of his initiative on parish constables.

Mr. Charles Wardle: Parish constables are being recruited as special constables or as parish wardens. They are volunteers and are not included as part of permanent police establishments.

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department if he will make a statement on the practical successes that have come from his initiative for parish constables.

Mr. Charles Wardle: It would be premature to seek to judge the success of the schemes at this stage, although we are pleased with the response to the initiative so far. Officials from the Home Office research and planning unit are collecting information about the progress of schemes, and are closely monitoring the progress of four selected pilots, with a view to publishing a report evaluating the schemes towards the end of the year.

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department what sources of funding are available to fund the provision of parish constables.

Mr. Charles Wardle: Parish special constable schemes are funded in the same way any other policing activities, although a limited amount of capital grant—some £21,000—has been provided by the Home Office for the supply of essential communications equipment. In some schemes, the local community has sponsored such communications equipment. A number of communities have provided office space free of charge for the use of their parish special constable.

The sources of funding for parish warden schemes vary. Three schemes are funded by their local police, with communications equipment provided by local sponsors. Three schemes have been funded through the county council. Five neighbourhood watch wardens, a variation on the recommended warden model, are funded by the parish council of Glenfield, in Leicestershire.

Squatting

Mr. Harry Greenway: To ask the Secretary of State for the Home Department what representations he has received regarding squatting; and if he will make a statement.

Mr. Maclean: The Home Office issued a consultation paper on this subject in 1991, to which we received 216 responses. My hon. Friend the Member for Fylde (Mr. Jack) gave a general account of these on 17 June 1992 in reply to a question from the hon. Member for Greenwich (Mr. Raynsford), at column 522.

Since then, we have received a number of further representations from hon. Members and others. The Government's proposals for changing the criminal law as it relates to squatting are contained in part V of the Criminal Justice and Public Order Bill now before Parliament.

Refugees

Mr. Parry: To ask the Secretary of State for the Home Department how many political refugees from Turkey there were in Britain at the latest date; and how many there have been in each of the last four years.

Mr. Charles Wardle: The available information is that, in the period 1 January 1979 to 31 March 1994, around 2,600 Turkish nationals, including associated dependants, were recognised as refugees and granted asylum in the United Kingdom. Information on the number of these cases who have since died, left the country, obtained British citizenship or otherwise ceased to hold refugee status here, and information before 1979, is not available.

Information on the number granted asylum in each of the years 1990 to 1993 is given in the table.

Turkish nationals[1] recognised as refugees and granted asylum, including associated dependants[2], 1990 to 1993

Year	Number
1990	580
1991	160
1992	800
1993	520

[1] Estimated figures, rounded to the nearest 10.
[2] Includes dependants who applied with the principal applicant or who arrived subsequently before the grant of asylum to the principal. Figures exclude dependants who arrived after the principal grant.

Electoral Registration

Mr. Barnes: To ask the Secretary of State for the Home Department what records and research findings are held within his Department of the number of homeless people who are registered on electoral registers; and if he will make a statement.

Mr. Charles Wardle: None. Homeless people are not identified in the electoral register and no research has been undertaken on behalf of the Home Office into the number registered.

Blakenhurst Prison

Ms Ruddock: To ask the Secretary of State for the Home Department when he expects the amount of money to be withheld from United Kingdom Detention Services Ltd. under the tems of the management contract to manage Blakenhurst prison, in the light of the incident on 24 February, to have been settled; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 21 April 1994:

HM Prison Blakenhurst

The Home Secretary has asked me to reply to your recent Question about Blakenhurst prison.

The matter has now been settled; the intended financial remedy has been taken.

Electronic Mail

Mr. Llew Smith: To ask the Secretary of State for the Home Department what is Her Majesty's Government's policy towards the use of private encryption technology by individuals or companies to protect data sent by electronic mail.

Mr. McLoughlin: I have been asked to reply.

It is a matter for the individual, or company, to take measures, which may include private encryption technology, which they consider necessary to safeguard their electronic mail communication.

WALES

Computer Systems

Mr. Matthew Taylor: To ask the Secretary of State for Wales what computer systems his Department has brought in, for what function and at what cost for each of the last five years; and in each case whether the computer system is still in use.

Mr. Redwood: Full details could be provided only at disproportionate cost. However, information relating to certain larger systems acquired during the past five years, all of which are still in use, is detailed in the table:

System type and function	Cost £
SYSTEMS PURCHASED TO SUPPORT ADMINISTRATIVE FUNCTIONS	
PC Network Statistical Systems (installation period 1989-94)	193,600
PC Network Support for Ministerial Offices (installation period 1989-94)	112,400
PC Network Office Automation, Grant applications, Financial Monitoring (installation period 1990-94)	79,000
PC Network Office Automation, Typing Services, Records Management, Press and Publicity (installation period 1990-94)	274,000
PC Network Housing Subsidy and Grants (installation period 1992-93)	48,000
SYSTEMS PURCHASED AS A RESULT OF LEGISLATIVE OR ADMINISTRATIVE CHANGES	
Mini Computer To assist the administration of Agricultural support in Wales (installation May 1993. Life span estimated to be seven years)	874,680
Mini Computer Personal Systems (installation May 1990. Life span estimated to be seven years)	62,180

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Wales how many parliamentary questions to his Department have not been answered because of disproportionate costs or because the information requested was not held centrally over the last five years; how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Redwood: The number of parliamentary questions that have not been answered because of disproportionate costs or because the information requested was not held centrally over the past five years such as can easily be provided by POLIS is 523. Information concerning how many could be answered now due to computerisation and/or more effective operational systems with the name and constituency of the hon. Member who tabled it could be provided only at disproportionate cost.

Wales Cancer Registry

Mr. Dafis: To ask the Secretary of State for Wales when he proposes to publish the statistics of the Wales Cancer Registry for the years 1988 to 1993.

Mr. Gwilym Jones: Cancer registration data from the Wales Cancer Registry for 1988 have been published in "Health and Personal Social Services Statistics for Wales, No. 19, 1992", available in the Library of the House. Data for 1989 will be published in the next edition at the end of April. More detailed information relating to the period 1984-89 will be made available in a report from the Wales Cancer Registry, "Cancer Registration in Wales, 1984-89", due to be published during the summer of 1994.

Cancer registration is complex, relying in the main on data submitted by hospitals, regional cancer registries in England and the Office of Population Censuses and Surveys. New information on patients may be received some time after the actual incidence of cancer. Extensive validation is required in order, for example, to eliminate duplicates. The policy of the Wales Cancer Registry is to make available and publish data for a particular year when it is believed that future revisions will be small.

Toxic Waste

Mr. Llew Smith: To ask the Secretary of State for Wales what information is made available to his Department on the ways in which the content of toxic waste imported into Wales can be verified against consignment notes.

Mr. Gwilym Jones: It is the responsibility of the competent authority—district council—to ensure that the waste matches the description of the consignment note in accordance with advice given in Welsh Office circular 25/89.

Mr. Llew Smith: To ask the Secretary of State for Wales what information his Department holds on the companies of origin of the toxic and hazardous waste imported into Wales.

Mr. Gwilym Jones: None.

Ombudsman

Mr. Llew Smith: To ask the Secretary of State for Wales how many complaints concerning his Department's work have been brought to his attention in each year since 1979 by the Parliamentary Commissioner for Administration; what steps he or his predecessors have taken to deal with complaints forwarded to him; and if he will make a statement on his Department's relationship with the ombudsman.

Mr. Redwood: Complaints concerning the Welsh Office are noted, where applicable, in the reports of the Parliamentary Commissioner for Administration which have been published every year since 1967. Copies of these reports are held in the Library of the House. My Department takes all necessary steps in dealing with complaints.

Glanders

Mr. Morley: To ask the Secretary of State for Wales if he will list the number of cases of glanders and farcy in each year since 1985.

Mr. Redwood: None.

Private Security Firms

Mr. George: To ask the Secretary of State for Wales how many private security firms have been employed by his Department for each of the last 10 years; what has been the annual value of the contracts; and if he will estimate how many guards have been employed for each of those years.

Mr. Redwood: During the past 10 years my Department has regularly employed two private security firms under contracts valued as follows:

Year	*£000s*
1984-85	73
1985-86	85
1986-87	88
1987-88	89
1988-89	92
1989-90	99
1990-91	105
1991-92	115
1992-93	119
1993-94	133

I estimate that 10 guards were needed in each of the years from 1984-85 to 1990-91 and 9 from 1991-92 to 1993-94.

During the 1991-92 financial year, Cadw Welsh Historic Monuments, an executive agency within my Department made use of a private security firm for a special event at a cost of £9,000. The number of security employees involved is not known.

Contaminated Land

Mr. Llew Smith: To ask the Secretary of State for Wales what assessment he has made of the level of contaminated land on areas controlled by Railtrack in Wales; what discussions he has had with the chairman of Railtrack over the clean-up of contaminated land associated with railway operations in Wales; and what resources he has committed to the clean-up of contaminated land in Wales.

Mr. Gwilym Jones: A survey of contaminated land in Wales, including railway land, was undertaken on behalf of the Welsh Office and Welsh Development Agency in 1987-88. Its findings were published and a copy of the report is in the Library of the House.

My right hon. Friend, the Secretary of State for Wales, has had no discussions to date with the chairman of Railtrack on this issue but, as is the case with other landowners, the company would normally be responsible for dealing with any dangerous contamination identified on its land.

In terms of resources, the Welsh Development Agency estimates that some £7 million of its land reclamation budget in 1994-95 will be devoted to dealing with contaminated land. Further resources will also be allocated through the strategic development scheme.

Assisted Places Scheme

Mr. Barry Jones: To ask the Secretary of State for Wales what is the total amount given to the non-state schools in Wales under the assisted places scheme since its inception; what was the cash total in each recipient school since its inception; and if he will make a statement.

Sir Wyn Roberts *[holding answer 18 April 1994]:* The assisted places scheme has proved popular in Wales. Almost all available places have been taken up and more than a third of parents pay no fees. The information requested is as follows:

Assisted places scheme: Payment to schools financial years 1981-82 to 1992-93

School	1981-82 £	1982-83 £	1983-84 £	1984-85 £	1985-86 £	1986-87 £	1987-88 £	1988-89 £	1989-90 £	1990-91 £	1991-92 £	1992-93 £	1993-94 £
Christ College, Brecon	7,986	21,443	36,063	48,289	62,116	95,473	131,470	155,404	189,033	244,081	321,779	359,755	389,754
Howell's School, Denbigh	11,011	37,883	70,107	96,971	132,971	179,033	225,465	243,740	237,474	231,442	254,759	310,223	353,064
Howell's School, Llandaff	17,774	57,094	106,799	144,940	209,858	274,274	314,274	319,099	334,290	358,798	328,763	399,642	430,751
Llandovery College	3,737	9,217	19,615	31,013	38,279	45,440	55,732	75,308	92,650	140,381	203,641	250,671	256,648
Monmouth School (Boys)	18,515	52,035	92,610	134,170	181,642	233,684	307,291	277,352	323,194	303,951	374,475	434,416	456,071
Monmouth School (Girls)	9,644	21,677	37,072	52,598	68,760	90,225	109,297	114,422	128,010	140,618	166,552	200,729	186,956
Pembroke College	5,108	21,973	38,489	62,843	81,089	99,399	140,459	136,944	156,617	183,500	225,688	273,711	295,428
Rydal School	4,194	38,206	53,896	56,864	67,768	93,274	110,254	112,767	128,121	153,508	189,153	228,083	252,589
Lowther College[1]	23,709	15,244	—	—	—	—	—	—	—	—	—	—	—
TOTAL	101,678	274,772	454,651	627,688	842,483	1,110,805	1,394,242	1,435,040	1,589,389	1,756,279	2,064,810	2,457,230	2,621,261

[1] Lowther College closed in July 1982.

Housing Benefit

Mr. Wigley: To ask the Secretary of State for Wales if he will publish for each district council area in Wales and for Wales as a whole his Department's estimate of *(a)* the number of people claiming housing benefit, *(b)* the number of people entitled to housing benefit who are not currently entering a claim and *(c) (b)* as a percentage of the total number entitled to claim housing benefit; and if he will make a statement.

Mr. Gwilym Jones: Information on the estimated number of recipients of housing benefit is published in table 9.6 of "Welsh Housing Statistics No. 13, 1993", a copy of which is in the Library of the House. There are no estimates at local authority or Welsh level of the number of people entitled to housing benefit. However, estimates of housing benefit take-up in Great Britain are included in the Department of Social Security's publication "Income Related Benefits: Estimates of Take-Up in 1990 and 1991" which is also available in the Library of the House.

Health Common Services Authority

Mr. Richards: To ask the Secretary of State for Wales whether he will set out the conclusions of the review of the Welsh Health Common Services Authority.

Mr. Redwood: I intend to give hospitals greater choice in obtaining their support services. More money will be released for direct patient care enabling a better standard of service to be provided.

The authority carries out a number of non-core NHS activities throughout Wales including estates, information technology, procurement, prescription pricing and personnel services. It also undertakes a number of additional functions for the Welsh Office.

Now that most hospital services are provided by trusts, the authority need no longer be the major provider of support services. Hospitals will be able to choose between WHCSA and others, and some functions of WHCSA will be privatised.

The authority has management responsibilities for three clinical services: the artificial limb and appliance services, "Breast Test Wales" and the national blood transfusion service. These will be reviewed separately.

SCOTLAND

Lambs

Mr. McMaster: To ask the Secretary of State for Scotland, pursuant to his answer of 9 February, *Official Report,* column 179, what were the estimated lamb losses attributed to fox predation for each of the past six years.

Sir Hector Monro: Information on which to base estimates of numbers of lambs lost or of losses prevented is not collected centrally.

Access to the Countryside

Mr. McMaster: To ask the Secretary of State for Scotland when he next plans to meet representatives of the Ramblers Association to discuss rights of public access to the countryside; and if he will make a statement.

Sir Hector Monro: My right hon. Friend has no plans to meet representatives of the Ramblers Association. On my right hon. Friend's behalf, I recently met representatives of the voluntary environmental sector, including the new chairman of Scottish Wildlife and Countryside Link, of which the Ramblers Association are members. The issue of public access to the countryside was raised at that meeting.

Asthma

Mr. Chris Smith: To ask the Secretary of State for Scotland how many cases of asthma were reported in each Scottish health region for each year since 1979; and if he will set out the figures in the same manner as the Secretary of State for Health in her answer to the hon. Member for Knowsley, North (Mr. Howarth) of 30 March, *Official Report*, columns *887-90*.

Mr. Stewart: Information on the numbers of discharges, by health board of treatment, with a principal diagnosis of asthma is shown in the table for calendar years 1979-1992.

In-patient and day case discharges, including deaths, with a principal diagnosis of asthma by health board of treatment 1979 to 1992

Health board of treatment	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992
Argyll and Clyde	258	274	284	261	384	413	414	503	531	583	640	724	724	689
Ayrshire and Arran	242	245	338	367	373	482	487	532	689	671	659	662	824	773
Borders	47	69	73	108	98	163	141	161	177	204	202	268	177	176
Dumfries and Galloway	69	108	121	140	170	148	158	185	190	219	195	219	231	248
Fife	171	260	259	293	334	383	318	382	427	486	425	408	426	424
Forth Valley	125	155	149	158	185	184	228	279	344	343	334	403	432	362
Grampian	327	375	434	489	564	562	601	677	891	825	798	1,115	1,014	1,005
Greater Glasgow	931	1,050	1,192	1,229	1,415	1,504	1,554	1,505	1,714	1,790	1,763	2,043	2,031	2,188
Highland	123	161	183	205	236	268	235	277	293	286	281	347	332	299
Lanarkshire	232	364	455	406	517	571	621	583	735	801	900	958	1,058	995
Lothian	988	1,115	1,156	1,140	1,202	1,231	1,362	1,305	1,545	1,528	1,593	1,624	1,850	1,750
Orkney	4	5	7	10	8	12	20	11	30	17	16	16	15	19
Shetland	2	4	8	15	21	18	12	16	17	14	20	25	16	11
Tayside	427	427	495	478	538	581	674	591	729	787	795	811	1,001	921
Western Isles	10	20	21	13	26	26	20	20	13	23	17	27	30	29
SCOTLAND	3,956	4,632	5,175	5,312	6,071	6,546	6,845	7,027	8,325	8,577	8,638	9,650	10,161	9,889

Police Complaints

Mr. McMaster: To ask the Secretary of State for Scotland what plans he has to establish an independent body to investigate and take action on complaints against police officers; and if he will make a statement.

Lord James Douglas-Hamilton: There are no plans to establish such a body. The Police and Magistrates' Courts Bill includes a new power for Her Majesty's inspectorate of constabulary to review how a complaint has been handled by the police and, in certain circumstances, to direct the chief constable to reconsider the complaint.

Gaming Regulations

Mr. McMaster: To ask the Secretary of State for Scotland what regulations govern the promotion of *(a)* raffles, *(b)* pools and *(c)* totes in relation to (i) registration, (ii) operation, (iii) percentage payouts, (iv) distribution of funds and (v) administration costs; which regulations specifically limit their use by political parties during and outwith election campaigns; and if he will make a statement.

Lord James Douglas-Hamilton: The operation of raffles or lotteries is regulated by the Lotteries and Amusements Act 1976. Pool betting and totes are governed by the terms of the Betting, Gaming and Lotteries Act 1963. Provided that a lottery, pools or tote scheme is promoted in accordance with the relevant statutory provisions, there are no regulations which specifically restrict their use by political parties.

Clinical Waste Incinerators

Mr. McMaster: To ask the Secretary of State for Scotland if he will list the location and owner or operator of each clinical waste incinerator in the Argyll and Clyde health board area; whether these clinical waste incinerators comply fully with current pollution control legislation; whether they are likely to comply with any known new standards; when the most recent report on the operation of these incinerators were submitted to him; and what action he has found it necessary to take.

Mr. Stewart: The NHS in the Argyll and Clyde health board area owns and operates clinical waste incinerators at the Royal Alexandra hospital and Inverclyde Royal hospital. The plant at both hospitals meets current statutory requirements but will not comply with the statutes which come into force in October 1995.

Whilst there have been operational difficulties from time to time with the incinerators, I understand that currently the equipment is performing to specification.

A small amount of clinical waste is also burned at the Linwood municipal incinerator installation mainly as a back-up to the local NHS incinerators. This plant meets the present statutory requirements and is, I understand, scheduled to be closed by the end of this year.

Public Appointments

Mr. McMaster: To ask the Secretary of State for Scotland if he will list the name, address and occupation and/or former occupation of each justice of the peace in Renfrew district; which wards are under-represented as a proportion of the total; when he next plans to make additional appointments; what criteria he will apply in making these appointments; what are the procedures for making nominations; and if he will make a statement.

Lord James Douglas-Hamilton: As for other commission areas in Scotland, my right hon. Friend is advised on the need for new appointments as justices of the peace for the commission area of Renfrew by the advisory committee on justices of the peace for that area, which also advises him on the personal suitability of candidates. Recommendations for consideration by the advisory

committee may be made on a form obtainable from the Secretary to the advisory committee. The criteria for appointment are, first, that candidates should be personally suitable in character, integrity and understanding; and, second only to this, that the area of selection is wide so that justices are broadly representative of all sections of the community which they serve. Advisory committees are required to have regard to the availability of justices to members of the public and to the requirements of the district court duty rota.

I shall write to the hon. Member as soon as possible about the detailed information which he has requested.

Raymond Gilmour

Mr. McMaster: To ask the Secretary of State for Scotland what is the current position in his consideration of the application for the prerogative of mercy by Raymond Gilmour; and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. Friend wrote to the hon. Member on 18 April this year, informing him of his decision to reject the petition submitted on behalf of his constituent, Mr. Raymond Gilmour.

Police Complaints

Mr. McMaster: To ask the Secretary of State for Scotland what channels exist for police officers to vindicate themselves following false accusations being brought against them; if it is open to all ranks of officer to pursue civil actions against those who they allege have falsely accused them; and what plans he has to review the current arrangements.

Lord James Douglas-Hamilton: Anyone who knowingly makes a false accusation against a police officer may be prosecuted. It is open to all ranks of officer to take civil action against those who falsely accuse them. We consider that these arrangements are adequate.

Paisley (City Status)

Mr. McMaster: To ask the Secretary of State for Scotland what is the procedure for making application to elevate the town of Paisley to city status; and if he will make a statement.

Lord James Douglas-Hamilton: City status in Scotland can be achieved only through the granting of a royal charter. No royal burgh charter has been granted in modern times and there are no plans to revive the practice.

Forestry Commission

Mr. Worthington: To ask the Secretary of State for Scotland if he will set out his target for the sale of Forestry Commission land in Scotland in the current year and for the next five years.

Sir Hector Monro: As announced in the Government's expenditure plans 1994-95 to 1996-97, the Commission plans to sell 15,000 hectares of forest land in Britain in each of the next three years. The proportion of this that will be sold in Scotland will depend on the state of the market, particularly the demand for forest land in different parts of Britain, but the Commission estimates that it will be in the region of 70 per cent. As yet, no firm plans have been made for sales in subsequent years.

Police Pay and Conditions

Mr. Worthington: To ask the Secretary of State for Scotland what consideration he has given to allowing the new police authorities to set their own pay and conditions; and what were his conclusions.

Lord James Douglas-Hamilton: Police pay and national conditions will continue to be prescribed by the Secretary of State under section 26 of the Police (Scotland) Act 1967, taking into consideration recommendations made by the police negotiating board which includes representatives of police authorities. The Government accept that there should be greater local discretion over job-related allowances.

Mr. Worthington: To ask the Secretary of State for Scotland what are his current proposals or policies for performance-related pay in the police force.

Lord James Douglas-Hamilton: My right hon. Friend is considering agreements reached in the police negotiating board on police pay structures and conditions of service for all ranks which include links between pay and appraisal of performance. The Government intend to introduce pay arrangements which depend on appraisal of performance as soon as practicable.

Police Authorities

Mr. Worthington: To ask the Secretary of State for Scotland whether future police authorities will be able to choose their own chair.

Lord James Douglas-Hamilton: Yes. Joint police boards established after reorganisation of local government in Scotland will appoint their chairman from among their members, who will all be councillors of the constituent authorities.

Teachers (Illness)

Mr. McFall: To ask the Secretary of State for Scotland how many days work have been lost by teachers due to illness in Scotland in each of the last five years.

Lord James Douglas-Hamilton: Information on teacher absences is not held centrally.

School Transport

Mr. Kirkwood: To ask the Secretary of State for Scotland (1) if he will undertake a study of the adequacy of safety standards that currently obtain in the transportation of children to school in Scotland;

(2) what plans he has to meet representatives of education authorities in Scotland to discuss safety in school transport;

(3) if he will publish the current rules relating to safety belts and other safety equipment on school transport vehicles in Scotland;

(4) what plans he has to make individual seats and safety harnesses obligatory on all school transport vehicles in Scotland;

(5) if he will estimate the additional cost of making individual seats and safety harnesses obligatory on all school transport vehicles in Scotland;

(6) if he will consider introducing members of staff as monitors on any double-decker buses used to transport children to school in Scotland;

(7) what consideration he has given to requiring manufacturers of minibuses for school transport to reinforce areas of the floor to enable seat belts to be fitted;

(8) what plans he has to impose stricter safety standards on education authorities involved in transportation of children to school;

(9) if he will consider making finance available to Scottish education authorities to enable them to finance safety improvements in school vehicles; and if he will make a statement.

Lord James Douglas-Hamilton: The Scottish Office has a policy interest in terms of the general provision by local authorities of a school transport service. My right hon. Friend the Secretary of State for Transport has responsibility for vehicle safety matters and the relevant legislation on a United Kingdom basis, including policy on vehicle construction, the provision of seat belts in all vehicles and the three for two concession in respect of school children on school transport.

The Department of Transport has recently completed a survey on the full technical and cost implications of fitting seat belts nationally in minibuses and coaches and matters such as the three for two concession. It would therefore be inappropriate for the Scottish Office to conduct a separate survey in Scotland or to comment in advance on the outcome of the Department of Transport's review.

With regard to the provision of supervisors on school transport in Scotland, education authorities already have a duty of care, in law, for the safety of pupils when under their charge. It is therefore for them to decide how supervision should be provided for on school buses. We shall consider whether further measures need to be taken in the light of such decisions as may follow the Department of Transport's review.

On the question of financial assistance, in advance of, and without prejudice to, the Department of Transport's review, my right hon. Friend has agreed to a request from Strathclyde regional council for a capping disregard for additional current expenditure in 1994-95 in respect of additional costs to the council of school transport in dropping the three for two concession on dedicated school transport and requiring the fitting of seat belts on all contract minibuses.

Neither my right hon. Friend nor I have any immediate plans to meet representatives of Scottish education authorities to discuss safety in school transport. We will, however, consider whether any such meeting might be appropriate in the light of the conclusions of the Department of Transport review.

Electoral Registers

Mr. Barnes: To ask the Secretary of State for Scotland what records and research findings are held within his Department of the number of homeless people who are registered on electoral registers; and if he will make a statement.

Lord James Douglas-Hamilton: The Department does not collect this information.

School Performance Tables

Mr. Wallace: To ask the Secretary of State for Scotland what has been the budgeted expenditure to date for *(a)* publication and *(b)* distribution of the school performance tables.

Mr. Lang: I refer the hon. Member to the information set out in the table:

Title	*Cost of production* £	*Cost of printing* £	*Cost of distribution* £	*Total cost* £
1992				
Examination results in Scottish schools 1990-92 (published November 1992)	—	7,672·50	567·60	8,240·10
1993				
Examination results in Scottish schools 1991-93 (published November 1993)	2,575·00	5,056·00		7,631·00
Scottish schools: Costs 1993-94 (published December 1993)	2,371·00	9,895·00	388·00	12,654·00
Leaver destinations from Scottish Secondary Schools 1992-93 (published December 1993)	1,353·00	5,313·00	259·00	6,925·00
			Overall total	35,450·10

Legal Advice

Mr. Michael: To ask the Secretary of State for Scotland what is his policy towards the provision of a network of independent advice and law centres throughout Scotland; and what response he has made to the aims of the Advice 2000 initiative launched by the Advice Services Alliance.

Lord James Douglas-Hamilton *[holding answer 19 April 1994]:* I recognise the good work carried out by existing advice and law centres in Scotland. It is local authorities which are best placed to decide whether there is an unmet need for advice in particular areas. Where there is urban deprivation, however, start-up funding can be provided through the urban programme.

I note that the Advice 2000 initiative is intended to improve further the quality and availability of advice.

Voluntary Advice Services

Mr. Michael: To ask the Secretary of State for Scotland what is the level of funding from the Scottish Office for voluntary advice services for the financial year 1993-94 and each of the previous 10 years; and how many schemes received funding in each year.

Lord James Douglas-Hamilton *[holding answer 19 April 1994]:* Figures for 1993-94 are not yet available. Figures for the financial years 1989-90 to 1992-93 are given in the table. These indicate the level of funding from the Scottish Office for schemes run by voluntary

organisations where the main aims included the provision of advice and information. Figures for earlier years could be obtained only at disproportionate cost.

Financial year	Number of schemes	Level of funding £
1989-90	53	1,307,447
1990-91	49	1,217,851
1991-92	39	879,119
1992-93	52	1,460,923

TRANSPORT

Private Security Firms

Mr. George: To ask the Secretary of State for Transport how many private security firms have been employed by his Department for each of the last 10 years; what has been the annual value of the contracts; and if he will estimate how many guards have been employed for each of those years.

Mr. Norris: The Department's property managers have been able to provide the following information. Complete records are not available for the earlier years.

	Contracts	Guards	Annual value £
1994-95	[1]23	[1]35	[1]758,709
1993-94	27	40	796,274
1992-93	22	32	729,085
1991-92	19	35	724,579
1990-91	18	33	540,165
1989-90	10	20	565,165
1988-89	n/a	n/a	456,242
1987-88	n/a	n/a	334,180
1986-87	n/a	n/a	296,191
1985-86	n/a	n/a	244,394
1984-85	n/a	n/a	190,521

[1] Estimate for 1994-95.

Maritime Distress and Safety Systems

Ms Eagle: To ask the Secretary of State for Transport what representations he has received regarding the percentage of Inmarsat C distress calls received by the United Kingdom Marine regional control centre are false alarms; and what inquiries he has made as a response.

Mr. Norris: No representations have been received on false Inmarsat-C distress calls.

Ms Eagle: To ask the Secretary of State for Transport what steps he is taking to monitor the effectiveness of the global maritime distress and safety system.

Mr. Norris: The United Kingdom monitors the effectiveness of the global maritime distress and safety system by maintaining a record of distress calls received by our search and rescue authorities and their response. One outcome of this has been the identification of an unacceptable level of false alerts. This has been brought to the attention of the International Maritime Organisation.

Ms Eagle: To ask the Secretary of State for Transport what discussions he has had with unions and owners on the effectiveness of the global maritime distress and safety system.

Mr. Norris: The introduction of the global maritime distress and safety system was thoroughly discussed with representative bodies of the ship owners and seafarers at all stages of its development. The implementation of the requirements and their effectiveness is discussed at the Maritime Radio Advisory Committee where these organisations are fully represented.

Rail Franchises

Mr. Wilson: To ask the Secretary of State for Transport (1) under what authority the Office of Passenger Rail Franchising is seeking to appoint marketing communication advisers to promote investor interest in passenger rail franchises;

(2) what assessment he has made of the compatibility with the Office of Passenger Rail Franchising's statutory obligations of seeking to promote investor interest in the privatisation of rail franchises; and if he will make a statement.

Mr. Freeman: Seeking to promote investor interest in rail franchises is an integral part of the Franchising Director's statutory duties to designate railway passenger services as eligible for provision under franchise agreements and to invite tenders for the right to provide these services from such persons as he sees fit. The Franchising Director's intention to draw on the expertise of marketing advisers is consistent with the Secretary of State's objectives set for him under section 5 of the Act to secure that railway passenger services in Great Britian, other than exempted services, are provided under franchise agreements as soon as reasonably practicable; and to secure an overall improvement in the quality of railway passenger and station services available to railway passengers.

Contractors

Ms Walley: To ask the Secretary of State for Transport (1) if he will list the 20 contractors who have received the largest share of motorway and trunk road contracts in each of the last two years giving, for each contractor, the value of the contracts received;

(2) if he will list for each of the last two years to date major construction contracts awarded by his Department worth over £250,000 at current prices indicating, in each case, which construction company was awarded the contract; and if he will make a statement.

Mr. Key: Since 1 April, responsibility for managing, maintaining and improving the national road network in England now lies with the Highways Agency. As the information requested by the hon. Member relates to operational matters of the Highways Agency, I have asked the chief executive to write to the hon. Member.

Letter from Laurie Haynes to Ms Joan Walley, dated 21 April 1994:

You put down 2 Parliamentary Questions for answer by the Secretary of State concerning major construction contracts awarded during the last 2 years.

As the information you asked for concerns operational matters for which the Highways Agency is now responsible, as promised by the Minister, Robert Key, I am replying to your Questions.

You asked firstly about major construction contracts awarded during the last 2 years and which companies had won them.

Annex A attached gives the information you asked for in relation to contracts valued in excess of £1 million.

Your second question concerned the 20 contractors who had won the largest share of motorway and trunk road contracts. Annex B attached gives this information in relation to contracts worth in excess of £1 million.

The Agency does not currently keep central records of contracts below £1 million and this information cannot be provided without incurring disproportionate cost.

Annex A

New construction and motorway widening contracts awarded between 1 April 1992 and 31 March 1993

	£
Balfour Beatty	
M4/M5 Second Severn Crossing	65,119,651
M6 Preston Junctions 30-32	37,458,986
Tarmac Construction	
M25 Junctions 15-16	24,446,155
M3 Bar End—Compton	25,405,525
M6 Junctions 20-21A	52,512,897
Alfred McAlpine	
A5 Tamworth	25,955,498
M56 Widening Junctions 4-6	11,820,083
Birse Construction	
A16 Spalding to Sutterton	22,639,443
A568 Widnes Eastern Bypass	14,557,492
Alfred McAlpine/AMEC in joint venture	
A46 Leicester Western Bypass	35,981,698
Taylor Woodrow	
A27 Brighton Bypass Contract 4	19,526,438
John Mowlem	
A564 Foston/Hatton/Hilton Bypass	19,367,370
Fitzpatrick Contractors	
A23 Pease Pottage to Handcross Bridge	8,160,560
Amey Construction	
A650 Park Road, Bingley	4,054,039
Crown House Engineering	
A20 Folkestone—Courtwood (M & E)	3,858,042
May Gurney	
A11 Thetford to Bridgham Heath	2,223,422
Charles Gregory	
A42 Construction of 32 Laybys	1,239,028
TOTAL VALUE OF ALL CONTRACTS AWARDED	374,326,327

New construction and motorway widening contracts awarded between 1 April 1993 and 31 March 1994

	£
Tarmac Construction	
A30-A39 Indian Queen junction between Bodmin and Redruth	12,695,070
M65 Blackburn southern bypass	65,861,695
Balfour Beatty	
A13 Thames avenue—Wennington	71,273,666
Amec Civil Engineering	
A13 West of Heathway (A1240), south east of Wennington	11,785,847
A249 between Bobbing and north of Iwade, Kent	35,721,035
A406 Silver street—Hall lane, Angel road	19,785,316
Amey Construction	
A27 Patching between Worthing and Arundel	6,402,673
A4-A46 Batheaston—Swainswick bypass	44,953,293
A65 Burley in Wharfedale bypass	5,547,467
Alfred McAlpine/Amec Civil Engineering in joint venture	
A1 Walshford—Dishforth	53,795,508
Wimpey Construction	
A31 Ringwood and St. Ives (Ashley heath)	6,696,391
A417 Brockworth bypass	35,142,101
M5 junction 18, Avonmouth	7,926,340
Edmund Nuttall	
A406 North circular road, east of Falloden way	27,013,720
A406 Silver street—Hall lane, Lea Valley	21,761,735
John Laing	
M25 between junction (Merstham) and junction 8 (Reigate)	45,979,928
Alfred McAlpine Construction	
A11 Wymondham southern bypass	16,940,943
A435 Norton Lenchwick bypass	19,226,966
John Mowlem	
M25 widening junctions 10 and 11	35,097,353
Birse Construction	
A50 Blythe bridge	23,072,304
M62 improvement junction 14-17	10,223,164
Norwest Holst	
A12 Hackney Wick to Redbridge flyover	31,558,185
May Gurney and Co.	
A17 Leadenham bypass improvement	3,322,890
A17 Wigtoft-Sutterton	4,402,863
A17 Walpole-Tilney bypass	23,455,738
Christiani and Nielson–Kier in joint venture	
A50 Blythe bridge—contract 1B	28,414,397
Costain Building and Civil Engineering	
M66 Denton—Middleton	19,237,248
Roadworks (1952)	
All Stump Cross and Four Wentways	18,149,454
Tilbury Douglas	
A45 Stonebridge D and B	8,447,149
Kier Construction	
A66 east of Brough to Palliard	7,636,582
Matthew Hall Mechanical and Electrical	
A27 Kingston—Hangleton, Southwick hill tunnel	4,561,802
Shephard Hill	
M1 junction 1. Barnet viaduct slip roads	4,235,912
TOTAL VALUE OF ALL CONTRACTS AWARDED	739,919,909

Annex B

Motorway and Trunk road contracts in excess of £1 million top twenty contractors—1 April 1992 to 31 March 1993

	£
Balfour Beatty	118,915,055
Tarmac Construction	114,069,649
Tarmac Quarry Products	59,623,689
Amey Construction	53,897,813
Birse Construction	50,139,207
Alfred McAlpine Construction	37,775,581
A. McAlpine/AMEC	35,981,698
Edmund Nuttall	35,818,406
John Mowlem	24,452,021
Associated Asphalt	24,221,730
Fitzpatrick	20,041,476
Taylor Woodrow	19,526,438

	£
Tilcon Ltd.	13,369,582
Costan B & CE	8,885,621
A. F. Budge	8,223,235
Galliford (UK)	7,480,336
ARC Ltd.	7,077,074
Thos Ward	5,410,751
Eden Construction	5,176,851
Colas Construction	4,976,294
TOTAL OF ALL CONTRACTS AWARDED	701,950,191

Motorway and trunk road contracts in excess of £1 million
Top twenty contractors
1 April 1993 to 31 March 1994

	£
Tarmac Construction	112,592,231
Balfour Beatty	73,690,960
Amec Civil Engineering	71,491,041
Amey Construction	61,924,277
John Laing	54,536,714
A. McAlpine/AMEC	53,795,508
Edmund Nuttall	50,023,149
Wimpey Construction	49,764,741
John Mowlem	45,636,804
Birse Construction	41,973,189
Alfred McAlpine	36,167,909
May Gurney	33,789,967
Norwest Holst	32,492,061
Costain B & CE	32,059,989
Christiani/Kier	28,414,397
Tarmac Quarry Products	26,943,630
Roadworks (1952)	19,247,959
ARC Ltd.	18,888,667
Galliford (UK)	15,612,134
Tilbury Douglas	15,570,088
TOTAL OF ALL CONTRACTS AWARDED	1,003,548,351

Airport Charges

Mr. Nigel Griffiths: To ask the Secretary of State for Transport what comparisons he has made of airport charges levied by the BAA and those levied in the United States of America and other countries.

Mr. Norris: None. I refer the hon. Member to the airport charges index produced by TM Economics, discussed at pages 55-56 of the Monopolies and Mergers Commission report on BAA plc—a report on the economic regulation of the south-east airports companies including Heathrow Airport Ltd., Gatwick Airport Ltd. and Stansted Airport Ltd.—presented to the Civil Aviation Authority in June 1991. The Commission noted the difficulties of undertaking "fair" comparisons when the level of service offered by different operators varies. TME considered 40 airports; charges at Heathrow and Gatwick, for example, fell within the middle of the range of average charges.

TME produce this index annually; the most recent edition—1993—has shown that the charges at Heathrow and Gatwick have fallen relative to other airports.

Domestic Air Fares

Mr. Nigel Griffiths: To ask the Secretary of State for Transport what comparisons he has made of the cost of domestic air fares in the United Kingdom, the United States of America and other countries.

Mr. Norris: Comparisons of fare levels in different countries are subject to wide margins of error. The CAA recently published a range of fares comparisons in its document "Airline Competition in the Single European Market" (CAP 623). The broad conclusion was that fully flexible United Kingdom domestic fares were comparable with France, lower than Germany but higher than in some other EU states. The reasons for such differences are not at all clear. The position in the United States depended very much on the airline operating the service. Where a low-cost airline such as Southwest Airlines operated, fares were exceptionally low not only by the standards of the United Kingdom and Europe but also compared to other United States routes, on which fares were sometimes higher than in the United Kingdom.

Mr. Nigel Griffiths: To ask the Secretary of State for Transport if he will take steps to bring United Kingdom domestic air fares down.

Mr. Norris: The setting of air fares is essentially a matter for the commercial judgment of airlines. United Kingdom airlines had considerable freedom to compete by setting their own air fares on domestic routes for a number of years even before free pricing was introduced by the EC single market.

We believe that airlines should be free to set their own fares with a minimum of regulatory intervention. This is consistent with an open and competitive market and is in the best overall interests of users. Safeguards are, however, available under EC regulation 2409/92 to combat the exploitation of consumers by airlines charging excessively high fares.

Unlicensed Airfields

Mr. Ingram: To ask the Secretary of State for Transport how many complaints he has received in each of the last five years about alleged breaches of the regulations applying to unlicensed airfields.

Mr. Norris *[holding answer 20 April 1994]:* My Department does not keep a record of complaints about unlicensed airfields. This information could be obtained only at disproportionate cost.

Mr. Ingram: To ask the Secretary of State for Transport which body has the responsibility for ensuring regulatory compliance by the operators and users of unlicensed airfields.

Mr. Norris *[holding answer 20 April 1994]:* I refer to the answer that I gave to the hon. Member earlier today. The appropriate bodies will have responsibility for enforcement of any relevant legislation. The commander of an aircraft using an unlicensed aerodrome is responsible for his own safe operation, including satisfying himself that the aerodrome is suitable in all respects.

Mr. Ingram: To ask the Secretary of State for Transport what plans he has to change the regulations applying to unlicensed airfields.

Mr. Norris *[holding answer 20 April 1994]:* None.

Mr. Ingram: To ask the Secretary of State for Transport if he will give details of the regulations which apply to unlicensed airfields.

Mr. Norris *[holding answer 20 April 1994]:* No regulations specifically apply to unlicensed airfields. The

CAA has published guidance material: CAP 428 "Safety Standards at Unlicensed Aerodromes". Article number 87 of the Air Navigation order "Aviation Fuel at Aerodromes" would also apply. Other legislation applies to unlicensed airfields as appropriate.

Mr. Ingram: To ask the Secretary of State for Transport if he will list all unlicensed airfields in the United Kingdom and the operators.

Mr. Norris *[holding answer 20 April 1994]:* There are no special registration procedures for unlicensed airfields and it is not therefore possible for me to provide a list of all such airfields and their operators.

Public Service Vehicles

Mr. Gareth Wardell: To ask the Secretary of State for Transport what information his Department now holds on the failure rates of public service vehicles at the annual roadworthiness test; and if he will specify the level of disaggregation available to him.

Mr. Key: I have asked the Vehicle Inspectorate chief executive to write to the hon. Member with this detailed information.

Letter from Ron Oliver to Mr. Gareth Wardell, dated 4 March 1994:

The Secretary of State for Transport has asked me to reply to your question about the information his Department holds on failure rates for public service vehicles (PSVs) at annual roadworthiness tests, and the amount of detail available to him.

The Vehicle Inspectorate (VI) is responsible for the annual testing of HGVs and PSVs. VI maintains a database detailing the test record of each vehicle it tests. At its lowest level the database can provide basic information about whether a particular vehicle has passed or failed its annual roadworthiness test and the reason for failure. This detailed information is not made available to the general public for data protection reasons.

The database also provides regular management information on first annual tests and retests at a regional, national and test station level. It can be programmed to aggregate the results in different ways at additional cost. It no longer records operator types and does not yet produce information automatically about particular PSV operators. This is because vehicle information is not cross referenced with operator details. VI is working on solutions aimed at creating a full vehicle and operator database in the medium term.

In view of your interest I have enclosed a copy of VI's annual report for 1992-93. This gives details of national PSV test failure rates for the financial years 1988-89 to 1992-93, and provides a breakdown of the reasons for failure over the same period.

HEALTH

Hospital Information Support Systems

Mr. Milburn: To ask the Secretary of State for Health (1) what has been the cost of the Hospital Information Support Systems project in each year since its inception;

(2) what level of financial support her Department intends to make available to hospitals that have become trusts to continue the development of HISS.

Mr. Sackville: Integrated hospital systems were seen as a key feature of the future information management and technology in the acute sector and, when the national health service reforms were being formulated, were seen as important for the development of contracting. As soon as the NHS reforms were announced a team was set up to run projects to explore these matters.

Until recently the team dispersed sums to support projects of varying sizes, the amounts of which are shown in the table.

Year	£
1989-90	5,000,000
1990-91	7,500,000
1991-92	12,750,000
1992-93	21,215,000
1993-94	6,690,000

This phase is virtually complete and the team is involved primarily in tracking benefits realisation, disseminating results, assisting those considering a hospital information support system, supporting activities like consortia to get better value for money and vetting £1 million plus projects under the new approval process.

To complete the hospital information support system programme, a total of £1·668 million is being allocated to trusts for specific purposes in 1994-95. The further funding of HISS systems is a local responsibility.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Health how many parliamentary questions to her Department have not been answered because of disproportionate costs or because the information requested was not held centrally over the last five years; how many could be answered now due to computerisation and/or more effective operational systems; and if she will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Sackville: The number of answers given to parliamentary questions by the Department of Health between January 1989 and December 1993, recorded on the POLIS database as including a reference to part or all of the information not being available or involving disproportionate cost was 1,223. Details of each of these questions can be obtained from the POLIS database, access to which is available in the Library. The further information requested could be provided only at disproportionate cost.

We are anxious to reduce the number of forms which currently have to be filled in by national health service units and returned to the Department. There is a limit to the amount of information required by the Department and the NHS executive on a national service which is regionally and locally administered. Release from the burden of filling in forms will give NHS units more time for activities with a greater bearing on direct patient care.

Junior Doctors

Mr. Jim Cunningham: To ask the Secretary of State for Health how many junior doctors are employed *(a)* by the West Midlands health authority and *(b)* in the Coventry area; and what were the figures for 1991-92 and 1992-93.

Dr. Mawhinney: There were 2,029 whole-time equivalent registrars, senior house officers and house officers employed in the west midlands region in 1991 and 2,056 in 1992. In 1991, 142—estimated—were employed in the Coventry area; in 1992 the figure had risen to 166.

There were 272 whole-time equivalent senior registrars in the west midlands region in 1991 and 277 in 1992. The number working in the Coventry area is not available.

Figures for 1993 are not yet available.

British Pharmaceutical Industry

Mr. Sheerman: To ask the Secretary of State for Health what steps she is taking to ensure that the British pharmaceutical industry remains competitive with foreign rivals.

Dr. Mawhinney: The British pharmaceutical industry is outstandingly competitive; it directly employs about 80,000 people in the United Kingdom and had a positive balance of trade of about £1·5 billion in 1993. This results from a wide range of factors. So far as my responsibilities are concerned, we have negotiated a new pharmaceutical price regulation scheme for a period of five years from October 1993. This provides continued stability to the pharmaceutical industry in the United Kingdom, recognises research and development through the prices paid by the national health service for its medicines and encourages the efficient and competitive development and supply of medicines to pharmaceutical markets in this and other countries.

Private Security Firms

Mr. George: To ask the Secretary of State for Health how many private security firms have been employed by her Department for each of the last 10 years; what has been the annual value of the contracts; and if she will estimate how many guards have been employed for each of those years.

Mr. Sackville: The Department employed four private security firms in 1993-94. The estimated total expenditure for these contracts is £700,000 and the estimated total of guards employed was 30. To provide information prior to 1993-94 would incur disproportionate cost.

Breast Cancer

Mr. Sheerman: To ask the Secretary of State for Health what steps she is taking to improve the quality of procedures for the identification and treatment of breast cancer; and if she will make a statement.

Mr. Sackville: The chief medical officer's expert advisory group on cancer is currently preparing advice for health authorities on the organisation of cancer services. These recommendations will be put to my right hon. Friend the Secretary of State later this year.

Mr. Sheerman: To ask the Secretary of State for Health if she will establish a target of reducing levels of death from breast cancer to the OECD average.

Mr. Sackville: Reducing deaths from breast cancer among women invited for screening by at least 25 per cent. from 1990 by the year 2000 is a target in the Government's "The Health of the Nation" initiative.

Premature Mortality

Ms Corston: To ask the Secretary of State for Health if she will list the latest studies funded by her Department of causes of premature mortality related to *(a)* environmental pollution, *(b)* deprived material conditions of work and *(c)* other forms of material deprivation.

Mr. Sackville: The small area health statistics unit at the London School of Hygiene and Tropical Medicine is funded by the Department of Health, Department of Environment, Health and Safety Executive, Scottish Office, Welsh Office and Northern Ireland Office. The unit is conducting a number of studies to determine whether cancers are associated with environmental pollution associated with local sources of pollution.

These are as follows:

1. Cancer incidence and mortality around PBI Ltd., Waltham Abbey.
2. TV and Radio Transmitters: the initial local concern was around Sutton Coldfield, but there are others which are included in the study.
3. Municipal Incinerators: the study covered 72 incinerators around Great Britain, being all those licensed sites which burn household, commercial and/or industrial waste and for which the relevant information was available.
4. BP Petrochemical Works, Baglan Bay.
5. Vinyl Chloride Works.

The Department is also funding the following:

1. A research project which will examine the health effects of the December 1991 air pollution episode in London and is due to be completed later this year.
2. The Social Medicine and Health Services Research Unit which is currently undertaking two research projects, due to be completed later this year, into the incidence of asthma in the United Kingdom and the European Community.

The Department also supports the newly formed Medical Research Council Institute for Environment and Health at the University of Leicester. This will act as a focus to co-ordinate work on chemical environmental pollutants.

The Department has not funded any studies into causes of premature mortality related to conditions of work or "other forms of deprivation".

Health Expenditure, London

Mr. Congdon: To ask the Secretary of State for Health, pursuant to her answer to the hon. Member for Dulwich (Ms Jowell) of 12 April, *Official Report*, column 72, if she will give the figures for expenditure per capita for London for *(a)* district health authorities and *(b)* family health services authorities, including expenditure by the London postgraduate hospitals and special health authorities.

Mr. Luff: To ask the Secretary of State for Health how much is spent per capita by London district health authorities and special health authorities on health services for residents of (i) inner London and (ii) outer London; and what is the national average expenditure per capita by district health authorities.

Dr. Mawhinney: Expenditure per capita by district health authorities in inner London, at £553, is higher than that of all the other major cities included in my reply to the hon. Member for Dulwich (Ms Jowell) on 12 April at column 72, with the exception of Manchester. When special health authorities' spending is added to DHA spending, inner London per capita spend is 56 per cent. above the national average.

1992-93 per capita spend by inner and outer London district health authorities and the national average spend by DHAs in England are given in the table. The table also shows the effects of including expenditure by the London postgraduate SHAs which were funded centrally in 1992-93. The family health services authority figures given in my reply to the hon. Member for Dulwich are unchanged.

	DHA spend		DHA spend including SHAs	
	Expenditure per capita £	Percentage above national average	Expenditure per capita £	Percentage above national average
Inner	553	46	603	56
Outer	398	5	415	8
Total London	460	22	490	27
Total England	378	—	368	—

Notes:

1. Inner London defined as in the Report of the Enquiry into London's Health Services, Medical Education and Research (Tomlinson Report).
2. SHA 1992-93 expenditure apportioned to DHAs based on analysis of district of residence of 1993-94 referrals.

Road Traffic Act 1988

Mr. Amess: To ask the Secretary of State for Health (1) if she will estimate how much money *(a)* her Department and *(b)* NHS trusts expect to recover under section 157 of the Road Traffic Act 1988 for the provisions of treatment to road accident victims for the years 1994 and 1995;

(2) if she will list the total amount of money recovered by *(a)* her Department and *(b)* NHS trusts under section 157 of the Road Traffic Act for the provisions of treatment to road accident victims for each year since 1991.

Mr. Sackville: Income from Road Traffic Act charges as a whole—sections 157 and 158—was £9·1 million in 1990-91, the last year in which these data were collected centrally.

Carers

Mr. Cox: To ask the Secretary of State for Health what research has been undertaken as to the impact of the community care changes on carers; and if she will make a statement.

Mr. Bowis: Research is currently being funded by the Department into the extent to which carers are benefiting from the community care reforms.

Youth Treatment Service

Mr. Quentin Davies: To ask the Secretary of State for Health when she will publish the annual report of the chief executive of the youth treatment service for 1992-93; and if she will make a statement.

Mr. Bowis: Copies of the report have been placed in the Library today. The report contains, at annex 14, the youth treatment service's receipts and payments account for the year ended 31 March 1993. These accounts, which are unaudited and have no form of endorsement by the National Audit Office, represent the service's view of the financial outcome for the year.

Drugs

Mr. Clappison: To ask the Secretary of State for Health what plans she has to examine the effectiveness of treatment services for drug misuers; and if she will make a statement.

Dr. Mawhinney: I am concerned to ensure that services for drug misusers work to clear objectives and that we are able to assess how effective these services are in terms of delivering reductions in drug misuse, and the harm associated with it. I have decided therefore to establish a task force to undertake a wide-ranging review of the effectiveness of treatment services for drug misusers. Membership of the task force, which will be chaired by the Reverend Dr. John Polkinghorne, president of Queen's college, Cambridge, comprises experts from the drugs field and people from different backgrounds who will bring a fresh perspective to issues in this important area. They are:

Mr. Denis O'Connor (Deputy Chief Constable of Kent).
Dr. Michael Farrell (Consultant Psychiatrist in drug dependence at Maudsley Hospital).
Dame Margaret Fry (non-executive member of South and West Regional Health Authority).
Dr. Silvain Edouard Josse (General Practitioner).
Mr. James Kay (Director of Healthwise, Liverpool and member of the Advisory Council on the Misuse of Drugs).
Ms Rosemary Ramsay (Lawyer, and Vice Chairman of Brixton Drugs Project).
Miss Esther Rantzen (Member of the Health Education Authority).
Mr. Tony Shaw (Chief Executive of Southampton and South West Hampshire Health Commission).
Mr. Tony Sheehan (Nurse).
Mr. David Taylor (Audit Commission).
Mr. Rodney Walker (Chairman of the NHS Trust Federation).
The Rt. Reverend William John Westwood (Bishop of Peterborough).

The chief medical officer's consultant adviser on drug misuse, Dr. John Strang, will be medical adviser to the task force.

The terms of reference of the review are:

"To conduct a comprehensive survey of clinical, operational and cost effectiveness of existing services for drug misusers; to review current policy in relation to the principal objective of assisting drug misusers to achieve and maintain a drug-free state, and the secondary objective of reducing harm caused to themselves and others by those who continue to use drugs; to make recommendations where appropriate and to report to Ministers."

The Advisory Council on the Misuse of Drugs will also be represented on the task force, and the central drugs co-ordination unit will take a close interest in their work.

The work of the task force will complement the role of the central drugs co-ordination unit, which has been established to ensure that, through the development of a comprehensive and co-ordinated strategy, we get best possible value for the significant resources invested by the Government in the fight against drugs. To ensure that close links are maintained, the director of the central co-ordination unit will have observer status on the task force.

Ophthalmics

Mr. Gunnell: To ask the Secretary of State for Health how many Leeds general practitioner practices were sent letters from consultant ophthalmic surgeons at the Leeds general infirmary explaining that their patients could not be admitted for elective surgery until the start of the 1994-95 financial year.

Mr. Sackville: This is a matter for the United Leeds Teaching Hospitals national health service trust. The hon. Member may wish to contact Mr. Tony Clegg, chairman of the trust, for details.

South West Thames Health Authority

Sir Cranley Onslow: To ask the Secretary of State for Health what reports she has received from the South West Thames health authority concerning the extent to which the accident and emergency departments at *(a)* Ashford hospital, *(b)* St. Peter's hospital and *(c)* Frimley Park hospital met patients charter standards during the quarter ended 31 December 1993.

Mr. Sackville: The report from South West Thames regional health authority for the quarter ending 31 December 1993 on the accident and emergency standard —initial assessment in accident and emergency within five minutes—shows:

	Per cent.
Ashford Hospital NHS Trust	37
St. Peter's Hospital NHS Trust	100
Frimley Park Hospital NHS Trust	71

North West Surrey health authority was told that action must be taken to ensure improved performance.

Provisional figures for the quarter ended 31 March are as follows:

	Per cent.
Ashford Hospital NHS Trust	93
St. Peter's Hospital NHS Trust	98
Frimley Park Hospital NHS Trust	90

Allergies

Sir Cranley Onslow: To ask the Secretary of State for Health what assessment she has made of whether adequate advice is being provided to general practitioners in England and Wales about the treatment of choice in cases of severe allergic reactions; and what steps she is taking to ensure that the necessary equipment is readily available and easy to use.

Mr. Sackville: The next edition of the chief medical officer's update, which goes to all doctors, will include advice on the management of anaphylaxis, particularly in respect of peanuts. The British National Formulary, which is distributed twice a year free of charge to all prescribers, contains a section on anaphylaxis and the treatment available.

"NHS Changes in London"

Ms Primarolo: To ask the Secretary of State for Health (1) if she will halt further distribution of the "NHS Changes in London" leaflet pending an inquiry by the Committee of Public Accounts;

(2) which company is employed by her Department to distribute the leaflet "NHS Changes in London"; how much they have been paid; and when they are distributing the leaflet to each London borough;

(3) to which areas the leaflet "NHS Changes in London" has already been distributed; and to which London areas it is not planned to distribute it.

Dr. Mawhinney: The leaflet "NHS Changes in London" was targeted at households within the area bounded by the M25 and aims to address key questions about health services in London which have been and continue to be put to the Department. The Central Office of Information was employed to arrange distribution of the leaflet. The estimated total cost is £150,000 of which distribution costs are estimated to be £86,500. Distribution was completed by 9 April and there are no further distribution plans.

Ms Bridget O'Connell

Mr. Blunkett: To ask the Secretary of State for Health what discussions her Department has had with North Thames health authority and the former North East Thames health authority about the case of the consultant Ms Bridget O'Connell.

Dr. Mawhinney: This is a complex case, which I hope will be resolved soon. Suspensions are a contractual matter between employer and employee and neither the Department nor Ministers are directly involved in such matters.

Out-patients

Ms Primarolo: To ask the Secretary of State for Health what is the average cost of an out-patient appointment.

Mr. Sackville: The average cost of an out-patient attendance during 1992-93 was £59·21—provisional.

Supplies Authority

Mr. Milburn: To ask the Secretary of State for Health if she will list the names of the members and chairs of *(a)* the NHS supplies authority and *(b)* the Bromley health authority on 1 April.

Mr. Sackville: The chairman of the National Health Service Supplies Authority is Sir Robin Buchanan. The non-executive members are Mrs. Alison Cook, Mr. Eric Greenhalgh, Mr. Jim Hammond, Mr. Fred Hoult and Miss Catherine McLoughlin. The executive members are Mr. Terry Hunt, Mr. Evan Sutherland, Mr. Richard Chantler, Mrs. Roxanne Sutton and Mr. Chris Uden.

The chairman of Bromley health authority is Miss Catherine McLoughlin. The non-executive members are Mr. Charles Ilsley, Ms Maureen Theobold and Dr. Robin Kirby. There are currently two vacancies. The executive members are Ms Claire Perry, Mr. Philip Lloyd, Mr. Kevin Barton, Mr. Robin Lorimer and Dr. Jackie Spilby.

There is no statutory bar to the appointment of chairmen or members of other health authorities to the NHS Supplies Authority.

Medical Certificates

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer of 12 April, *Official Report*, column *78*, what specific categories of medical certificates are on the defined list of medical certificates issued free of charge under GP's terms of service; and what guidelines her Department issues to GPs for appropriate charging rates relating to categories of certificates not on that list.

Dr. Mawhinney: This information is available in schedule 9 of the National Health Service (General Medical Services) Regulations 1992, copies of which are available in the Library.

Dental Services

Mr. Rendel: To ask the Secretary of State for Health what plans her Department has to exclude crown and bridgework from the treatments available to fee paying NHS patients.

Dr. Mawhinney: The Government are preparing their response to Sir Kenneth Bloomfield's report on dental services. Our proposals will be published in due course.

Mr. Rendel: To ask the Secretary of State for Health what plans her Department has to raise NHS dental fees in the financial year 1994-95.

Dr. Mawhinney: General dental practitioners received a 3 per cent. increase in their national health service fees from 1 April 1994 which fully implemented the Doctors and Dentists Review Body recommendation for 1994-95. The Government will, of course, keep the public expenditure implications of this increase under review throughout the year.

Mr. Rendel: To ask the Secretary of State for Health how many patients presented themselves at general medical practices in each year between 1979 and 1993 inclusive, with dental-related problems.

Dr. Mawhinney: General medical practitioners are not required to provide such information.

Children's Hospital Services

Mr. Blunkett: To ask the Secretary of State for Health what plans she has to publish or place in the Library reports from district health authorities due to be submitted through regional health authorities to the management directorate of the NHS excecutive by 1 May concerning the position in relation to the central guidance issued in 1991 on "Welfare of Children and Young People in Hospital", paragraph 6.3, on the specifications for the nurse staffing of children's hospital services and progress made in achieving the standards detailed therein.

Dr. Mawhinney: Responses to the survey of nursing staffing in children's wards and other hospital departments where children are cared for are due shortly, and will require proper aggregation and analysis. The results will be made available.

Water Pollution, Worcester

Mr. Luff: To ask the Secretary of State for Health if she will conduct an inquiry into the health hazards associated with the pollution of drinking water in the Worcester area on Friday 15 April; and if she will make a statement.

Mr. Sackville: People were advised at the time not to drink the tap water. This was a sensible precaution until an analysis could be made to determine what pollutants were present. Those subsequently detected in the drinking water were present at such low levels that no short-term or long-term health effects were anticipated. We understand that some cases of gastric upset and nausea have been reported by some local general practitioners, but it is not possible to say with certainty whether these were caused by the polluted water.

NHS Trusts

Ms Primarolo: To ask the Secretary of State for Health what was the expenditure by each individual first and second-wave trust in 1991-92 and 1992-93, as appropriate on external contract staffing and consulting services.

Dr. Mawhinney *[holding answer 28 March 1994]:* The information requested is shown in tables which will be placed in the Library. Figures for 1992-93 are provisional and have not yet been validated and are therefore not wholly reliable.

The figures are not comparable with those for earlier years but confirm the effectiveness of the Government's policy of encouraging overall value for money in the national health service by using alternative sources to supply a range of services. The expenditure by trusts in many cases relates to services provided within the NHS either by other trusts or health authorities. These services range from linen supplies and transport to computing services; it also covers payments to other hospitals for services performed by their consultants and senior registrars.

Written Answers to Questions

Friday 22 April 1994

HOME DEPARTMENT

United Racecourse (Holdings) Ltd.

Mr. Meale: To ask the Secretary of State for the Home Department (1) what assessment he has made of the fairness and confidentiality of the tendering processes used in the recent sale of assets belonging to the publicly owned United Racecourse (Holdings) Ltd.;

(2) if he will investigate the circumstances around the tendering processes used in the recent sale of the publicly owned United Racecourse (Holdings) Ltd.;

(3) if he will make a statement about the recent sale of the publicly owned United Racecourse (Holdings) Ltd. to the Racecourse Holdings Trust.

Mr. Charles Wardle: United Racecourse (Holdings) Ltd. is owned by the Levy Board and its disposal is a matter for that board.

Mr. Meale: To ask the Secretary of State for the Home Department what meetings he or officials of his Department had with either the Jockey Club or the publicly owned United Racecourse (Holdings) Ltd. prior to, and concerning, the recent sale of United Racecourse's assets.

Mr. Charles Wardle: None.

Mr. Meale: To ask the Secretary of State for the Home Department if the assets of the Racecourse Holdings Trust are publicly owned.

Mr. Charles Wardle: No. Racecourse Holdings Trust is a private company owned by the Jockey Club.

Parliamentary Boundaries

Mr. [illegible]: To ask the Secretary of State for the Home Department if he will discuss with the chairman of the Parliamentary Boundary Commission for Wales the arrangements and timing for holding inquiries into the commission's proposals for the counties of Clwyd and Dyfed; and if he will urge the commission to move the dates away from the European parliamentary elections.

Mr. Charles Wardle: The arrangements and timing of local inquiries are a matter for the commission. I understand from the commission that, in making arrangements for the inquiries, it took into account the date of the elections to the European Parliament, but decided that it was not possible to postpone the inquiries without an unacceptable risk to its achieving the statutory deadline of 31 December 1994 for submission of the final report on the current review of parliamentary constituencies in Wales.

Asylum Applications, Burundi and Rwanda

Mr. Worthington: To ask the Secretary of State for the Home Department how many applications for asylum he has received from refugees from Burundi and Rwanda; how many have been granted; where applicants are being held; and how long the decision-making process takes.

Mr. Charles Wardle: Available information on applications and decisions in the period 1 January 1992 to 31 March 1994 is given in the table. Information for 1990 and 1991 is published in tables 4.1 and 4.2 of Home Office Statistical Bulletin Issue 19/93 "Asylum Statistics United Kingdom 1992", and for prior years in the corresponding tables in earlier volumes of this annual publication. A copy of this publication is in the Library of the House.

Information on the average decision time for decisions in recent months is not yet available.

At 19 April 1994, no asylum applicants from Burundi or Rwanda were held in detention.

Applications for asylum in the United Kingdom by nationals of Burundi and Rwanda, excluding dependants, and decisions[1,2]

	1992	1993	1994 (January—March)
Burundi			
Applications	4	10	11
Decisions	7	2	[4]—
Recognised as refugee and granted asylum	—	—	[4]—
Not recognised as a refugee but granted exceptional leave	—	1	[4]—
Total refused of which:	7	1	[4]—
Refused asylum and exceptional leave after full consideration	2	1	[4]—
Refused under para 180F of immigration rules[3]	5	—	[4]—
Refused on safe third country grounds	—	—	[4]—
Rwanda			
Applications	4	7	7
Decisions	14	5	[4]—

	1992	1993	1994 (January—March)
Recognised as refugee and granted asylum	—	—	[4]—
Not recognised as a refugee but granted exceptional leave	—	3	[4]—
Total refused of which:	14	2	[4]—
Refused asylum and exceptional leave after full consideration	3	—	[4]—
Refused under para 180F of immigration rules[3]	11	2	[4]—
Refused on safe third country grounds	—	—	[4]—

[1] Decisions do not necessarily relate to applications made in the same period.
[2] Figures for decisions in 1993 may understate because of delays in recording. Information on decisions in the period January-March 1994 is not yet available.
[3] For failure to provide evidence to support the asylum claim within a reasonable period, including failure to respond to invitation to interview to establish identity (para. 101 prior to 26 July 1993).
[4] Not available.

Fire Safety (Retail Premises)

Mr. French: To ask the Secretary of State for the Home Department (1) what plans he has to make the fitting of sprinkler systems to all large retail premises mandatory;

(2) what representations he has received about the fire safety of supermarkets and superstores; and if he will make a statement.

Mr. Charles Wardle: We have received three written representations about the use of sprinkler systems as a means of controlling the spread of fire, preserving life and minimising fire damage in supermarkets and superstores.

Under present arrangements the installation of sprinklers in new superstores is a matter for building regulations, and in existing buildings, if appropriate, could be covered by a fire certificate. However, any provisions to require a general installation of sprinkler systems in existing large premises would require primary legislation.

Fire safety issues are under review by a scrutiny team and, as my hon. Friend the Under-Secretary of State for the Environment said on 29 March, *Official Report*, columns *660-61*, any changes would be made in the light of its findings and after consultation with interested parties.

The need for such provisions will be carefully considered by the Government in the light of the scrutiny team's findings and those of our recent review of the Fire Precautions Act 1971.

M11 Link Road

Mr. Gapes: To ask the Secretary of State for the Home Department, pursuant to his answer of 18 January, *Official Report*, column *474*, what was the total cost in January of the police operations concerning the M11 link road through Wanstead including police overtime payments, expenses and allowances and other costs.

Mr. Charles Wardle *[holding answer 22 February 1994]:* I understand from the Commissioner of Police of the Metropolis that the additional manpower costs of policing the M11 link road protest on Wanstead common during January were £16,163. This figure includes overtime payments and the related national insurance contribution, but excludes basic pay and allowances.

EDUCATION

Grant-maintained Schools

Mr. Byers: To ask the Secretary of State for Education if he will list for each local education authority the pupil capacity of those schools which have been approved for grant-maintained status and the number of pupils attending grant-maintained schools.

Mr. Robin Squire: The table below shows full-time pupil numbers in January 1993 at schools which are currently grant-maintained in each local education authority area.

Up-to-date figures on the capacity of grant-maintained schools are not available. However, my right hon. Friend intends to make regulations shortly under section 21 of the Education Act 1993 requiring LEAs and the Funding Agency for Schools, where it has relevant planning responsibilities, to submit annual information on the numbers of surplus places in LEA-maintained and grant-maintained schools respectively, beginning this year.

LEA	Pupils
Avon	1,569
Barking and Dagenham	0
Barnet	10,612
Barnsley	0
Bedfordshire	9,197
Berkshire	9,631
Bexley	4,224
Birmingham	16,338
Bolton	3,119
Bradford	5,619
Brent	10,379
Bromley	12,493
Buckinghamshire	11,970
Bury	223
Calderdale	6,997
Cambridgeshire	17,020
Camden	2,340
Cheshire	2,813

LEA	Pupils
Cleveland	0
Cornwall	0
Corporation of London	0
Coventry	0
Croydon	6,733
Cumbria	12,977
Derbyshire	16,946
Devon	4,856
Doncaster	0
Dorset	9,952
Dudley	4,839
Durham	0
Ealing	6,122
East Sussex	0
Enfield	5,725
Essex	84,712
Gateshead	0
Gloucestershire	24,404
Greenwich	239
Hackney	87
Hammersmith and Fulham	1,229
Hampshire	19,691
Haringey	0
Harrow	483
Havering	3,813
Hereford and Worcester	3,558
Hertfordshire	22,129
Hillingdon	14,069
Hounslow	2,108
Humberside	257
Isle of Wight	0
Isles of Scilly	0
Islington	0
Kensington and Chelsea	1,159
Kent	56,064
Kingston-upon-Thames	3,050
Kirklees	1,266
Knowsley	719
Lambeth	4,613
Lancashire	7,171
Leeds	1,189
Leicestershire	3,222
Lewisham	361
Lincolnshire	22,542
Liverpool	2,260
Manchester	0
Merton	0
Newcastle-upon-Tyne	0
Newham	556
Norfolk	11,231
North Tyneside	212
North Yorkshire	0
Northamptonshire	12,269
Northumberland	632
Nottinghamshire	1,831
Oldham	0
Oxfordshire	81
Redbridge	1,113
Richmond-upon-Thames	0
Rochdale	2,168
Rotherham	0
Salford	413
Sandwell	658
Sefton	0
Sheffield	2,836
Shropshire	3,847
Solihull	454
Somerset	772
South Tyneside	0
Southwark	4,030
St. Helens	0
Staffordshire	4,347
Stockport	0
Sunderland	0
Suffolk	0
Surrey	13,135
Sutton	7,390
Tameside	2,332
Tower Hamlets	907
Trafford	2,892
Wakefield	0
Walsall	6,118
Waltham Forest	1,915
Wandsworth	7,002
Warwickshire	4,669
West Sussex	0
Westminster	0
Wigan	0
Wiltshire	16,131
Wirral	2,031
Wolverhampton	2,348

Note: Figures for numbers of pupils are derived from the Department's January 1993 Schools Census.

Mr. Byers: To ask the Secretary of State for Education when he plans to issue circulars arising from the Education Act 1993 concerning *(a)* the supply of school places and *(b)* the promotion of new grant-maintained schools.

Mr. Forth: A draft circular on the supply of school places and guidance for promoters of new grant-maintained schools will be issued by the Department later in the summer.

Dr. Wright: To ask the Secretary of State for Education how many surplus places there are in grant-maintained schools; and what is the figure as a percentage of the admission limit for such schools.

Mr. Robin Squire: This information is not currently available. However, my right hon. Friend intends to make regulations shortly under section 21 of the Education Act 1993 requiring LEAs and the Funding Agency for Schools, where it has relevant planning responsibilities, to submit annual information on the numbers of surplus places in LEA maintained and grant-maintained schools respectively, beginning this year.

Schools (Parents' Choice)

Mr. Byers: To ask the Secretary of State for Education if he will list the figures in total and for each local education authority of admission appeals by parents failing to obtain a place for their child in the school of their choice, and of this total how many and what percentage *(a)* were withdrawn before appeals committee stage, *(b)* were settled to mutual satisfaction before committee stage, *(c)* were rejected by committee and *(d)* were decided in the parent's favour by the committee for the years 1989-90 and 1990-91.

Mr. Robin Squire: The information requested has been placed in the Library.

Sixth-form Colleges

Mr. Bayley: To ask the Secretary of State for Education how much was spent by the Further Education Funding Council on *(a)* sixth-form colleges and *(b)* further education colleges in North Yorkshire in 1993-94; and what is its budget for (i) sixth-form colleges and (ii) further education colleges in North Yorkshire in 1994-95.

Mr. Boswell: The Further Education Funding Council's recurrent funding allocations for 1993-94 covered the period 1 April 1993 to 31 July 1994. Allocations to colleges in North Yorkshire for this period were as follows.

	£m
Sixth form colleges	6·509
Further education colleges	31·544

The funding council has not yet announced its allocations to individual colleges for the academic year 1994-95.

Private Security Firms

Mr. George: To ask the Secretary of State for Education how many private security firms have been employed by his Department for each of the last 10 years; what has been the annual value of the contracts; and if he will estimate how many guards have been employed for each of those years.

Mr. Boswell: Day security in the Department's London offices has been provided by two different private security firms since it was contracted out in 1988. Night security at the Department's Darlington office has been provided by two companies over the past 10 years.

The approximate annual value of these contracts has been:

Financial Year	*£000's*
1984-85	8
1985-86	20
1986-87	22
1987-88	23
1988-89	103
1989-90	128
1990-91	163
1991-92	244
1992-93	334
1993-94	95

Between 1988-89 and 1992-93 security was provided, or part-funded, for more than one London site pending consolidation of London-based staff into a single headquarters building.

On average five guards have been employed for each year since 1988.

PRIME MINISTER

Stephan Adolphus Kock

Mr. Cousins: To ask the Prime Minister whether Mr. Stephan Adolphus Kock was at any time between 1 January 1984 and 31 December 1989 in the service of the Government or any of its agencies or wholly owned companies or carried out any functions for, or on behalf of, the Government or any of its agencies or wholly owned companies.

The Prime Minister: I have nothing further to add to the reply I gave to the hon. Member for Oldham, West (Mr. Meacher) on 19 April 1994, *Official Report*, column 432.

ENVIRONMENT

Urban Development Corporations

Mr. Frank Field: To ask the Secretary of State for the Environment what are the planned wind-up dates for each of the urban development corporations and the planned expenditure for each development corporation in each year at current prices until the exit strategies take effect.

Mr. Baldry: The planned wind-up date of each urban development corporation is set out in the table:

	Date
Bristol	[1]31 December 1994
Leeds	31 March 1995
Central Manchester	31 March 1996
Birmingham Heartlands	31 March 1997
Sheffield	
Trafford Park	
Black Country	31 March 1995
London Docklands	31 March 1998
Merseyside	
Plymouth	
Teesside	
Tyne and Wear	

[1] An extension of lifetime to 31 December 1995 is currently under consideration.

Grant in aid voted to each UDC for the current financial year is contained in the supply estimates 1994-95, class VII Environment. The Government's overall expenditure plans for UDCs from 1994-95 to 1996-97 are set out in figure 46 of my Department's annual report Cm. 2507. Formal allocations to individual development corporations for the next financial year will be made upon completion of the current public expenditure survey.

Water Pollution, Worcester

Mr. Luff: To ask the Secretary of State for the Environment (1) if he will make a statement on water quality in the River Severn at Worcester;

(2) if he will establish an independent inquiry into the National Rivers Authority's responsibility for and response to the pollution of the River Severn and water supplies in the Worcester area on Friday 15 April;

(3) what advice he has received from the drinking water inspectorate on the quality of water supplies from the Barbourne treatment works in Worcester; and if he will make a statement;

(4) what inquiry or inquiries are being conducted by his Department, or any organisation for which his Department is responsible, into the pollution of the River Severn and water supplies in the Worcester area on Friday 15 April; and if he will publish the results of all such inquiries; and if he will make a statement.

Mr. Atkins *[holding answer 21 April 1994]:* The drinking water inspectorate is carrying out an investigation into the effects of this incident on drinking water supplies and the handling of action to deal with it; its findings will be published. Timing may be affected by whether there is any need for prosecution arising from the incident. The National Rivers Authority is establishing the facts relating to the pollution of the river system and its own response. Subject to any legal constraints relating to possible prosecutions it will make its findings public. When the

results of these inquiries are available to me, I shall decide whether there is a need for any further investigation of any aspect of the matter.

LORD CHANCELLOR'S DEPARTMENT

Mr. Jeremy Turner

Mr. Sheerman: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects to receive a report from the Home Department regarding its investigation into the conduct of the coroner of Ceredigion in relation to the inquiries into the death of Mr. Jeremy Turner.

Mr. John M. Taylor: A report on the outcome of the investigation by the Home Department is expected by the end of May at the latest.

EMPLOYMENT

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Employment how many parliamentary questions to his Department have not been answered over the last five years because of disproportionate costs or because the information requested was not held centrally, how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Michael Forsyth: The number of answers given by the Department to parliamentary questions from January 1989 to December 1993 recorded in the POLIS database as including a reference to part or all of the information being available only at disproportionate cost or because the information was not held centrally was 212. This represents around 2 per cent. of the total number of POLIS entries for written answers in that period.

Details of each of these questions can be obtained from the POLIS database, access to which is available in the Library. The further information requested is not currently available and could be answered only at disproportionate cost.

Asthma

Mr. Flynn: To ask the Secretary of State for Employment what is the estimated loss of time from work caused by asthma.

Mr. Michael Forsyth: From answers given in a supplement to the 1990 labour force survey it is estimated that 79,000 days were lost in the previous 12 months as a result of asthma caused by work and a further 223,000 days were lost as a result of pre-existing asthma made worse by work. These figures are based on the interviewees' own report of the cause of their symptoms.

WALES

Taff Merthyr Colliery

Mr. Wigley: To ask the Secretary of State for Wales if he will publish details of Government or public funding proposed in connection with the closure of Taff Merthyr colliery; how much money was pledged in October 1992; how much has been paid; and if he will make a statement.

Mr. Redwood: In October 1992 the then Secretary of State for Wales announced that up to £43 million would be made available to assist all areas in Wales affected by the colliery closures. Subsequently £18.09 million was allocated for coal closure mitigation action in the Taff Merthyr area and of this £16.36 million has been spent. This figure excludes training allowances which cannot be separately identified and £1.73 million of European regional development funding.

Unitary Authorities

Mr. Ron Davies: To ask the Secretary of State for Wales, (1) pursuant to his answer of 11 April, *Official Report*, column *214*, what representation he received prior to the publication of the Bill *(a)* in favour and *(b)* in opposition to the inclusion of Pentyrch in the proposed new unitary authority of Cardiff;

(2) pursuant to his answer of 29 March, *Official Report*, column *625*, what representation he received in favour of the inclusion of Pentyrch in the Cardiff unitary authority prior to the publication of the White Paper.

Mr. Redwood: I will write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Princess of Wales Hospital

Mr. Morgan: To ask the Secretary of State for Wales what provision he has made for funding the Ysbyty Bangor and Princess of Wales hospital, Bridgend ophthalmic treatment centres, and the general surgery treatment centre at Princess of Wales hospital, Bridgend.

Mr. Redwood: 1994-95 funding for the Bridgend treatment centre is:

	£
Surgical centre	499,535
Ophthalmic centre	908,210

The ophthalmic centre at Ysbyty Bangor ceased operating as a treatment centre from 1 April 1993.

Hip and Knee Replacements

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 19 April, *Official Report*, column *460*, what information he has received from the Rhydlafar treatment centre in relation to the numbers of hip and knee replacement operations carried out via the treatment centre procedure during 1993-94; what assessment he has made of the comparison of the numbers of hip and knee joints funded for that year and the numbers carried out; and if he will make a statement.

Mr. Redwood: The orthopaedic treatment centre, Rhydlafar, carried out 240 hip-knee replacements in

1993-94—seven less than funded. Those scheduled operations were postponed in late March 1994 for medical reasons, following pre-treatment assessment of the patients at the centre, and are being re-scheduled for the earliest possible opportunity.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 19 April, *Official Report*, column *460*, of which purchasing health authorities are to be allocated the 291 hip-knee replacement operations at the Rhydlafar centre; if he will specify knee operations and hip operations separately; if he will list on a comparable basis the knee operations and hip operations allocated to the health authorities in *(a)* 1992-93 and *(b)* 1993-94; what provisions he has made for general practitioner fundholders within that allocation to each health authority; and if he will make a statement.

Mr. Redwood: Allocations of places at the treatment centres are made to health authorities. The hip and knee replacement operations at the orthopaedic treatment centre for 1992-93, 1993-94 and 1994-95 are:

Authority	*Hips*			*Knees*		
	1992-93[1]	*1993-94*[2]	*1994-95*[3]	*1992-93*[1]	*1993-94*[2]	*1994-95*[3]
Clwyd	3	8	12	3	3	10
East Dyfed	0	3	5	0	1	5
Gwent	53	36	29	26	38	35
Gwynedd	1	0	8	0	0	3
Mid Glamorgan	37	30	33	10	16	20
Pembrokeshire	15	19	33	3	9	15
Powys	5	4	11	4	5	7
South Glamorgan	29	30	22	12	12	14
West Glamorgan	21	26	21	5	7	8
TOTAL	164	156	174	63	91	117

[1] Completed operations.
[2] Includes 5 hip and 2 knee operations deferred to 1994-95.
[3] Allocation.

GP fundholders have to bid to their district health authority for a share of treatment centre places which are included in the authorities' contracts with the centres. Subject to that, GP fundholders may refer patients direct to the centres and there is no charge to their budgets.

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of the South Glamorgan health authority concerning the discontinuation of the use of the Zimmer CPT artificial hip joint in the hip replacement part of the treatment centre funding allocation; and what allowance he has made in the allocation of £178,000 for joint revision surgery within the Cardiff Royal group for the excess numbers of replacements required for defective, or defectively fitted Zimmer CPT hip joints.

Mr. Redwood: None. The use of particular items of equipment within the orthopaedic treatment centre, including the joint revision programme, is a matter for South Glamorgan health authority which is required to obtain prostheses from sources on the Department of Health register of approved manufacturers.

Health Statistics

Mr. Morgan: To ask the Secretary of State for Wales what provision he has made for the publication of information in Welsh health statistics indicating clearly the relationship between investment in defined health gain target areas and actual realised health gain in those sectors; and if he will make a statement.

Mr. Redwood: The annual report of the chief medical officer, published in December 1993, summarised the progress being made in each of the 10 health gain priority areas. Further details, including information on the investment in each health gain area, is available from the published plans of local health authorities.

Education

Mr. Morgan: To ask the Secretary of State for Wales what arrangements he has made in relation to the transfer of work from the Welsh Joint Education Committee and the Welsh Language Education Development Committee to the Curriculum and Assessment Committee for Wales; and if he will make a statement.

Mr. Redwood: The work associated with securing an adequate supply of Welsh language classroom materials, previously done by the Welsh language education development committee—WLEDC—and the Welsh Office is being done by the Curriculum and Assessment Authority for Wales. ACAC appointments include former WJEC staff previously working for the WLEDC. These appointments, and other arrangements that have been made, should ensure that ACAC is able to benefit from the experience and understanding gained by the WLEDC.

Environment

Mr. Morgan: To ask the Secretary of State for Wales what proposals he has to issue guidelines akin to planning policy guidance note 15 regarding development and the environment in Wales.

Mr. Redwood: I consulted on draft planning policy guidance on historic buildings and conservation areas—PPG 15-Wales—on 4 November 1993. We are considering the responses to that consultation exercise.

Wetland Birds

Mr. Morgan: To ask the Secretary of State for Wales what proposals he has for providing an alternative habitat for redshank and dunlin and other wetland bird species covered by the 1979 European wild birds directive that are expected to be displaced by the proposed Cardiff Bay barrage.

Mr. Redwood: The proposals for compensation measures for dunlin, redshank and other wetland bird species are those outlined in the feasibility study by Mason Pittendrigh and David Bellamy Associates published in February 1993.

TRANSPORT

School Minibuses

Mr. Milburn: To ask the Secretary of State for Transport, pursuant to his answer of 19 April, *Official Report*, column *438*, if he will give a breakdown of the regional casualty figures for school minibuses by the number of *(a)* deaths and *(b)* injuries.

Mr. Key: Estimates of the information requested are shown in the table. It is not possible to identify school minibuses in the road injury accident data collection system. However, it is possible to identify school pupil casualties in minibuses, during journeys to and from school, and also in other types of journey. Both these categories are included in the table along with children of school age, classified as school pupils, but not necessarily travelling in a school minibus on a school activity.

Minibus[1] casualties: number of school pupils[2] killed or injured: GB 1988-92

1988

DTp Regions	Fatal	Serious	Slight
Northern	0	1	9
Yorkshire/Humberside	1	1	16
East Midlands	0	0	9
Eastern	2	10	37
South East	3	3	28
Greater London	0	1	9
South West	0	1	23
West Midlands	0	2	22
North West	0	3	53
England	6	22	206
Wales	1	3	20
Scotland	0	13	38
Total	7	38	264

1989

DTp Regions	Fatal	Serious	Slight
Northern	0	0	9
Yorkshire/Humberside	0	4	6
East Midlands	0	6	10
Eastern	3	2	33
South East	0	1	34
Greater London	0	0	9
South West	0	6	25
West Midlands	0	2	24
North West	0	1	27
England	3	22	177
Wales	0	6	27
Scotland	0	4	32
Total	3	32	236

1990

DTp Regions	Fatal	Serious	Slight
Northern	0	2	8
Yorkshire/Humberside	1	6	18
East Midlands	1	6	30
Eastern	0	4	37
South-East	1	6	43
Greater London	0	12	6
South West	0	0	28
West Midlands	0	2	10
North West	0	0	54
England	3	38	234
Wales	0	4	10
Scotland	0	5	43
Total	3	47	287

1991

DTp Regions	Fatal	Serious	Slight
Northern	0	0	9
Yorkshire/Humberside	0	8	14
East Midlands	0	1	35
Eastern	1	13	33
South-East	0	0	26
Greater London	0	0	0
South West	0	1	6
West Midlands	0	1	20
North West	0	2	19
England	1	26	162
Wales	0	2	38
Scotland	0	2	21
Total	1	30	221

1992

DTp Regions	Fatal	Serious	Slight
Northern	0	1	15
Yorkshire/Humberside	0	4	16
East Midlands	0	0	34
Eastern	0	4	37
South-East	0	2	36
Greater London	0	0	32
South West	0	0	29
West Midlands	0	1	9
North West	0	0	13
England	0	12	221
Wales	0	2	43
Scotland	0	8	34
Total	0	22	298

Domestic Properties

Mr. Lewis: To ask the Secretary of State for Transport what is the total number of domestic properties currently in the ownership of his Department in each region of England; how many in each region are currently *(a)* occupied and *(b)* unoccupied; and how many of the occupied properties are held on each kind of tenure.

Mr. Key: As this question relates to operational matters of the Highways Agency, I have asked the chief executive, Mr. Lawrie Haynes to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Terry Lewis, dated 21 April 1994:

As you probably know, since the creation of the Highways Agency earlier this month, it falls to me as Chief Executive to write to MPs who have tabled questions on matters which relate to operational matters of the Highways Agency, and to give the information requested.

The attached table sets out the position on domestic properties held in management by the Highways Agency as at 31 March 1994 (the latest figures available for our South East Region is 31 December 1993), in the form you asked.

As at the 31 March 1994 the number of domestic properties in management is 3,816, these are broken down as follows:

Region	Total	Occupied	Vacant	Fixed tenure	Periodic tenure	Other types of tenure
EMRO	92	62	30	61	1	—
ERO	827	542	285	453	89	—
LRO	878	716	162	126	590	—
NRO	31	15	16	13	2	—
NWRO	476	255	221	193	62	—
SERO[1]	947	900	47	889	7	Caretaker Tenure 2 Site Offices 2
SW(B)	113	94	19	83	11	—
SW(E)	43	34	9	29	5	—
WMRO	334	254	80	252	2	—
YHRO	75	49	26	47	2	—
Total	3,816	2,921	[2]895	2,146	771	4

[1] The figures for SERO are at the 31 December 1993.
[2] This includes a large number that are unlettable for various reasons.

Birmingham Northern Relief Road

Dr. Wright: To ask the Secretary of State for Transport if he will now publish the report of the 1987 public inquiry into the proposed Birmingham northern relief road under the terms of the Government's new code on open Government.

Mr. Key: No. As my predecessor explained in his written reply to the hon. Member on 2 June 1992, at columns *505-6* the draft orders which were the subject of the inquiry held in 1988 have been withdrawn and the report would not be relevant to the scheme now proposed.

Road Building and Maintenance

Mr. Bayley: To ask the Secretary of State for Transport how much has been spent by his Department since 1 April 1979 in *(a)* each standard region and *(b)* in each county or former metropolitan county on building, improving and maintaining roads.

Mr. Key: The following tables give *(a)* the total expenditure on motorways and trunk roads, broken down by standard region, from 1982-83 to 1992-93; *(b)* the amount of transport supplementary grant paid to each local authority from 1986-87 to 1994-95; *(c)* the total Department of Transport expenditure by standard region on building, improving and maintaining roads from 1986-87 to 1992-93. Figures are not available for earlier years or for motorway and trunk road expenditure broken down by county.

(a) Motorways and trunk roads: total expenditure[1] to nearest £1 million by standard region

Standard region	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89	1989-90	1990-91	1991-92	1992-93[2]	Total
East Anglia	61	47	52	53	27	32	46	81	178	121	139	837
East Midlands	51	54	81	84	83	85	89	118	191	135	132	1,103
North	44	28	35	37	39	69	47	74	78	73	85	609
North West	87	77	58	66	95	77	111	125	171	170	170	1,207
South East	296	286	331	334	326	340	290	448	637	783	837	4,908
South West	56	67	59	54	75	108	148	141	188	176	170	1,242
West Midlands	77	87	126	127	139	134	190	263	233	265	272	1,913
Yorkshire and Humberside	60	59	54	56	75	106	69	93	114	125	154	965
England	732	705	796	811	859	951	990	1,343	1,790	1,848	1,959	12,784

[1] Expenditure figures cover new construction, improvement and maintenance. The regional figures are estimates.
[2] Figures not yet available for later years.

(b) Transport Supplementary Grant by local authority 1986-87—1994-95

(£ million)

Authority	1986-87	1987-88	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	Total
City of London	0·425	0·479	0·183	0·194	0·101	0·309	1·621	1·022	0·305	4·639
Barking	0·099	0·800	2·836	1·895	1·748	1·835	0·592	1·277	0·269	11·351
Barnet	0·164	0·475	0·400	0·291	0·161	0·515	0·487	0·625	0·330	3·448
Bexley	1·711	0·451	0·649	1·118	2·134	1·250	1·694	3·299	3·342	15·648
Brent	0·506	0·311	0·436	0·450	0·007	0·693	0·758	1·013	0·829	5·003
Bromley	0·256	0·429	3·883	3·833	3·834	3·055	2·794	2·770	0·556	21·410
Camden	0·053	0·107	0·131	0·086	0·189	0·644	2·301	1·986	1·542	7·039
Croydon	0·095	0·202	0·234	0·294	0·888	0·769	0·535	3·162	1·859	8·038
Ealing	1·615	1·911	1·938	2·820	2·429	1·586	1·027	0·983	0·000	14·309
Enfield	3·638	7·413	11·255	11·958	4·881	4·500	5·851	3·053	1·909	54·458
Greenwich	0·782	1·980	0·816	0·023	0·019	0·000	0·000	0·274	0·948	4·842
Hackney	0·230	0·200	0·427	0·410	0·186	0·524	1·406	1·203	0·648	5·234
Hammersmith	0·160	0·118	0·065	0·142	0·148	0·429	1·005	1·330	1·457	4·854
Haringey	1·059	1·478	3·662	5·812	2·721	1·066	1·813	1·562	0·718	19·891

Authority	1986-87	1987-88	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	Total
Harrow	1·242	1·609	3·578	3·050	3·214	3·283	2·513	5·352	1·760	25·601
Havering	1·833	1·284	0·320	0·207	0·215	0·639	0·388	0·629	0·154	5·669
Hillingdon	5·098	2·421	1·957	4·530	2·742	6·352	8·636	2·103	0·000	33·839
Hounslow	0·528	0·623	0·758	0·714	0·279	0·472	0·401	2·589	2·103	8·467
Islington	0·049	0·103	0·072	0·148	0·168	0·362	0·984	0·969	0·703	3·558
Kensington	0·391	0·261	0·069	0·633	0·285	0·230	0·317	0·614	0·061	2·861
Kingston	3·572	4·737	0·331	1·661	0·566	0·613	0·965	1·150	1·251	14·846
Lambeth	0·130	0·288	0·247	0·182	0·154	0·298	0·374	0·515	0·501	2·689
Lewisham	0·069	0·299	0·970	5·314	1·987	4·270	3·352	2·627	1·675	20·563
Merton	1·171	2·719	2·529	4·280	7·100	0·009	0·000	0·000	0·000	17·808
Newham	1·262	1·164	0·343	0·497	1·791	0·815	1·563	4·275	4·033	15·743
Redbridge	0·267	1·048	0·403	0·339	0·134	0·416	0·485	0·913	0·546	4·551
Richmond	0·224	0·205	0·186	0·163	0·172	0·408	0·441	0·599	0·331	2·729
Southwark	1·414	0·734	0·997	1·952	0·249	0·449	1·416	1·746	1·282	10·239
Sutton	0·500	0·843	0·778	0·682	0·590	0·991	0·288	1·028	0·373	6·073
Tower Hamlets	0·043	0·169	0·068	0·070	0·091	0·495	1·252	4·079	1·927	8·194
Waltham Forest	0·864	1·091	0·494	0·476	0·056	0·389	0·865	1·369	0·455	6·059
Wandsworth	2·309	2·442	0·554	0·433	1·011	2·174	2·283	2·054	2·132	15·392
Westminster	0·508	0·383	0·210	0·750	0·367	0·846	2·526	2·140	1·166	8·896
Bolton	0·090	2·050	1·343	0·043	1·342	1·264	1·711	1·768	1·424	11·035
Bury	0·760	0·332	1·010	1·698	0·849	0·433	0·565	0·880	0·860	7·387
Manchester	2·996	2·275	3·145	1·328	4·816	9·395	8·672	11·447	9·654	53·728
Oldham	0·090	0·270	1·120	1·097	0·614	1·948	5·544	3·944	1·360	15·987
Rochdale	0·275	0·250	0·285	0·263	0·189	0·464	0·760	0·964	0·874	4·324
Salford	1·518	3·301	3·846	2·791	2·548	1·569	1·686	1·324	1·032	19·615
Stockport	1·865	0·284	0·180	0·018	0·458	1·740	1·792	2·223	2·141	10·701
Tameside	0·450	0·247	0·310	0·566	0·403	0·690	1·232	1·458	0·712	6·068
Trafford	1·616	1·446	0·642	1·765	0·389	0·138	2·196	2·200	3·827	14·219
Wigan	2·271	1·650	2·315	0·998	0·872	1·846	0·835	0·210	0·336	11·333
Knowsley	0·197	0·143	0·242	0·273	0·896	1·670	6·496	7·405	3·764	21·086
Liverpool	2·702	2·267	1·235	1·762	0·750	0·000	0·000	2·060	2·572	13·348
St. Helens	0·080	0·150	0·635	2·304	2·941	7·781	6·973	2·411	0·209	23·484
Sefton	0·120	0·207	0·171	0·327	0·369	0·619	0·620	0·869	0·274	3·576
Wirral	0·316	0·377	1·230	0·709	0·450	0·000	1·677	2·353	0·963	8·075
Barnsley	0·711	0·473	0·400	0·545	1·574	2·671	4·024	1·676	2·674	14·748
Doncaster	0·409	0·226	0·471	0·661	0·707	2·292	3·533	3·098	2·437	13·834
Rotherham	0·231	0·167	0·223	0·688	1·243	0·662	1·942	1·000	1·613	7·769
Sheffield	2·419	2·105	0·380	0·585	5·546	5·012	7·475	11·318	5·286	40·126
Gateshead	0·070	0·800	1·995	2·050	0·972	0·756	2·888	0·402	0·000	9·933
Newcastle	1·060	1·715	2·285	2·763	0·062	0·989	1·078	2·836	3·442	16·230
North Tyneside	0·065	0·421	0·380	0·310	0·153	0·315	0·425	0·707	0·529	3·305
South Tyneside	1·375	0·970	0·360	0·215	0·700	0·961	0·176	0·454	0·350	5·561
Sunderland	1·466	1·100	1·577	0·965	0·847	1·913	1·956	1·746	0·569	12·139
Birmingham	3·923	3·913	3·903	3·954	7·895	10·256	12·263	17·458	15·749	79·314
Coventry	0·897	1·626	1·942	3·053	1·474	2·793	4·641	5·337	3·835	25·598
Dudley	0·122	0·644	0·692	0·368	0·575	1·444	3·564	4·678	4·408	16·495
Sandwell	0·492	0·595	0·917	0·943	0·752	1·180	2·398	2·495	2·288	12·060
Solihull	0·069	0·275	0·510	0·526	0·428	0·442	0·982	1·742	1·428	6·042
Walsall	1·456	1·370	1·578	1·072	2·751	0·440	8·635	10·094	7·854	35·250
Wolverhampton	2·363	2·844	3·461	1·548	2·842	6·160	3·033	7·593	7·483	37·327
Bradford	3·307	4·579	1·686	2·928	2·467	2·280	2·159	2·869	2·817	25·092
Calderdale	0·064	0·120	0·210	0·084	0·096	0·367	0·458	1·245	1·442	4·086
Kirklees	1·346	0·773	1·319	0·500	0·060	0·949	2·295	3·524	1·857	12·623
Leeds	0·204	0·553	1·523	1·541	2·632	1·987	4·083	10·070	6·981	29·574
Wakefield	0·141	0·180	0·263	0·308	0·157	1·213	1·414	1·897	1·344	6·917
Avon	1·700	1·973	4·306	4·196	6·714	8·855	6·295	7·546	7·320	48·905
Bedfordshire	1·945	2·616	3·249	4·103	2·591	3·228	2·233	3·276	1·910	25·151
Berkshire	3·304	3·102	2·688	1·195	1·882	2·707	4·617	4·990	2·426	26·911
Buckinghamshire	0·763	2·035	0·707	1·229	1·153	1·849	1·886	2·461	0·945	13·028
Cambridgeshire	1·665	4·474	2·255	2·298	1·932	1·870	2·792	4·577	2·244	24·107
Cheshire	2·920	1·905	1·364	2·776	4·154	5·501	11·099	11·601	8·794	50·114
Cleveland	3,036	2·211	3·162	4·492	5·442	3·689	3·623	6·955	4·216	36·826
Cornwall	1·220	1·488	2·270	1·743	2·797	3·958	4·848	5·293	5·036	28·653
Cumbria	0·280	0·775	1·400	0·640	2·326	3·312	2·283	3·884	1·803	16·703
Derbyshire	1·461	0·748	0·683	1·515	0·582	1·158	1·908	3·835	1·811	13·701
Devon	2·694	3·185	3·501	1·743	3·394	5·062	4·412	5·834	4·066	33·891
Dorset	5·057	5·377	4·320	3·102	2·866	2·770	3·466	3·297	2·258	32·513
Durham	1·559	2·409	1·938	1·915	2·410	3·659	4·307	6·113	4·607	28·917
East Sussex	1·166	0·964	2·121	2·482	3·071	5·231	3·151	4·155	3·154	25·495
Essex	5·332	8·050	8·730	5·074	6·686	6·448	6·275	7·628	7·757	61·980
Gloucestershire	0·861	0·942	1·077	1·563	1·933	2·091	4·377	3·469	2·595	18·908

Authority	1986-87	1987-88	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	Total
Hampshire	5·529	4·248	4·115	4·832	7·639	12·179	10·512	15·031	10·192	74·277
Hereford/Worcester	1·928	1·690	1·976	0·346	1·338	3·227	2·494	1·507	1·179	15·685
Hertfordshire	4·398	1·800	3·095	3·050	3·025	3·253	5·823	8·731	5·019	38·194
Humberside	2·072	1·967	4·518	5·221	5·312	5·589	8·225	8·242	5·822	46·968
Isle of Wight	0·967	0·883	0·727	0·525	0·414	0·971	0·902	1·544	0·363	7·296
Kent	4·437	5·813	9·255	11·256	12·550	37·229	33·149	25·008	43·616	182·313
Lancashire	4·766	6·375	4·683	6·035	12·873	11·232	11·630	7·955	9·550	75·099
Leicestershire	3·733	4·425	4·945	3·971	3·047	5·643	5·728	3·903	1·257	36·652
Lincolnshire	0·938	1·750	1·139	1·189	1·574	1·840	3·402	4·788	2·611	19·231
Norfolk	1·059	2·155	2·150	1·416	5·673	4·732	6·541	6·906	4·902	35·534
Northamptonshire	5·085	4·357	3·235	4·125	2·849	3·864	4·464	4·762	2·457	35·198
Northumberland	1·123	1·075	0·544	0·363	1·481	3·143	2·757	5·134	3·569	19·189
North Yorkshire	3·562	3·552	1·925	2·653	3·444	6·157	6·452	9·645	4·298	41·688
Nottinghamshire	1·718	1·850	2·037	2·054	1,914	5·555	4·277	4·221	4·326	27·952
Oxfordshire	0·511	0·801	0·713	0·023	2·462	2·984	5·087	5·148	0·000	17·729
Shropshire	1·456	1·294	1·750	1·679	1·566	4·355	2·481	1·514	1·262	17·357
Somerset	1·326	1·287	3·211	3·785	3·156	3·013	2·975	6·336	3·271	28·360
Staffordshire	3·257	3·015	2·822	2·992	2·913	3·927	3·820	6·922	5·861	35·529
Suffolk	2·547	0·899	1·753	1·935	3·187	9·298	5·688	4·165	3·579	33·051
Surrey	2·513	3·058	2·236	4·684	6·330	5·121	8·139	15·687	10·863	58·631
Warwickshire	1·239	1·459	1·746	3·209	0·492	0·951	1·797	2·516	1·611	15·020
West Sussex	3·622	3·089	2·730	1·526	4·532	4·126	3·478	3·694	2·625	29·422
Wiltshire	1·448	1·429	0·361	0·109	2·985	2·688	1·493	0·503	0·705	11·721

(c) Estimated total Department of Transport expenditure[1] on roads by standard regions to nearest £1 million for 1986-87 to 1992-93

Region	1986-87	1987-88	1988-89	1989-90	1990-91	1991-92	1992-93	Total
East Anglia	32	40	52	87	189	137	154	690
East Midlands	96	98	101	131	201	153	132	912
North	49	81	62	88	95	92	104	572
North West	118	100	133	149	204	216	233	1,153
South East	393	415	372	543	730	909	973	4,336
South West	89	124	187	157	212	204	198	1,151
West Midlands	156	153	211	283	256	300	318	1,677
Yorkshire and Humberside	89	121	82	109	137	154	196	888

[1] Expenditure figures cover motorway and trunk road expenditure as defined in footnote (1) to table *(a)*, and Transport Supplementary Grant.

Jubilee Line

Mr. Spellar: To ask the Secretary of State for Transport what is the current timetable for progress and completion of the Jubilee line.

Mr. Norris: The planned construction period is 53 months, with completion in early 1998.

Mr. Spellar: To ask the Secretary of State for Transport what arrangements have been made for security at the site of the initial workings of the Jubilee line in consideration of its proximity to the Palace of Westminster.

Mr. Norris: London Underground Ltd. has a legally binding agreement with the Corporate Officer of the House and it is fulfilling all the requirements of that agreement.

Heavy Goods Vehicles

Mr. Speller: To ask the Secretary of State for Transport what proposals he has to restrict heavy goods vehicles to the inside two lanes on four-lane motorways.

Mr. Key: None. To do so would deny the road haulage industry the benefits of motorway widening and could have an adverse effect on road safety.

Departmental Publications

Mr. Rowe: To ask the Secretary of State for Transport for how many regular publications he was responsible in 1993-94; what was their circulation; and how many were obtainable by subscription.

Mr. Norris: In the financial year 1993-94 the Secretary of State was responsible for 64 regular publications. Circulation was within the Department of Transport and to public bodies such as local authorities. None of them was on subscription.

Coastguard Agency

Ms Walley: To ask the Secretary of State for Transport what arrangements he has made to launch the Coastguard Agency on 30 March; and if he will give full details of all costs associated with the promotion of this event.

Mr. Norris *[holding answer 29 March 1994]:* My noble Friend the Minister for Aviation and Shipping formally launched the Coastguard Agency at a press briefing held on 30 March in the agency's headquarters in Southampton. At about the same time press briefings were also held at a number of HM Coastguard's 21 rescue centres around the coast. The final costs associated with the launch on 30 March are expected to be in the region of £4,000, which includes £5 per head for the buffet lunch for staff of the agency, used to mark the occasion in various ways.

TREASURY

Parliamentary Questions

Mr. McMaster: To ask the Chancellor of the Exchequer how many parliamentary questions to his Department have not been answered over the past five years; because of disproportionate costs or because the

information requested was not held centrally how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Sir John Cope: Around 160 parliamentary questions were not answered fully and substantively in the five calendar years 1989-93 either because the information requested was not available or because it could be obtained only at disproportionate cost. This represents less than 1½ per cent. of the questions answered by Treasury Ministers.

Determining precisely how many of these questions could now be answered would be a major exercise which would itself be disproportionately costly to undertake. However, I would expect there to be very few instances where information could now be provided which was not available previously.

VAT (Fuel)

Dr. Wright: To ask the Chancellor of the Exchequer what estimate he has made of the loss of revenue from the imposition of value added tax on fuel in *(a)* 1994-95 and *(b)* 1995-96 as a consequence of (i) the compensation provisions and (ii) pre-payment by consumers.

Sir John Cope: The Government have made available a generous package of help for pensioners, and those on low incomes, worth £2,500 million over three years. I do not expect that there will be any loss of tax revenue from the compensation package. The revenue loss from pre-payment of fuel bills by consumers will be very small in relation to the total revenue from VAT on fuel and power.

Shipping Industry

Sir Giles Shaw: To ask the Chancellor of the Exchequer what proposals he has for assisting the British shipping industry.

Mr. Kenneth Clarke: The health of the merchant fleet is clearly a matter of great concern both inside and outside the House. The Government have made it clear that we recognise the very important contribution which shipping makes to the economy, and the essential role which the industry can be called on to play in a national emergency. And we have shown in the past our willingness to help with the problems which it faces.

We recognise that it is common for shipping companies overseas to benefit from special tax provisions. We believe that such special provisions introduce distortions which can inhibit competition and lead to the inefficient allocation of resources. We will be raising these points forcefully with the European Commission.

However, we also recognise that, competitively, tax measures available overseas put our shippers at a particular disadvantage. We have therefore decided to introduce a provision which will allow capital allowance balancing charges for ships to be rolled over for a period of up to three years from the date on which the ship is disposed of, to be set off against subsequent expenditure on ships within that period. The amount of any balancing charge which can be rolled over will be limited to the amount needed to ensure that no tax liability arises as a result of a ship's disposal. We estimate that this measure will benefit the shipping industry by up to £20 million per annum in a full year. In drawing up this provision we will be considering whether it should be restricted to ships on the United Kingdom register; and in doing so will take account of what our European Union partners do.

As with any measures of this sort we have an obligation to notify the Commission of the proposal. Subject to the outcome of discussions with the Commission, we will be bringing forward the necessary legislation in next year's Finance Bill, with retrospective effect from 21 April 1994. The draft legislation will be made available by the Inland Revenue as soon as possible.

Mr. Trotter: To ask the Chancellor of the Exchequer what steps he proposes to take to assist the Merchant Navy.

Mr. Kenneth Clarke: I refer the hon. Member to the reply I gave to the hon. Members for Dover (Mr. Shaw) and for Stoke-on-Trent, North (Ms Walley) on 21 April at columns 597-98 and to the hon. Member for Pudsey (Sir G. Shaw) today.

Valuation Office Executive Agency

Mr. Burns: To ask the Chancellor of the Exchequer, what targets will be set for the Valuation Office executive agency for the year 1994-95.

Sir John Cope: I have set the following key targets for the agency in 1994-95:

OPERATIONAL TARGETS

Council tax

To clear in aggregate some 730,000 appeals against the council tax valuation lists by 31 December 1994.

Non-domestic rating

To clear 260,000 appeals against the 1990 non-domestic rating lists.

To complete the revaluation of some 1·7 million non-domestic properties for new rating lists coming into effect on 1 April 1995.

Direct taxes

To undertake 75,000 valuation cases for the Inland Revenue for capital gains and inheritance tax purposes.

Other

To undertake 66,000 cases (and achieve receipts of some £25 million) in respect of chargeable work for other Government Departments, public bodies and local authorities.

FINANCIAL PERFORMANCE AND COST EFFICIENCY

To ensure the agency's net operating costs are at least fully covered by receipts.

To achieve efficiency savings of at least 4 per cent. on the agency's gross expenditure.

To break even, year on year, within each business segment after charging for the full cost of services including notional interest of 6 per cent. on the average working capital.

QUALITY OF SERVICE

To reply to 90 per cent. of all correspondence within 28 days of receipt and the remaining 10 per cent. within a further seven days.

To achieve agreed or specified time limits in 95 per cent. of cases undertaken.

To achieve a specified valuation quality standard in 83 per cent. of cases carried out.

Further details are set out in the agency's business plan for 1994-95, copies of which will be placed in the Library of the House on publication.

Taxation and Benefit Expenditure

Mr. Hutton: To ask the Chancellor of the Exchequer if he will publish a table showing *(a)* the percentage of gross national product accounted for by taxation and social security spending and *(b)* unemployment rates in each year since 1979.

Mr. Portillo *[holding answer 20 April 1994]:* The information requested is shown in the table. The figures given are presented in financial year terms and as a percentage of gross domestic product, following conventions used in the "Financial Statement and Budget Report".

Per cent./year

	(a) Non-North Sea tax burden[2,3,4]	*Social security expenditure*[3,5]	*(b) Unemployment*[6]
1979-80	35½	9·0	4·0
1980-81	36½	9·5	5·1
1981-82	39¼	10·6	8·1
1982-83	38½	11·1	9·5
1983-84	38¼	11·4	10·5
1984-85	38¼	11·5	10·7
1985-86	37¼	11·5	10·9
1986-87	37¾	11·4	11·1
1987-88	38	10·7	10·0
1988-89	37¼	9·8	8·0
1989-90	37	9·5	6·3
1990-91	37	10·1	5·8
1991-92	36¾	11·2	8·1
1992-93	35	12·3	9·8
1993-94[1]	34¼	12·9	10·3

[1] For (a) these are forecasts.
[2] Non-North Sea taxes, social security contributions and the community charge as a percentage of non-North Sea GDP. Figures are on an accruals basis.
[3] Based on money GDP figures adjusted for the years before 1990-91 to remove the distortion caused by the abolition of domestic rates.
[4] Including the council tax from 1993-94, when it replaced the community charge.
[5] Grand total benefit expenditure as a percentage of nominal GDP. Underlying expenditure figures are in cash terms. The figure for 1993-94 includes an amount for the spring supplementary estimate.
[6] United Kingdom seasonally adjusted unemployment. Rates are annual averages of the total unemployed workforce, of the first year quoted.

HEALTH

NHS Trusts

Mr. Clifton-Brown: To ask the Secretary of State for Health what percentage of NHS trust hospitals have now been awarded trust status; what percentage of the NHS budget is allocated to NHS trust hospitals; and what percentage of NHS patients are treated by NHS trust hospitals.

Dr. Mawhinney: There are 419 operational national health service trusts which represent 95 per cent. of all acute hospitals, community hospitals and units and ambulance services. We estimate that in 1994-95 around 96 per cent. of the revenue available for purchasing hospital and community health services will be spent in NHS trusts. Figures are not available for the percentage of NHS patients treated in NHS trusts for 1993-94.

Ms Primarolo: To ask the Secretary of State for Health what was the total expenditure by national health service trusts, regional and district health authorities and family health services authorities on purchase of health care from non-national health service providers in 1990-91 and 1991-92.

Mr. Sackville: Expenditure on purchase of health care from non-national health service providers in 1991-92 is shown in the table. The figure for family health services authorities is that for purchases by general practitioner fundholders of hospital services from private providers. In 1990-91 this category of expenditure was not separately analysed and was not available centrally.

	£000s
NHS trusts	12,204
Regional health authorities	32,746
District health authorities	159,818
Family health services authorities	3,698

Source: Annual accounts of regional and district health authorities and FHSAs; financial returns of NHS trusts.

Mr. Cousins: To ask the Secretary of State for Health what was her policy in respect of the requests for repayment of public dividend capital by NHS trusts in each financial year since 1991-92; and how many NHS trusts will be requested to make such payments in respect of each year.

Mr. Sackville: Legislation provides that my right hon. Friend the Secretary of State may, with the consent of Treasury, but need not, accept payments from the national health service trust in discharge of part, but not all, of the public dividend capital. It is not currently policy to require such payments and accordingly no trust has been asked to make one.

Mr. Cousins: To ask the Secretary of State for Health what is her policy on the return-on-assets targets and returns for NHS trusts; and if these targets include the effect of interest charges.

Mr. Sackville: National health service trusts are required to make a 6 per cent. return on the value of their average net relevant assets. It is calculated as the percentage that a trust's operating surplus, before charging interest, bears to the average relevant net assets for the year.

Radioactive Material

Mr. Cousins: To ask the Secretary of State for Health what storage or disposal sites are operated by the national disposal services for radioactive materials and sources used by the NHS; which NHS agency operates this service; and if she will list the contractors approved by the service for replacing, recovering and transporting such sources.

Mr. Sackville: AEA Technology and British Nuclear Fuels plc—BNFL—accept wastes whose disposal via their services is permitted under an authorisation, or which is subject to the Radioactive Substances (Waste Closed Sources) Exemption Order 1962.

There is no national health service agency operating this service and information about contractors used is not available centrally.

Each hospital is responsible for the safe storage and disposal of any radioactive materials and sources that may

be used as set out in authorisations issued to each hospital by Her Majesty's inspectorate of pollution under the Radioactive Substances Act 1993.

Primary Care Deprivation Allowances

Mr. Cousins: To ask the Secretary of State for Health what are the costs of general practitioners' primary care deprivation allowances in each family health services authority area.

Dr. Mawhinney: The amounts paid in deprivation payments by family health services authorities in 1992-93, the last year for which figures are available, will be placed in the Library. The deprivation payments scheme was introduced with the 1990 general practitioner contract to recompense GPs for the higher potential work load generated by patients living in deprived areas. Payments are targeted on those practices that serve the areas of highest deprivation.

General Practitioners

Mr. Cousins: To ask the Secretary of State for Health what was the expenditure on health provision within general practitioners' budgets in each year since 1990-91 in cash and standard price terms.

Dr. Mawhinney: Gross current expenditure on the provision of general medical services, in both cash and constant prices, is included in table 20 of the 1994 Departmental Report (Cm 2512), copies of which are available in the Library.

Mrs. Bridget Prentice: To ask the Secretary of State for Health how many budget-holding practices there are in each of the London regional health authorities; and what percentage of the total number of general practitioner practices in London are budget-holding practices.

Dr. Mawhinney: There are 213 fundholding practices in the North Thames regional health authority and 339 in South Thames. 18 per cent. of the general practitioner practices within these two regions are fundholders.

Redundancies

Mr. Spellar: To ask the Secretary of State for Health what is her policy on redundancy packages in the health service which include a prohibition on the individual from commenting on his case.

Dr. Mawhinney: All settlements on termination should be open to public scrutiny irrespective of any confidentiality clause.

Nurses and Midwives

Mr. Kirkwood: To ask the Secretary of State for Health what is the number of *(a)* part-time nurses employed in NHS hospitals by region for each of the last five years and the corresponding figures for part-time nurses employed in the community and by family doctors and *(b)* full-time nurses employed in NHS hospitals by region for each of the last five years and the corresponding figures for full-time nurses employed in the community and by family doctors.

Mr. Sackville: The information available will be placed in the Library.

This information excludes Project 2000 students where numbers were approximately 3,000, 10,500, 18,300 in 1990, 1991 and 1992 respectively.

Non-executive Members (Health Authorities)

Mr. Redmond: To ask the Secretary of State for Health if she will make it her policy to replace standardised rewards for non-executive members of health authorities with a payment by hour of attendance at national average earnings.

Dr. Mawhinney: No. Non-executive members receive a modest sum to help compensate for the time they contribute to the health authority. They are not salaried employees of the national health service and it would be inappropriate to treat them as such.

Cornwall Health

Mr. Redmond: To ask the Secretary of State for Health if she will now make a statement on legal costs and the current libel case involving the non-executive directors of Cornwall health.

Dr. Mawhinney: No decision has yet been made.

Secure Places

Mr. Anthony Coombs: To ask the Secretary of State for Health if she will list the names of the local authorities in each region of England and Wales whose proposals to contribute towards the provision of the 170 additional secure places required for criminal justice proposals have been accepted.

Mr. Bowis: The information requested is shown in the table. A number of further proposed projects are being held in reserve should any of the selected projects be withdrawn on planning or other grounds. It is currently anticipated that, subject to planning procedures, construction of 110 of the additional places could be completed by the end of 1995 and the balance by mid-1996.

Proposals brought forward by local authorities in England and Wales and included, in principle, in capital programme

Region and authority	*Places*
North East	
Northumberland	[1]5
Tyne and Wear	12
North West	
Lancashire	[1]8
St. Helens	[1]3
Yorkshire and Humberside	
Leeds	[1]9
South Yorkshire	8
West Midlands	
Coventry	[1]8
Staffordshire	12
East Midlands	
Derbyshire	[1]3
Lincolnshire	[1]8
Nottinghamshire	[1]10
Thames/Anglia	
Cambridgeshire	10
Essex	8
Northamptonshire	[1]16
London	
Southwark	[1]16
Southern	
Hampshire	[1]8
West Sussex	10

Region and authority	Places
South West	
Avon	[1]6
Devon	[1]4
Wales	
West Glamorgan	[1]6
Total	170

[1] Indicates completion of construction anticipated by end 1995.

Medicines Control Agency

Mr. Ian Taylor: To ask the Secretary of State for Health if she will list the key business targets for the Medicines Control Agency for 1994-95.

Mr. Sackville: I have today placed copies of the 1994-95 key business targets for the Medicines Control Agency in the Library.

Patient Complaints

Mr. Alfred Morris: To ask the Secretary of State for Health when she intends to publish the report of Professor Wilson on patient complaints; and if she will make a statement.

Dr. Mawhinney: The independent committee set up under Professor Wilson to review national health service complaints procedures has submitted its report. We will be announcing the results of the review and publishing the report for consultation shortly.

SOCIAL SECURITY

Claimants, London

Mrs. Bridget Prentice: To ask the Secretary of State for Social Security how many *(a)* couples and *(b)* lone parents in each London borough claimed family credit in *(a)* 1992-93 and *(b)* 1993-94.

Mr. Burt: The information is not readily available and could be obtained only at disproportionate cost.

VAT (Fuel)

Mr. David Marshall: To ask the Secretary of State for Social Security what plans he has to make compensatory payments to those entitled in respect of value added tax on fuel bills for the period 1 April to 11 April which is not covered by the existing scheme; and if he will make a statement.

Mr. Burt: None. The extra help is included in the 1994-95 benefit rates which become effective from the week commencing with the first Monday in the tax year in compliance with the statutory obligation imposed by section 150 of the Social Security Administration Act. In the case of the vast majority of claims, it will be available to recipients before their fuel bills become payable.

Child Support Agency

Mr. Dewar: To ask the Secretary of State for Social Security how many letters or other representations about the Child Support Agency his Department has received in the agency's first year of operation or at the latest date for which figures are available.

Mr. Burt: Between April 1993 and 15 April 1994 the Department of Social Security headquarters and the Child Support Agency headquarters received 19,620 written representations covering a range of views about child support policy and Child Support Agency operations. The Child Support Agency's telephone line for Members of Parliament has received over 1,000 calls since it was set up in mid-December.

The number of written representations made to Child Support Agency centres and field offices is not readily available and could be obtained only at disproportionate cost.

Mr. McMaster: To ask the Secretary of State for Social Security if he will make it his policy that, where hon. Members request it, replies to specific inquiries relating to child support will be provided by him, rather than by the chief executive of the Child Support Agency; what criteria he uses when deciding which parliamentary inquiries will be provided by Ministers, and which will be referred to officials; and if he will make a statement.

Mr. Burt: I refer the hon. Member to the reply I gave him on 9 February 1994 at column *365*. There are no plans to change the handling of correspondence from hon. Members.

Invalidity Benefit, Brighton

Mrs. Roche: To ask the Secretary of State for Social Security how many individuals were in receipt of invalidity benefit within the Brighton borough council area for each consecutive year from 1986; and how much was paid out in invalidity benefit in each of those years.

Mr. Scott: This is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Michael Bichard to Mrs. Barbara Roche, dated 21 April 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about Invalidity Benefit (IVB) recipients in Brighton.

The information is not available in the format requested. This is because statistics did not identify separately invalidity benefit customers from sickness benefit customers until May 1991.

The Brighton Borough Council area corresponds very closely with the geographical area dealt with by the BA's Brighton District Office (DO). Statistics relating to the numbers of IVB customers appropriate to the Brighton DO area will provide a reasonably accurate figure for IVB recipients within the area in question.

However, from November 1992, IVB claims appropriate to the BA Lewes Branch Office (BO) area have also been dealt with at Brighton DO. Unfortunately statistics of IVB customers appropriate to each office area are not maintained and could only be obtained at a disproportionate cost.

Numbers of IVB recipients dealt with by Brighton DO at a point in time were as follows:

			Area
May	1991	2,137	Brighton DO area only
May	1992	2,556	Brighton DO area only
May	1993	4,243	Brighton DO and Lewes BO areas
March	1994,	4608	Brighton DO and Lewes BO areas

These figures were obtained from a 100 per cent. clerical count of cases in the DO at the last working day of each month.

Districts do not maintain records of the total amount of IVB paid to customers in any period. To establish the amount of benefit in payment at any point in time would involve disproportionate cost.

I hope you find this reply helpful.

Correspondence

Mr. Gareth Wardell: To ask the Secretary of State for Social Security if he will now reply to the letter sent to him by the hon. Member for Gower on 7 March regarding his constituent from Mumbles.

Mr. Hague: A reply was sent to the hon. Member on 18 April.

Epilepsy

Mrs. Jane Kennedy: To ask the Secretary of State for Social Security what new guidelines his Department has issued to adjudication officers for determining eligibility for disability living allowance with specific reference to sufferers from epilepsy.

Mr. Scott: None.

OVERSEAS DEVELOPMENT ADMINISTRATION

Pergau Dam

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what legal advice he took before deciding to issue a directive to his accounting officer on expenditure on the Pergau dam.

Mr. Lennox-Boyd: My right hon. Friend the Foreign Secretary explained the position in his evidence to the Foreign Affairs Committee. The ODA accounting officer sought a direction from him on the grounds of the prudent and economical administration of aid funds, but not because of any issue of propriety.

Sudan

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what indications there have been that the signatories have been more willing to allow unimpeded access for food and medical aid in Sudan following the Intergovernmental Authority on Drought and Development talks in Nairobi; and what access there will be to the Nuba mountains for international relief organisations through Operation Lifeline Sudan.

Mr. Lennox-Boyd: The United Nations has submitted proposals for access to 85 areas by air, 17 by road and four by river to the parties to the IGADD talks. The next scheduled talks are on 3 May.

In the Nuba mountains, Kadugli and Dillinge are now accessible to United Nations agencies. The United Nations has applied to the Government of Sudan for access to further areas.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what has been the level of Operation Lifeline Sudan in each of the years in which it has been operating; what is the level that the United Nations sees as necessary for this year; and what has been pledged by donor nations;

(2) who are the donors to Operation Lifeline Sudan; and how much they each contribute.

Mr. Lennox-Boyd: We are seeking the information requested from the United Nations emergency units in Khartoum and Nairobi. I shall write to the hon. Member as soon as it is available.

AGRICULTURE, FISHERIES AND FOOD

Fisheries Laboratory Experimental Station, Conwy

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food, if she will make a statement on the future of the fisheries laboratory experimental station in Conwy.

Mr. Jack: The fisheries laboratory at Conwy is one of the four laboratories that comprise the directorate of fisheries research—DFR. Like most public sector research establishments, DFR is subject to the efficiency scrutiny announced on 2 February 1994 by my right hon. Friend the Chancellor of the Duchy of Lancaster. Within DFR a study is also taking place of all the directorate's laboratory sites to identify options and potential savings and efficiency gains which may be appropriate for the future.

Glanders and Farcy

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food if she will list the number of cases of glanders and farcy in each year since 1985.

Mr. Soames: The last recorded case of glanders or farcy, which are simply different forms of the same disease, was in 1928.

Racing Pigeons

Mr. Spellar: To ask the Minister of Agriculture, Fisheries and Food when she will make a statement regarding the reasons for insisting on vaccination of racing pigeons.

Mr. Soames: The Racing Pigeons (Vaccination) Order 1994 requires that an organiser of a pigeon show or race which takes part wholly or partly in Great Britain shall ensure that all racing pigeons entered for the show have been vaccinated with a suitable vaccine against paramyxovirus 1—PMV1—in pigeons. This implements a specific requirement in Council directive 92/66/EEC on Community measures for the control of Newcastle disease which in turn, recognises the part that racing pigeons can play in spreading Newcastle disease to commercial poultry, either through direct contact or by passing the PMV virus to feral pigeons.

NATIONAL HERITAGE

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for National Heritage how many parliamentary questions to his Department have not been answered over the past five years because of disproportionate costs or because the information requested was not held centrally; how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Brooke: Since my Department was formed in April 1992 it has declined to answer 14 questions on the ground of disproportionate cost or because the information requested was not held centrally.

As computer and operational systems continue to improve there will doubtless be increased potential for this number to decline.

National Lottery

Ms Mowlam: To ask the Secretary of State for National Heritage what proportion of the moneys allocated to them from the national lottery development fund he envisages should be the maximum spent on administrative costs by the five bodies selected by him to distribute the proceeds of the national lottery.

Mr. Brooke: The proportion of net lottery proceeds spent by distributing bodies on administration costs will depend on the amounts allocated to them from the national lottery distribution fund and the total number of applications they have to process. Directions issued to the bodies under section 26(3) of the National Lottery etc. Act 1993 will require them to secure value for money in the administration of lottery funds.

FOREIGN AND COMMONWEALTH AFFAIRS

EU Citizenship

Mr. Hunter: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy in respect of British citizens who do not wish to have European Union citizenship conferred on them.

Mr. Lennox-Boyd: The treaty on European Union provides that every person holding the nationality of a member state shall be a citizen of the Union and there is no provision for a derogation from this article.

EU Foreign Ministers Meeting

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the meeting of EU Foreign Ministers on 18 and 19 April.

Mr. Hurd *[holding answer 21 April 1994]:* I attended the Foreign Affairs Council on 18-19 April. My hon. Friend the Minister of State, Foreign and Commonwealth Office also attended.

In their statement on former Yugoslavia, Ministers condemned the continuing Bosnian Serb attacks on Gorazde and called for an immediate ceasefire and the release of all detained United Nations personnel. They also called for an intensified diplomatic effort by the international community. This should involved the United Nations, the European Union, the United States and Russia. It would aim to ensure the convergence of their initiatives and to bring about talks between the parties at an early date based on the European Union plan and taking into account the Washington accord and the talks on the Krajinas. An association council with Cyprus was held in the margins.

The Council agreed a common position on the cohesion fund regulation which will govern the operations of the cohesion fund. The text will now be transmitted to the European Parliament for assent.

The President of the European Commission, Mr. Delors, gave a brief presentation to the Council on follow-up activity to the Commission's White Paper on growth, competitiveness and employment. He said that the Commission would focus on improving the functioning of the single market, paying particular attention to the fiscal and regulatory environment for small and medium-sized enterprises.

The Commission presented ideas for enhancing the European Union relationship with Ukraine. Discussion will continue at a future FAC.

The Council adopted a package of interim measures for discussion with the future South African Government, intended to send a strong political signal in support of the transition to democracy. The measures include trade and economic co-operation, a special development co-operation programme and political dialogue. A long-term relationship will be discussed subsequently, should the new Government wish.

The Council agreed a joint action on the middle east to assist the European Union's policy of political and economic support for the middle east peace process. The text of the joint action is being deposited in the House Library.

Ministers agreed that preparations to launch the European Union's initiative for a pact on stability in Europe at a conference in Paris on 26-27 May were proceeding well. Ministers will review progress again at the Foreign Affairs Council on 16 May. The Council agreed provisional guidelines for financing actions under the common foreign and security policy.

The Commission introduced its proposal for a directive establishing the arrangements to allow citizens of the Union residing in a member state of which they are not nationals to vote and stand as a candidate in municipal elections. The proposal was broadly welcomed by the Council. There will be discussions in the Home Affairs Council on 21 April.

The Council welcomed applications for European Union membership from Poland and Hungary and invited the Commission to prepare its opinions on the applications.

The Council was unable to confirm an agreement reached in the Committee of Permanent Representatives on the application by *The Guardian* newspaper for access to a number of Council documents under the code of conduct on the right of access to information.

The Council underlined the importance of rapid completion of negotiations towards a partnership and co-operation agreement with Russia and invited the Commission to explore Russian proposals relating to trade in nuclear material.

The Council reached agreement on allocating the remaining European Union fish quotas gained under the European economic area—EEA—agreement. It agreed the internal allocation of North Norway cod among Spain, Portugal and Ireland; and Icelandic redfish among the United Kingdom, Germany, Belgium and France.

The Council heard a report on the state of the Organisation for Economic Co-operation and Development negotiations on state aids for shipbuilding. The Council hoped that the negotiations, which were approaching a conclusion, could be finalised soon. The Council emphasised the importance of an agreement permitting competition rules to function better.

The Council remitted the Commission request to send its draft decision for concluding the Uruguay round to the European Parliament to COREPER for examination.

Germany made a statement reserving its right to pursue its case against the EC banana regime in the European Court of Justice and to object to the proposed changes agreed with the Latin Americans. Belgium, Denmark, Luxembourg and the Netherlands associated themselves with the statement.

No formal vote was taken.

European Union

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 19 April, *Official Report*, column *445*, concerning the nature of the contacts between his Office and that of Mr. Delors, if he will state the names and offices of the persons giving and receiving the respective assurances; and if he will place a copy of the recipients' notes in the Library.

Mr. Douglas Hogg: As my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs made clear in the House on 30 March, and as my hon. Friend the Minister of State, Foreign and Commonwealth Office made clear on 12 April, the assurances we received from the Commission were given with the full authority of Mr. Delors. The discussions between the Commission and ourselves were conducted on a confidential basis and I do not intend to breach their confidentiality. Nor do I see any need to do so: we have informed the House fully of the outcome of those discussions.

SCOTLAND

Co-operatives

Mr. McMaster: To ask the Secretary of State for Scotland what measures he intends to put in place to encourage the development of co-operatives in the manufacturing, distribution, wholesale, retail, marketing, finance and housing sectors; and if he will make a statement.

Mr. Stewart: I refer the hon. Member to my answer of 10 February 1994 and to that of my hon. Friend the Minister responsible for education and housing in Scotland dated 17 February 1994.

In order to encourage the development of marketing co-operatives the Government will introduce, later this year, the marketing development scheme, which is intended to help producers and processors improve their marketing and commercial expertise. In addition the Scottish Agricultural Society receives Government funding to carry out on behalf of the Scottish Office co-operative development work among farmers.

The Government's Deregulation and Contracting Out Bill provides a general deregulatory power which will enable burden on business to be removed by secondary legislation. The illustrative list of uses for this general power, published alongside the Bill, includes proposals for credit unions and industrial and provident societies. These measures, when implemented, will remove restrictions on co-operatives and enable them to streamline their procedures. That, in turn, should encourage the continued growth of the sector.

Local Enterprise Companies

Mr. Worthington: To ask the Secretary of State for Scotland what proposals he has to require local enterprise companies to publish and make available to the public a corporate plan or any other mechanism to increase the information available to the public about their activities.

Mr. Stewart: The local enterprise companies are required by their operating contracts with Scottish Enterprise and Highlands and Islands Enterprise to publish synopses of their operating and business plans—analogous to a corporate plan—in addition to their annual reports and accounts. They are further required to publicise and hold annually a meeting open to members of the public.

Infertility Treatment

Mrs. Fyfe: To ask the Secretary of State for Scotland (1) if he will list those hospitals which have contracts with purchasers to provide infertility treatments, giving their average and lengthiest waiting times for first appointments and commencement of treatment for *(a)* those on the hospital's own list, *(b)* those who are accepted for treatment under a contractual arrangement with a fundholding GP and *(c)* those who are accepted under a contractual arrangement with a health board outside its own area;

(2) if he will list the average waiting time for infertility treatment to begin at each hospital providing this service, in each year since such services began.

Mr. Stewart: Hospitals which have contracts in 1994-95 to provide infertility services are listed. Information on waiting times for first appointments and commencement of infertility treatment is not held centrally.

Hospitals with contracts in 1994-95 to provide Infertility Treatment

Aberdeen Royal Infirmary
Borders General Hospital
Caithness General Hospital
Crosshouse Hospital, Kilmarnock
Dundee Teaching Hospital
Eastern General Hospital, Edinburgh
Edinburgh Royal Infirmary
Falkirk and District Royal Infirmary
Glasgow Royal Infirmary
Glasgow Western Infirmary
Hairmyres Hospital, East Kilbride
Inverclyde Royal Hospital, Greenock
Law Hospital, Carluke
Monklands District General Hospital, Lanarkshire
Ninewells Hospital, Dundee
Queen Margaret Hospital, Dunfermline
Raigmore Hospital, Inverness
Royal Alexandra Hospital, Paisley
St. John's at Howden, West Lothian
Southern General Hospital, Glasgow
Stirling Royal Infirmary
Stobhill Hospital, Glasgow
Stonehouse Hospital, Lanarkshire
Vale of Leven District General Hospital
Victoria Hospital, Kirkcaldy
Victoria Infirmary, Glasgow

Bus Manufacturing Industry

Mr. David Marshall: To ask the Secretary of State for Scotland how many people were employed in the bus manufacturing industry in Scotland in 1984; and what is the current total.

Mr. Stewart: There is no information available from official sources in the form requested.

Knives

Mr. Robert Hughes: To ask the Secretary of State for Scotland how many *(a)* charges and *(b)* convictions there have been under the Carrying of Knives etc. (Scotland) Act 1993 in each of the police authority areas of Scotland.

Mr. Lang *[holding answer 19 April 1994]:* Information on the number of charges is not collected centrally. Information on the number of persons proceeded against and convicted where the main charge was an offence under the Carrying of Knives etc. (Scotland) Act 1993 will not be available until later this year.

Prison Escort Services

Dr. Godman: To ask the Secretary of State for Scotland how many prisoners have escaped while under escort in each of the past seven years; in how many such cases discipline charges were proceeded against those officers carrying out the escort duties; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 13 April 1994]:* Responsibility for the subject of the question has been delegated to the Scottish Prison Service under its chief executive, Mr. E. W. Frizzell. I have asked him to arrange for a reply to be given.

Letter from E. W. Frizzell to Dr. Norman Godman, dated 22 April 1994:

Lord James Douglas-Hamilton has asked me to reply to your question about the number of escapes of prisoners from escorts in the last 7 years and in how many such cases discipline charges were proceeded against officers carrying out escorting duties.

The information requested on the number of escapes is published annually in the Scottish Prison Service Annual Reports and is as follows:

Escapes from escorts

Year	*Prisoners*	*Young offenders*
1987	10	20
[1]1988-89	26	15
1989-90	9	9
1990-91	13	12
1991-92	14	5
1992-93	24	5
1993-94	9	3

[1] 15-month period.

To provide figures for the number of cases where discipline charges were instituted within the last 7 years would only be achieved at disproportionate cost. The figure for the period 1 April 1992 to 31 March 1994 is 14.

Police (Privatisation)

Mr. Worthington: To ask the Secretary of State for Scotland what assessment he has made of whether there are sections of the police service that could be operated by the private sector; and what proposals he has for any such initiatives.

Lord James Douglas-Hamilton: My right hon. Friend keeps under review value for money in the police service, including whether any tasks undertaken by police forces could be fulfilled by other agencies, but he has at present no proposals in this area.

Mr. Worthington: To ask the Secretary of State for Scotland what role he sees for market testing in the police service.

Lord James Douglas-Hamilton: The Government intend to extend compulsory competitive tendering to maintenance and repair of police motor vehicles and to cleaning of police buildings.

TRADE AND INDUSTRY

Improper Trading Practices

Mr. Cousins: To ask the President of the Board of Trade how many actions have been brought in the United Kingdom each year as a result of article 86 of the EEC treaty.

Mr. Neil Hamilton: I am aware of three cases before the English courts in 1993 in which pleadings involved article 86 of the EC treaty. Information for earlier years is not readily available.

Main decisions and measures taken by the Commission of the European Communities under the competition provisions of the EC treaty are described in the Commission's annual reports on competition policy which are available in the Library of the House.

Copyright

Mr. Nigel Evans: To ask the President of the Board of Trade what steps are being taken by the Board of Trade to ensure copyright protection and enforcement is being carried out or prepared in *(a)* eastern Europe and *(b)* China.

Mr. McLoughlin: The Government are fully supporting European Community initiatives to achieve effective protection of copyright in eastern Europe, since we believe that this is now the most effective way of bringing influence to bear in that area. Six countries in the region —Bulgaria, the Czech and Slovak Republics, Hungary, Poland and Romania—have now signed association agreements with the Community, a specific condition of which is that both the level of intellectual property protection and the means of enforcing rights must be brought up to a standard comparable to that in the Community.

My Department has also been active over several years in making representations to the Chinese authorities to the effect that China should enact copyright laws conforming to international standards of protection, which they have now done. China's recent accession to the Berne copyright convention and the phonograms convention means that China is obliged to protect British and other foreign rights owners under their new laws to at least the same standard as their own nationals, and the Government will take up with the Chinese authorities any failure to meet these obligations where clear evidence exists.

Moreover, the recently concluded general agreement on tariffs and trade sets standards both on the level of copyright protection and on its enforcement, and includes remedies for failure to meet these standards. China hopes to become a party to the GATT and will, therefore, be expected to abide by these standards.

"Economy in Government" Competition

Mr. Fatchett: To ask the President of the Board of Trade if he will publish the guidelines used to ensure political impartiality in relation to the Adam Smith Institute's "Economy in Government" competition; and if he will make a statement.

Mr. Heseltine *[holding answer 13 April 1994]:* The Department of Trade and Industry has no connection with the competition. Members of staff wishing to enter in a private capacity are still subject to the normal rules of conduct applying to civil servants including the duty of confidentiality and the need to avoid political controversy.

Private Security Firms

Mr. George: To ask the President of the Board of Trade how many private security firms have been employed by his Department for each of the last 10 years; what has been the annual value of the contracts; and if he will estimate how many guards have been employed for each of those years.

Mr. Eggar: The information requested could be obtained only at disproportionate cost.

Firework Injuries

Mr. Nigel Griffiths: To ask the President of the Board of Trade if he will publish statistics for firework injuries for 1993.

Mr. McLoughlin *[holding answer 21 April 1994]:* I published the statistics for firework injuries for 1993 on 20 April in answer to a written question from my hon. Friend the Member for Southport (Mr. Banks), *Official Report,* column *518.*

Professor Peter Moizer

Mr. Austin Mitchell: To ask the President of the Board of Trade how he secured the secondment of Professor Peter Moizer; what are the terms of the secondment, its objectives and its cost to his Department; whether Professor Moizer will seek public evidence or hold public hearings in making his report; and if his final report will be made public.

Mr. Neil Hamilton: Professor Moizer was engaged after a normal competitive tendering process to assist my Department in its review of the monitoring regimes of the recognised supervisory bodies for company auditors. The professor accepted a standard DTI contract of service; it is not my Department's policy to reveal the cost of individual contract engagements. Professor Moizer has submitted his report to the Department. I believe that it will be useful to all concerned if, in due course, as much of the report as possible is made public.

Sizewell B

Mr. Llew Smith: To ask the President of the Board of Trade if he will make a statement on the reason for the delay in the opening of the Sizewell B nuclear plant.

Mr. Eggar: Nuclear Electric remains confident that Sizewell B will be brought into operation ahead of its committed 72-month timetable.

Coal Industry Privatisation

Mr. Tipping: To ask the President of the Board of Trade what discussions he has had with the chairman of British Coal about future redundancy payments for mineworkers after 30 April; and if he will make a statement.

Mr. Eggar: Both my right hon. Friend, the President of the Board of Trade and I meet the chairman of British Coal as necessary to discuss a wide variety of matters affecting the coal industry, including the funding of British Coal's redundancy arrangements. I understand that British Coal has told the unions that it will inform them as soon as possible of its proposals for redundancy arrangements for industrial workers to apply after 30 April.

Mr. Tipping: To ask the President of the Board of Trade what plans he has to extend redundancy schemes and payments for mineworkers after the privatisation of British Coal; and if he will make a statement.

Mr. Eggar: Any redundancy arrangements after the privatisation of British Coal, including any in excess of the statutory requirements, will be a matter for private sector employers. Under the Coal Industry Bill, the Transfer of Undertakings (Protection of Employment) Regulations 1981 will apply where there is a transfer of an undertaking or part of an undertaking. In such circumstances, the terms and conditions under contracts of employment at the time of transfer will transfer to the successor companies.

In accordance with TUPE, British Coal will consult trade union representatives about any proposed transfers. The details about what will, or will not transfer, including redundancy terms in excess of the statutory requirements, depend on the specific facts of each case, and are best pursued in the course of those consultations.

Mr. Wigley: To ask the President of the Board of Trade what are the planned payments to the Coal Industry Social Welfare Organisation for the next 10 years and comparable payments made during the last five years expressed at constant prices; and if he will make a statement.

Mr. Eggar: The Government's proposals for the Coal Industry Social Welfare Organisation involve assured funding of £15 million—£5 million taking the form of an annual payment of £1 million for five years, and £10 million taking the form of a capital endowment, the income of which would be available for current expenditure. The funding of CISWO for the past five years has been a matter for British Coal.

Mr. Tipping: To ask the President of the Board of Trade what financial assistance he plans to make available to companies that buy collieries after the privatisation of British Coal to fund redundancy payments.

Mr. Eggar: I have no such plans.

Racecourse Holdings Trust

Mr. Meale: To ask the President of the Board of Trade if he will refer the recent acquisition by the Racecourse Holdings Trust of United Racecourse (Holdings) Ltd. to the Monopolies and Mergers Commission.

Mr. Neil Hamilton: In accordance with advice from the Director General of Fair Trading, my right hon. Friend the

President of the Board of Trade announced on 25 February 1994 his decision not to refer the proposed acquisition by Racecourse Holdings Trust Ltd. of United Racecourses (Holdings) Ltd. to the Monopolies and Mergers Commission because it did not raise competition or other relevant concerns warranting scrutiny by the MMC.

ATTORNEY-GENERAL

Commonwealth Law Conference

Mr. Byers: To ask the Attorney-General what staff of his Department attended the Commonwealth law conference in Cyprus during September 1993.

The Attorney-General: No member of my chambers attended the Commonwealth law conference in Cyprus in May 1993. However, the Director of Public Prosecutions and the Director of the Serious Fraud Office both attended.

DEFENCE

United Kingdom Forces

Mr. Hunter: To ask the Secretary of State for Defence if he will make a statement on the implications of the United Kingdom's membership of the European Union for the command and deployment of United Kingdom forces.

Mr. Hanley: The United Kingdom's membership of the European Union has no direct implications for the command and deployment of United Kingdom forces, as the EU has no current jurisdiction in the defence field. The EU has placed responsibility for developing and implementing its decisions which have defence implications upon the Western European Union. The WEU is an autonomous organisation, and not all members of the EU are full members of the WEU. The WEU is being developed as the defence component of the EU and as a means of strengthening the European pillar of NATO, which remains fundamental to ensuring European security and stability. Development of the WEU is likely to have implications for the command and control of United Kingdom forces involved in operations with other European allies. In future such operations may take place under the control of the WEU, using assets shared with NATO.

Military Exercises

Mr. Wilson: To ask the Secretary of State for Defence what proposals he has for increasing the separation between controlled airspace and areas used for military exercises.

Mr. Hanley: The responsibility for such matters lies with the National Air Traffic Services with which my Department works closely in order to ensure that all aspects of civil and military flight safety are fully taken into account. There are currently no such proposals, but the use of airspace is kept under continuous review.

Royal Fleet Auxiliary

Mr. Brazier: To ask the Secretary of State for Defence what plans he has to announce new orders for replacement ships for the Royal Fleet Auxiliary.

Mr. Aitken: As part of our ongoing programme to maintain an up-to-date Royal Fleet Auxiliary, we invited tenders on 6 April for certain aspects of the feasibility studies for new auxiliary oilers. These vessels are planned to replace the "O" class front-line tankers around the turn of the century.

D-day Anniversary

Mr. Nicholas Winterton: To ask the Secretary of State for Defence what discussions he has had with ex-service men's organisations about financial barriers faced by veterans to participation in celebrations of the 50th anniversary of D-day; what proposals he has to make financial assistance available to such vererans; and if he will make a statement.

Mr. Hanley: My Department has no formal responsibility for ex-service men's or widows' organisations, which are privately funded, and we are not therefore in a position to provide financial assistance to those who wish to travel to the 50th anniversary commemorations.

There is, however, separate provision in the form of the widows grant-in-aid scheme which has been running for 10 years. The scheme provides financial assistance to those widows who lost their husbands overseas between 1914 and 1967 to make one visit to the grave or memorial as appropriate.

Mr. Nicholas Winterton: To ask the Secretary of State for Defence what estimate he has made of the numbers of veterans of D-day who are currently living; what assessment he has made of the numbers of those vererans who would welcome the opportunity to visit the site of their involvement; and what specific action he is taking to facilitate such visits.

Mr. Hanley: The number of D-day veterans who are currently living is not known. There are some 9,000 to 10,000 members of the Normandy Veterans Association, but there will be other D-day veterans who are not members of the NVA.

The level of interest in those events being managed by my Department, both in the Portsmouth area and in Normandy, is high. We have had over 12,000 applications for tickets for the ceremonies in Normandy. The numbers in the Portsmouth area are difficult to judge because one of the events—the Drumhead service on Southsea common on the morning of 5 June 1994—is open to the general public.

Although veterans and veterans' organisations should make their own arrangements for transport and accommodation, my Department is liaising with the appropriate authorities in Portsmouth and in Normandy to ensure they have a successful visit.

Homosexuality

Mr. Cohen: To ask the Secretary of State for Defence when he expects to publish the new regulations in respect of the treatment of homosexuality in the armed forces; and what is the rationale behind these proposed new regulations.

Mr. Hanley: As foreshadowed in my closing speech during the debate on discipline in the armed forces on 21 June 1993, *Official Report*, column *143*, new tri-service guidelines have been drawn up to reflect current policy and

procedure. These new guidelines, a copy of which have been placed in the Library of the House, were distributed down the services' chain of command in March 1994.

NORTHERN IRELAND

Consultants

Mr. Matthew Taylor: To ask the Secretary of State for Northern Ireland what information technology consultants his Department has employed and for what purpose and at what total cost for each of the last five years.

Sir John Wheeler: The information requested is listed.

Year 1989-90—Total cost £1,646,805

Consultant and Purpose

DE Barnard Systems
IT Strategy
To devise a common Information Technology strategy for the Countryside and Wildlife, Historic Monuments and Buildings Branches

Capita
Strategy Consultancy
Local Area Network at Newforge, Science Service
To provide a management accountant, acceptance testing manager and script writer to advise on the Integrated Computer System in Roads Service
HPSS Superannuation

Software Ireland
VALCOM Project
Companies Registry
Word Processing Systems
Unix Operating Systems

PA Consultancy
COMTOD Project
To develop a telecommunications strategy for the expansion of the Ordnance Survey for NI topographical database system into a multi user Province wide network

Oracle
Software Development
To provide advice and support during design and development of the Works Service MAIS project using the ORACLE relational database and toolset.
Maternity System

Butler Cox
Butler Cox Foundation

Syntek
Software Development
Transit Consultancy

SD Consultancy
Butler Cox Foundation

ICL
Software Development
VME Series 39
Girocheque Reconciliation

AIMS Ireland
SSADM Consultancy
IT Strategy Systems and Data Architecture Study

DPP UK Ltd.
Software Consultancy
Examine Data Communications system—Animal Health

P E Computers
CISD Market Test

MBP Systems
Software Consultancy

Quadratron
Software Development

Coopers and Lybrand
Strategy Consultancy
NI Emigration Database
Computerisation of Social Security Benefits
Departmental IT Strategy Plan
Local Area Network Study
General Ledger System

Uniplex
Software Development

Consultant employed by Wang (U.K.) Ltd.
Scoping Study of E Mail System in NIO

Belmin
Purchasing System

British Telecom
Telecoms Service Project

Touche Ross
Review Telecoms Draft Statement
Financial computerisation study

University of Ulster
General Accounting and Financial Information

CCTA
Identify options for linking cattle markets to the Animal Health System

CAPITA Muir and Addy
Development work on IT Strategy

BIS BEECOM (International) Ltd.
To advise on specialised communication aspects of the Integrated Computer Project in Roads Service

Peter Hyde
To advise on the organisation, management and job changes required as a result of the Integrated Computer System in Roads Service.

Chartered Institute of Public Finance and Accountancy Ltd.
Advice on Management Accounting aspects of the Integrated Computer Project in Water Service

Metron TEC Ltd.
Equipment Performance Monitoring

MDISL
Equipment Performance

BIC Systems
Unix Operating Systems

SCO Ltd.
Unix Operating Systems

EOSYS Ltd.
Local Area Network Study

Silicon Bridge
Clinical Software

Elite Consultancy Services
Project Cost Monitoring System

CICA Services
Computer Aided Design Systems

Cheltonian International
Panorama System

T. Morris and D. Shaw
Job Satisfaction Survey

Skytronics
Course Booking System

Year 1990-91—Total cost £1,287,809

DBI Associates
IS Strategy Review
Review of Departmental IT Strategy

Oracle UK Ltd.
Software Development
Oracle Software
To assist in the quality assurance of completed software products for the Works Service MAIS system

Quadratron Systems
Software Development

SD Consultancy
Butler Cox Foundation

Capita
Land Procurement Project
Management/IT, acceptance testing manager and script writers for Roads Service Integrated Computer System

ICL
System Upgrading
Giro Reconciliation Project
Transaction Processing for *POP* Census 1991

PA Consulting
NIGIS Project
Roads Service Geographical Information System

Hedra Ltd.
Market Testing

BSS Ltd.
Software Consultancy

Coopers & Lybrand
Market Testing
Implementation of IT Strategy Plan
Implementation of Operational Strategy Projects
1991 Population Census
Financial Information Systems
Local Area Network Cabling in DHSS

DIKTAT Systems
Training Consultancy
Kainos Software
Software Consultancy
Syntek Ltd.
VALCOM Project
AIMS Ireland
SSADM Consultancy
Compensation Recovery Project
IT Strategy Studies
LBMS PLC
PROMPT Consultancy
WS Atkins
HRMS Project
To provide advice on the technical options available in the event of the Roads Integrated Computer System contractor deciding on terms unacceptable to the Department
Belmin
Purchasing System
Price Waterhouse
Telecoms Project
Kermon Associates
Telecoms Service Study
OSI Group PLC
Telecoms Service Study
CCTA
Telecoms Project.
McDonnell Douglas Information Systems
ROSI-DEC Communication Consultancy and Demonstrations.
Dr B Farrington
Provide a detailed assessment of Roads Integrated Computer System contractual dispute and provide advice on a negotiating strategy.
BIS Beecom (International) Ltd.
Reassessment of benefits which Integrated Computer System would have provided. Identify and quantify functionality which may have been incorporated in Roads ICS Release 1 additional to contractual requirements.
Oracle.
Peat Marwick McClintock
Technical advice in connection with Roads Service Integrated Computer System.
Dr S Port
Work Design computer study, technical computer configuration for Roads Service.
Capita Muir and Addy
Financial Systems Strategy.
Tender Evaluation.
Capital Charges System.
Superannuation Tender Evaluation.
Elite Consultancy Services
Project Cost Monitoring System.
Capital Planning Resources Allocation System.
T Morris and D Shaw
Job Satisfaction Survey.
Touche Ross
Integrated Complementing System Project.
SCOLL
Computer Security.
CRAMM.
Systems Source Ltd.
GP Computers—Phase 1 and 2.
Logical Choice
Open Systems Picmigration.
Software Ireland
Open Systems Integration.
Softlab
CRAMM.
Year 1991-92—Total cost £1,229,658
ICS Computing
OSS Project
To advise on Software problems and system updates for PDP computer system based in Northland House
Inst. Software Engineering
CASE Consultancy
Information Strategies
OSS Project
NCC Ltd.
OSS Project
Synaptics
Project Management
Implementation of X400 Managing
Lorien Group
Oracle and SSADM
Computer Search and Selection
Programming Language for PRO
Software Ireland
OSS Project
Lucas Management
Artemis VMS Project
CLASS Ltd.
SSADM Consultancy
Belmin
Purchasing System
CFM
VLO Contingency
Price Waterhouse
Telecoms Service Study
Kermon Associates
Telecoms Service Study.
CCTA
Telecoms Project
IT Approval Projects
Advice on contingency and open systems for the Animal Health System
System Consulting Study
Review Information Systems Strategy
Portfolio Systems
Advice on use of development language and operating system for the Grants and Subsidies project
Unisys Ltd
Sizing capacity of the Animal Health System for contingency purposes
Hedley Computer Consultants
To check the Animal Health System to identify potential problem areas before the Spring business peak
Touche Ross
Information Systems Strategy Scoping Study in the Education Service
AMIS Project
ICS Project—Complementing mode extensions
SSO Monitoring Model and Local Office Factors
Information Systems Strategy Studies
Feasibility Lab Study 1 and 2
Amendment to SSO complementing model
Digital Equipment Co.
Development of IT Contingency Plan Procedures Manual
Networking Review of Digital Equipment in DENI
McDonnell Douglas Information Systems
Consultancy on Civil Service Payroll Interface with CAFIS
Logicom
Feasibility Study into Facilities Management
Software Support
Software Tailoring
Oracle
Software Support
Quadratron
Software Installation Reviews
HELM Corporation
Specialist Advice on IT Accountancy System for Ordnance Survey (NI)
Replacement of Rate Collection Agency Computer System
Coopers & Lybrand
To prepare an Information Systems Strategy for Water Service
Water Service Geographical Information System
IT Strategy for Rate Collection Agency—Phases I and II
HPSS Hospital In-Patient System
Computerisation options for Land Registry with particular attention to the NI Geographic Information System.
Financial Systems
Review of 1990 Social Security Benefits Computerisation Plan
Health and Personal Social Services
Data Management and Project Control Procedures
Replacement of Mental Health Records System
Integrated Complementing System Project—Central Operations Monitoring Model
PA Consulting Group
Roads Service Geographical Information System
Review of Personnel Arrangements (OCAO)

Dr B Farrington
Provide a detailed assessment of Roads Service Integrated Computer System contractual dispute and provide advice and negotiating strategy
DBI Associates Ltd.
To prepare an Information Systems Strategy for the Roads Service (including supplementary study into best use of IBM 3090 with Department)
Crawford W
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Housing Waiting Lists

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland if he will list by county, the total numbers on housing waiting lists in Northern Ireland categorised as urgent need or A1; and if he will make a statement.

Mr. Tim Smith: This is a matter for the Northern Ireland Housing Executive. I am advised by its chief executive that the information requested is available only by Housing Executive region. The numbers of applicants with A1 status at 31 March 1994 were as follows:—

NI housing executive region	*A1 applicants*
Belfast	557
South East	325
South	156
North East	214
West	438
Total	1,690

Trust Boards

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what criteria social workers will have to meet before being eligible for employment by the new trust boards; and if he will make a statement.

Mr. Ancram: Social workers employed by HSS trusts in Northern Ireland will have to meet exactly the same criteria in terms of professional qualifications as social workers employed by the health and social services board in the units of management which remain under the direct management control of boards.

Homelessness

Mr. William O'Brien: To ask the Secretaryof State for Northern Ireland if he will list by county the total numbers of *(a)* families, *(b)* single men and *(c)* single women in Northern Ireland, who were registered as homeless during 1993 and 1994; and if he will make a statement.

Mr. Tim Smith: This is a matter for the Northern Ireland Housing Executive. I am advised by its chief executive that the information is only available in relation to A1 priority status, by Housing Executive region. The numbers of applicants accepted as homeless during the period 1 April 1993 to 28 February 1994 were:

Northern Ireland housing executive region	*Number of applicants accepted as homeless*				
	(a) Families	*(b) Single men*	*(c) Single women*	*(d) couples without children*	*(e) Total*
Belfast	495	169	177	36	877
South East	404	91	134	51	680
South	299	71	103	35	508
North East	361	93	117	34	605
West	545	122	186	69	922
Total	2,104	546	717	225	3,592

A further 2,947 applicants were accepted as homeless during the period but were not deemed to be in priority need and not therefore classified as above.

Transport Licensing

Mr. McGrady: To ask the Secretary of State for Northern Ireland what assessment he has made of the work undertaken by the transport licensing enforcement officers in Northern Ireland; and if he will make a statement.

Mr. Tim Smith: This small but dedicated team of officers works very effectively, in occasionally difficult circumstances, to enforce the licensing requirements of both the Transport Act (Northern Ireland) 1967, and the Road Traffic (Northern Ireland) Order 1981. Their efforts are appreciated by the legitimate haulage and passenger carrying operators who are best placed to provide the public with the services which they require in these important market sectors. The Public Accounts Committee also recently commented favourably on the value of this enforcement effort in its report on road safety in Northern Ireland—1993-94 Session, 13th report.

Policing Costs

Mr. Gordon Prentice: To ask the Secretary of State for Northern Ireland what is the cost per head of population *(a)* for Northern Ireland and *(b)* for the United Kingdom of policing the border with the Republic of Ireland; and what estimates he has made of the comparable cost to the Republic of Ireland.

Sir John Wheeler: The information requested is not available.

United Ireland (Economic Benefits)

Mr. Gordon Prentice: To ask the Secretary of State for Northern Ireland what assessment he has made of the economic benefits of a United Ireland *(a)* to the island of Ireland and *(b)* to Great Britain.

Sir Patrick Mayhew: None.

Electricity Industry

Mr. McGrady: To ask the Secretary of State for Northern Ireland what assessment he has made of the major interruptions to electricity supply in the constituency of South Down which have occurred since 1 April 1990; and if he will make a statement.

Mr. Tim Smith: None. This is a matter for Northern Ireland Electricity plc in the first instance. In the event that NIE should fail to provide a satisfactory answer the matter can be pursued by the Director General of Electricity Supply for Northern Ireland.

Neil Latimer

Mr. McMaster: To ask the Secretary of State for Northern Ireland what is the current position on the case of Neil Latimer; and if he will make a statement.

Sir Patrick Mayhew: When I responded to the Adjournment debate initiated by the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) on 23 February, *Official Report*, columns 408-16, I described my statutory power to refer a case to the Court of Appeal in Northern Ireland. The criterion which I would normally expect to be satisfied if I were to refer a case is that there should be some new evidence, or other consideration of substance, which has not previously been before the court and which now appears to cast doubt on the safety of the conviction. I also reiterated the central principle that it is not for Ministers to substitute their own assessment of the evidence in a particular case for that of the courts.

My predecessor referred the cases of Mr. Latimer and his co-accused to the Court of Appeal because forensic tests showed that notes of police interviews with the appellants had been altered and falsely authenticated. Since Mr. Latimer's appeal was dismissed in July 1992 I have received a number of representations asking me again to refer his case to the Court of Appeal, but none has so far provided sufficient grounds to justify such a reference.

I am at present obtaining advice on the further material referred to during the debate and will, as I undertook on 23 February, continue to give these matters the very careful consideration that they merit.

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SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

Rulings and Statements by Speaker and deputies are brought together under the heading 'Speaker's rulings and statements'.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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